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OF THE

2009

GENERAL ASSEMBLY

OF THE

STATE OF NORTH CAROLINA

**FIRST
SESSION 2009**

VOLUME II

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SEVENTY-SEVENTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, June 10, 2009

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

The following prayer is offered by the Reverend Bob Inskeep, Associate Pastor, First Presbyterian Church, Raleigh, North Carolina.

"Lord, I thank You I am not a Representative.

"Lord, You know I'm not smart enough to look at all these numbers and figure out which investments are absolutely essential and which might be superfluous.

"And I don't presume to know how to produce more income from those who could pay, and not burden those who cannot.

"And Lord, I'm not sure I have the courage to look a constituent in the eye who lost a vital service - whose life is jeopardized because of a decision I made.

"And so all we can do is what one of the wisest men ever did...Solomon didn't pray to win the lottery or be the most powerful...He prayed for wisdom.

"Lord, grant these Representatives wisdom...wisdom to do the right thing, the compassionate thing...and then the courage and hope to bring this Goodliest Land to a better day.

"Lord, bless them and keep them, I pray. Amen."

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

A leave of absence is granted Representative Carney for today.

ENROLLED BILLS

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

June 10, 2009

H.B. 9, AN ACT TO MAKE IT UNLAWFUL TO USE A MOBILE TELEPHONE FOR E-MAIL OR TEXT MESSAGING WHILE OPERATING A VEHICLE ON A PUBLIC STREET OR HIGHWAY OR PUBLIC VEHICULAR AREA.

H.B. 659, AN ACT AUTHORIZING THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE TO DIRECT THE PROGRAM EVALUATION DIVISION TO STUDY EXISTING PROGRAMS RELATING TO CHILDREN AND YOUTH IN NORTH CAROLINA, AS RECOMMENDED BY THE JOINT LEGISLATIVE STUDY COMMISSION ON CHILDREN AND YOUTH.

H.B. 838, AN ACT TO CREATE AN EXEMPTION FOR SIZE AND WEIGHT RESTRICTIONS OF HAULERS OF SAGE.

H.B. 964, AN ACT TO EXPAND THE DISCRETIONARY POWERS OF THE INSURANCE GUARANTY ASSOCIATION TO ALLOW IT TO CONTRACT AS A SERVICING FACILITY FOR OTHER ENTITIES.

H.B. 1171, AN ACT TO PROVIDE THAT LAW STUDENT EXTERNS AT THE GENERAL ASSEMBLY ARE SUBJECT TO LEGISLATIVE CONFIDENTIALITY.

H.B. 1399, AN ACT TO PROVIDE THAT CIVIL PENALTIES OF UP TO ONE THOUSAND DOLLARS MAY BE ASSESSED FOR VIOLATION OF CAPACITY USE AREA LAWS.

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

H.B. 538, AN ACT TO ALLOW THE CHARLOTTE-MECKLENBURG BOARD OF EDUCATION TO MAINTAIN A CAMPUS POLICE AGENCY.

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

S.J.R. 1103, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF JESSE HELMS. (RESOLUTION 2009-20)

CHAPTERED BILLS

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

June 10, 2009

H.B. 633, AN ACT RELATING TO THE MANNER OF ELECTION AND ORGANIZATION OF THE BOARD OF COMMISSIONERS OF YANCEY COUNTY. (S.L. 2009-71)

H.B. 833, AN ACT TO PROVIDE FOR THE NONPARTISAN ELECTION OF THE WINSTON-SALEM/FORSYTH COUNTY BOARD OF EDUCATION AND TO STAGGER THE ELECTION CYCLE. (S.L. 2009-72)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Braxton, Chair, for the Committee on Local Government II:

S.B. 504, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF DURHAM TO GRANT THE CITY MANAGER THE AUTHORITY TO INCLUDE THE CITY'S ANTI-SWEATSHOP REQUIREMENTS IN THE SPECIFICATIONS FOR CITY CONTRACTS, reported without prejudice and with recommendation that the bill be re-referred to the Committee on Judiciary III.

The bill is re-referred to the Committee on Judiciary III.

S.B. 560 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY COUNCIL OF THE CITY OF GREENVILLE TO APPOINT SOME OF THE CITY'S HOUSING AUTHORITY COMMISSIONERS, with a favorable report and recommendation that the bill be re-referred to the Committee on Judiciary III.

The bill is re-referred to the Committee on Judiciary III.

By Representative Tucker, Chair, for the Committee on Pensions and Retirement:

S.B. 202 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE BASE BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

June 10, 2009

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

S.B. 863 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE PURCHASE OF CREDITABLE SERVICE BY MEMBERS OF THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM FOR CERTAIN PERIODS OF NONQUALIFIED EMPLOYMENT, with a favorable report.

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

By Representative Hill, Chair, for the Committee on Agriculture:

S.B. 674 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND THE RABIES LAWS TO CONFORM WITH RECOMMENDATIONS FROM THE CENTERS FOR DISEASE CONTROL AND THE NATIONAL ASSOCIATION OF STATE PUBLIC HEALTH VETERINARIANS AND TO ALLOW STRAY OR FERAL ANIMALS TO BE EUTHANIZED AND TESTED FOR RABIES AFTER BITING A HUMAN, with a favorable report and recommendation that the bill be re-referred to the Committee on Health.

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

By Representative Dickson, Chair, for the Committee on Commerce, Small Business, and Entrepreneurship:

S.B. 412 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES TO THE NORTH CAROLINA LIMITED LIABILITY COMPANY ACT, with a favorable report and recommendation that the bill be re-referred to the Committee on Judiciary I.

The bill is re-referred to the Committee on Judiciary I.

S.B. 709 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE CRIMINAL OFFENSE OF HOME IMPROVEMENT FRAUD, with a favorable report and recommendation that the bill be re-referred to the Committee on Judiciary III.

The bill is re-referred to the Committee on Judiciary III.

MESSAGES FROM THE SENATE

The following are received from the Senate:

June 10, 2009

H.B. 735, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW REGARDING BUILDING CODE STANDARDS FOR BUILDINGS USED BY HIGH SCHOOL STUDENTS ATTENDING CLASSES ON COMMUNITY COLLEGE CAMPUSES, is returned for concurrence in one Senate amendment, and referred to the Committee on Education and, if favorable, to the Committee on State Government/State Personnel.

Upon concurrence the Senate amendment changes the title.

S.B. 1007 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT AMENDING THE LAWS UNDER THE NORTH CAROLINA HOME INSPECTOR LICENSURE ACT, is read the first time and referred to the Committee on Commerce, Small Business, and Entrepreneurship and, if favorable, to the Committee on Finance.

S.B. 1073 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT AMENDING THE NORTH CAROLINA ALARM SYSTEMS LICENSING ACT AND AUTHORIZING THE NORTH CAROLINA ALARM SYSTEMS LICENSING BOARD TO ESTABLISH A LATE REGISTRATION FEE, is read the first time and referred to the Committee on Judiciary III and, if favorable, to the Committee on Finance.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following report from standing committee is presented:

By Representatives Coates and Cole, Vice Chairs, for the Committee on Transportation:

H.B. 1534, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO PRODUCE A SPECIAL PLATE FOR THE NORTH CAROLINA WILDLIFE FEDERATION, INC., with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

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

CALENDAR

Action is taken on the following:

H.B. 459 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF ROCKY MOUNT TO ALLOW THE CITY TO ENACT A FAIR HOUSING ORDINANCE.

On motion of Representative Bryant, the House concurs in the Senate committee substitute bill, by electronic vote (116-0), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 701**, A BILL TO BE ENTITLED AN ACT TO MAKE THE OFFICE OF TAX COLLECTOR IN AVERY COUNTY APPOINTIVE RATHER THAN ELECTIVE.

On motion of Representative Frye, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (115-0), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 747**, A BILL TO BE ENTITLED AN ACT INCREASING THE FORCE ACCOUNT LIMIT FOR THE CITY OF ASHEVILLE AND BUNCOMBE COUNTY FOR CONSTRUCTION OR REPAIR PROJECTS.

On motion of Representative Fisher, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (116-0), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 888** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REGULATE BOW HUNTING ON THE LANDS OF ANOTHER IN HYDE COUNTY AND TO REGULATE HUNTING WITH GUNS, DOGS, OR BOW AND ARROW ON THE LANDS OF ANOTHER IN WAYNE COUNTY.

On motion of Representative Spear, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (102-13), and the bill is ordered enrolled.

H.B. 221 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE TO REVIEW THE ACTIVITIES

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OF OCCUPATIONAL LICENSING BOARDS, TO REQUIRE THAT CERTAIN LICENSING BOARDS BE AUDITED ANNUALLY, TO SPECIFY A DATE FOR FILING OF REPORTS, TO ESTABLISH SANCTIONS FOR FAILURE TO FILE REPORTS, AND TO REQUIRE THAT BOARD MEMBERS RECEIVE TRAINING, AS RECOMMENDED BY THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE.

On motion of Representative Goodwin, the House concurs in the Senate committee substitute bill, by electronic vote (116-0), and the bill is ordered enrolled and presented to the Governor.

H.B. 391 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING COMMUNITY COLLEGES TO OFFER NON-CREDIT COURSES IN SAFE DRIVING TO HIGH SCHOOL STUDENTS DURING THE SCHOOL YEAR.

On motion of Representative Daughtry, the House concurs in the Senate committee substitute bill, by electronic vote (116-0), and the bill is ordered enrolled and presented to the Governor.

Senate Committee Substitute for **H.B. 406** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF JUSTICE AND THE WILDLIFE RESOURCES COMMISSION TO DEVELOP JOINTLY A PLAN FOR CONSTRUCTION OF A FIRING RANGE FOR USE BY CRIMINAL JUSTICE OFFICERS ATTENDING THE WESTERN JUSTICE ACADEMY, LAW ENFORCEMENT OFFICERS OF THE WILDLIFE RESOURCES COMMISSION AND OTHERS AND FOR A FIRING AND ARCHERY RANGE OPEN AND ACCESSIBLE FOR PUBLIC USE; AND TO PROVIDE THAT ANY FIRING RANGE CONSTRUCTED ON THE GROUNDS OF THE LARRY T. JUSTUS WESTERN JUSTICE ACADEMY SHALL BE AN INDOOR FACILITY.

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

Senate Committee Substitute for **H.B. 440** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE USE OF AUTOMATED CAMERA OR VIDEO RECORDING SYSTEMS TO DETECT AND PROSECUTE INDIVIDUALS WHO PASS STOPPED SCHOOL BUSES, AS RECOMMENDED BY THE CHILD FATALITY TASK FORCE.

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On motion of Representative Folwell, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (116-0), and the bill is ordered enrolled and presented to the Governor.

H.B. 686 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODERNIZE NOTICE REQUIREMENTS FOR PROTECTIONS FOR TELEPHONE SUBSCRIBERS WHO WISH TO STOP UNWANTED TELEPHONE SOLICITATIONS AND FOR CONSUMERS WHO ENTER INTO TELEMARKETING TRANSACTIONS.

On motion of Representative Tucker, the House concurs in the Senate committee substitute bill, by electronic vote (116-0), and the bill is ordered enrolled and presented to the Governor.

H.B. 1031 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT PUBLIC SCHOOLS SEEKING VOLUNTARY CHILD CARE FACILITY LICENSURE MAY USE THE SAME BUILDING STANDARDS FOR PREKINDERGARTEN CLASS-ROOMS AS FOR KINDERGARTEN CLASSROOMS MEETING CERTAIN REQUIREMENTS.

On motion of Representative Folwell, the House concurs in the Senate committee substitute bill, by electronic vote (115-0), and the bill is ordered enrolled and presented to the Governor.

On motion of the Speaker, the House recesses at 3:43 p.m.

RECESS

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

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Dickson, Chair, for the Committee on Commerce, Small Business, and Entrepreneurship:

June 10, 2009

S.B. 922 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXCLUDE RESEARCH THAT CANNOT BE CONDUCTED WITHIN THE STATE FROM ELIGIBILITY CALCULATIONS FOR GRANTS FROM THE ONE NORTH CAROLINA SMALL BUSINESS PROGRAM, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the Senate committee substitute bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Finance.

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

S.B. 1029 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA PROFESSIONAL EMPLOYER ORGANIZATION ACT CONCERNING BONDING PROVISIONS AND MAINTENANCE OF EMPLOYEE BENEFITS, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the Senate committee substitute bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Insurance.

The House committee substitute bill is re-referred to the Committee on Insurance. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representative Braxton, Chair, for the Committee on Local Government II:

S.B. 543 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF DURHAM TO COLLECT A MUNICIPAL TAX FOR PUBLIC TRANSPORTATION OF TEN DOLLARS ON VEHICLES RESIDENT IN THE CITY, with a favorable report as to the House committee substitute bill, unfavorable as to the Senate committee substitute bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Finance.

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

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On motion of the Speaker, the House recesses at 5:03 p.m.

RECESS

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

On motion of the Speaker, the House recesses at 6:03 pm.

RECESS

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

On motion of the Speaker, the House recesses at 8:02 p.m.

RECESS

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

On motion of the Speaker, the House recesses at 8:31 p.m.

RECESS

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

Representative Owens moves, seconded by Representative E. Warren, that the House adjourn, subject to the receipt of Committee Reports, to reconvene June 11 at 11:00 a.m.

The motion carries.

**REPORTS OF STANDING COMMITTEES AND PERMANENT
SUBCOMMITTEES**

The following report from standing committee is presented:

By Representatives Luebke, Gibson, Wainwright, and Weiss, Chairs,
for the Committee on Finance:

June 10, 2009

S.B. 202 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE BASE BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, with a favorable report as to House Committee Substitute Bill No. 2, as amended, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(b), House Committee Substitute Bill No. 2, as amended, is placed on the Calendar of June 11. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

The House stands adjourned.

SEVENTY-EIGHTH DAY

HOUSE OF REPRESENTATIVES
Thursday, June 11, 2009

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

The following prayer is offered by Rabbi Ariel Edery, Beth Shalom, Raleigh, North Carolina.

"We pray for all who hold positions of leadership and responsibility in our Nation and in our community: may God's blessing and inspiration rest upon them. May God bless us all with peace and contentment.

"But we cannot simply pray to You, O God, to end despair; for You have already given us the power to end poverty and homelessness, and to build hope, if we would only use our resources justly.

"We cannot merely pray to You, O God, to end hunger; for You have already given us the resources with which to feed the entire world, if we would use them wisely.

"We cannot merely pray to You, O God, to end disease; for You have already given us great minds with which to search out cures and healing, if we would only use them fully and constructively.

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"We cannot simply pray to You, O God, to end conflict; for we know that You have made the world in a way that we must find our own path to peace, within ourselves and with our neighbors.

"And we cannot merely pray to You, O God, to produce happiness; for You have already given us the hands, the hearts, and the minds we can use to build our communities strong, and bring prosperity.

"So, therefore, we pray to You instead, O God, for strength and determination; for wisdom and will power; to do and not just to pray, to become instead of to wish; that our land may be safe, that our lives and our communities may be blessed.

"May God, who makes harmony and peace on the heavens, bring peace and happiness to us, and to all. Amen."

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

Representatives Carney, Folwell, and Stewart are excused for a portion of the Session.

ENROLLED BILLS

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

S.B. 141, AN ACT TO REQUIRE THE COMMISSION FOR PUBLIC HEALTH TO ADOPT RULES CONCERNING WHEN TESTING FOR VOLATILE ORGANIC COMPOUNDS IN NEWLY CONSTRUCTED PRIVATE DRINKING WATER WELLS IS REQUIRED, AND TO LIMIT DRINKING WATER TESTING FOR THE PRESENCE OF VOLATILE ORGANIC COMPOUNDS IN ACCORDANCE WITH THOSE RULES.

S.B. 1000, AN ACT TO RESTRICT THE OVERALL LENGTH OF A SINGLE VEHICLE WITH TWO OR MORE AXLES TO FORTY FEET, TO REQUIRE THAT VEHICLES TRANSPORTING EQUIPMENT OR POLES FOR EMERGENCY UTILITY REPAIR AT NIGHT HAVE TRAILERS THAT ARE NO LONGER THAN FIFTY-THREE FEET, TO INCREASE THE MAXIMUM LENGTH FOR A COMBINATION OF A HOUSE TRAILER USED AS A MOBILE HOME WITH ITS TOWING VEHICLE, AND TO REQUIRE CERTAIN FARM VEHICLES TO BE SELF-PROPELLED WHEN OPERATING ON A HIGHWAY.

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S.B. 1011, AN ACT TO AMEND THE LAW GOVERNING THE SIZES OF TRAPS FOR TAKING WILD ANIMALS.

H.B. 221, AN ACT TO AUTHORIZE THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE TO REVIEW THE ACTIVITIES OF OCCUPATIONAL LICENSING BOARDS, TO REQUIRE THAT CERTAIN LICENSING BOARDS BE AUDITED ANNUALLY, TO SPECIFY A DATE FOR FILING OF REPORTS, TO ESTABLISH SANCTIONS FOR FAILURE TO FILE REPORTS, AND TO REQUIRE THAT BOARD MEMBERS RECEIVE TRAINING, AS RECOMMENDED BY THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE.

H.B. 391, AN ACT AUTHORIZING COMMUNITY COLLEGES TO OFFER NONCREDIT COURSES IN SAFE DRIVING TO HIGH SCHOOL STUDENTS DURING THE SCHOOL YEAR.

H.B. 440, AN ACT TO PROVIDE FOR THE USE OF AUTOMATED CAMERA OR VIDEO RECORDING SYSTEMS TO DETECT AND PROSECUTE INDIVIDUALS WHO PASS STOPPED SCHOOL BUSES, AS RECOMMENDED BY THE CHILD FATALITY TASK FORCE, AND TO INCREASE THE PENALTY FOR STRIKING AND CAUSING THE DEATH OF A PERSON WHEN PASSING A STOPPED SCHOOL BUS.

H.B. 686, AN ACT TO MODERNIZE NOTICE REQUIREMENTS FOR PROTECTIONS FOR TELEPHONE SUBSCRIBERS WHO WISH TO STOP UNWANTED TELEPHONE SOLICITATIONS AND FOR CONSUMERS WHO ENTER INTO TELEMARKETING TRANSACTIONS.

H.B. 1031, AN ACT TO PROVIDE THAT PUBLIC SCHOOLS SEEKING VOLUNTARY CHILD CARE FACILITY LICENSURE MAY USE THE SAME BUILDING STANDARDS FOR PREKINDERGARTEN CLASSROOMS AS FOR KINDERGARTEN CLASSROOMS MEETING CERTAIN REQUIREMENTS.

H.B. 1094, AN ACT TO REQUIRE THAT SPECIAL PLATES THAT ARE AVAILABLE TO MILITARY VETERANS ARE ISSUED ONLY TO APPROPRIATE APPLICANTS.

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

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H.B. 459, AN ACT AMENDING THE CHARTER OF THE CITY OF ROCKY MOUNT TO ALLOW THE CITY TO ENACT A FAIR HOUSING ORDINANCE.

H.B. 701, AN ACT TO MAKE THE OFFICE OF TAX COLLECTOR IN AVERY COUNTY APPOINTIVE RATHER THAN ELECTIVE; AND TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS FOR MOORE COUNTY TO DELEGATE THE AUTHORITY TO ISSUE PYROTECHNICS PERMITS TO THE COUNTY FIRE MARSHAL.

H.B. 747, AN ACT INCREASING THE FORCE ACCOUNT LIMIT FOR THE CITY OF ASHEVILLE AND BUNCOMBE COUNTY AND FOR THE TOWN OF DALLAS FOR CONSTRUCTION OR REPAIR PROJECTS.

H.B. 888, AN ACT TO REGULATE BOW HUNTING ON THE LANDS OF ANOTHER IN HYDE COUNTY; TO REGULATE HUNTING WITH GUNS, DOGS, OR BOW AND ARROW ON THE LANDS OF ANOTHER IN WAYNE COUNTY; AND TO EXTINGUISH ANCIENT MINERAL CLAIMS IN HYDE COUNTY.

H.B. 1621, AN ACT TO REALIGN THE DISTRICTS IN PENDER AND NEW HANOVER COUNTIES FOR THE ELECTION OF MEMBERS OF THE NORTH CAROLINA HOUSE OF REPRESENTATIVES TO BE IN COMPLIANCE WITH THE ORDER OF THE UNITED STATES SUPREME COURT IN BARTLETT V. STRICKLAND.

CHAPTERED BILLS

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

H.B. 538, AN ACT TO ALLOW THE CHARLOTTE-MECKLENBURG BOARD OF EDUCATION TO MAINTAIN A CAMPUS POLICE AGENCY. (S.L. 2009-73)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Braxton, Chair, for the Committee on Local Government II:

June 11, 2009

S.B. 1028 (Committee Substitute), A BILL TO BE ENTITLED AN ACT DIRECTING LOCAL BOARDS OF EDUCATION TO ENCOURAGE COMMUNITY ACADEMIC BOOSTER ORGANIZATIONS, KNOWN AS COMMUNITY ACHIEVEMENT NETWORK – DEVELOPING OUR EDUCATIONAL RESOURCES (CAN DOER) ORGANIZATIONS, TO SUPPORT STUDENT ACADEMIC ACHIEVEMENT, TO DEVELOP POLICIES APPROVING USE OF VOLUNTEER ORGANIZATIONS AND INDIVIDUAL VOLUNTEERS, AND TO DEVELOP POLICES TO MAKE INFORMATION ON TUTORING AND ACADEMIC SUPPORT SERVICES AVAILABLE TO PARENTS AND STUDENTS, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the Senate committee substitute bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Education.

The House committee substitute bill is re-referred to the Committee on Education. The Senate committee substitute bill is placed on the Unfavorable Calendar.

CALENDAR

Action is taken on the following:

S.B. 202 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE BASE BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES.

On motion of the Speaker, the House recesses at 1:00 p.m.

RECESS

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

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Carney, Chair, for the Committee on Transportation:

H.B. 1583, A BILL TO BE ENTITLED AN ACT TO CHANGE THE DEPARTMENT OF TRANSPORTATION SELECTIVE VEGETATION

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REMOVAL POLICIES AND PERMIT FEES, with a favorable report as to the committee substitute bill, unfavorable as to the original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

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

By Representative Sutton, Chair, for the Committee on Judiciary III:

S.B. 43 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPROVE BOATING SAFETY BY REQUIRING BOATING SAFETY EDUCATION PRIOR TO OPERATING A VESSEL WITH A MOTOR OF TEN HORSEPOWER OR GREATER, AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON MANDATORY BOATING SAFETY EDUCATION, with a favorable report.

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

S.B. 584 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND THE PRIVATE PROTECTIVE SERVICES ACT, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

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

By Representatives Glazier, Love, and Weiss, Vice Chairs, for the Committee on Judiciary II:

S.B. 448 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE LAWS REGULATING SELF-SERVICE STORAGE FACILITIES, with a favorable report.

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

S.B. 625, A BILL TO BE ENTITLED AN ACT TO PROHIBIT DECEPTIVE ADVERTISING ABOUT GEOGRAPHICAL LOCATION BY BUSINESSES THAT SUPPLY PERISHABLE PRODUCTS, with a favorable report.

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

S.B. 817 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE CHILD SUPPORT COLLECTIONS BY PERMITTING

June 11, 2009

GREATER SENTENCING FLEXIBILITY FOR A PERSON WHO COM-
MITS CRIMINAL CONTEMPT BY FAILING TO COMPLY WITH AN
ORDER TO PAY CHILD SUPPORT, with a favorable report and recom-
mendation that the bill be re-referred to the Committee on Appropriations.

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

S.B. 889 (Committee Substitute), A BILL TO BE ENTITLED AN
ACT FURTHER AUTHORIZING THE UTILITIES COMMISSION TO
DETERMINE THE UNIVERSAL SERVICE PROVIDER IN CERTAIN
SUBDIVISIONS AND AREAS, with a favorable report.

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

CALENDAR (continued)

S.B. 202 (House Committee Substitute No. 2), A BILL TO BE ENTITLED
AN ACT TO MAKE BASE BUDGET APPROPRIATIONS FOR CUR-
RENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS,
AND AGENCIES, AND FOR OTHER PURPOSES.

On motion of Representative Stam, Committee Amendment No. 1,
which is ruled to be material, is adopted by the following vote:

Those voting in the affirmative are: Representatives M. Alexander,
Allen, Avila, Barnhart, Bell, Blackwood, Boles, Bordsen, Braxton, Brisson,
Brown, Brubaker, Bryant, Burr, Burris-Floyd, Carney, Cleveland, Coates,
Cotham, Crawford, Current, Daughtry, Dickson, Dollar, Earle, England,
Farmer-Butterfield, Fisher, E. Floyd, Folwell, Gillespie, Glazier, Goforth,
Goodwin, Grady, Gulley, Haire, Hall, Harrell, Harrison, Hill, Hilton,
Holliman, Holloway, Howard, Hughes, Hurley, Insko, Jackson, Jeffus,
Johnson, Jones, Justice, Justus, Killian, Langdon, Lewis, Love, Lucas,
Luebke, Mackey, Martin, McComas, McElraft, McGee, McLawhorn,
Michaux, Mills, Mobley, Moore, Neumann, Owens, Parmon, Pierce,
Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Setzer, Stam, Starnes,
Steen, Stevens, Stewart, Stiller, Sutton, Tarleton, Tolson, Tucker, Underhill,
R. Warren, Weiss, West, Whilden, Wiley, Wilkins, Williams, Womble,
Wray, and Yongue - 102.

Voting in the negative: None.

Excused absences: None.

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On motion of Representative Stam, Committee Amendment No. 2, which is ruled to be material, is adopted by the following vote:

Those voting in the affirmative are: Representatives K. Alexander, M. Alexander, Allen, Avila, Barnhart, Bell, Blackwell, Blackwood, Boles, Bordsen, Braxton, Brisson, Bryant, Burr, Burris-Floyd, Carney, Coates, Cole, Cotham, Crawford, Current, Dickson, Dockham, Dollar, Earle, England, Farmer-Butterfield, Fisher, E. Floyd, Folwell, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Guice, Gulley, Haire, Hall, Harrell, Harrison, Hill, Hilton, Holliman, Holloway, Hughes, Hurley, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Killian, Langdon, Lewis, Love, Lucas, Luebke, Mackey, Martin, McCormick, McElraft, McGee, McLawhorn, Michaux, Mills, Mobley, Moore, Neumann, Owens, Parmon, Pierce, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Setzer, Spear, Stam, Starnes, Steen, Stevens, Stewart, Stiller, Sutton, Tillis, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 106.

Voting in the negative: Representatives Brown, Brubaker, Cleveland, Daughtry, Grady, Howard, McComas, and Tarleton - 8.

Excused absences: None.

Representative Luebke explains Committee Amendment No. 3, which is ruled to be material.

Representative McGee moves to suspend Rule 31(d) in order that he might offer a perfecting amendment. The motion fails by electronic vote (51-63).

Representative Fisher requests and is granted permission to be recorded as voting "no". The adjusted vote total is (51-64).

Committee Amendment No. 3, which changes the title, is adopted by the following vote:

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Bell, Bordsen, Braxton, Bryant, Carney, Coates, Cole, Cotham, Crawford, Dickson, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Gibson, Glazier, Goforth, Goodwin, Haire, Hall, Harrell, Harrison, Hill, Holliman, Hughes, Insko, Jackson, Jeffus, Jones, Love, Lucas, Luebke, Mackey, Martin, McLawhorn, Michaux, Mobley, Owens, Parmon, Pierce, Rapp, Ross, Spear, Stewart, Sutton, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, Whilden, Wilkins, Williams, Womble, Wray, and Yongue - 64.

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Voting in the negative: Representatives Avila, Barnhart, Blackwell, Blackwood, Blust, Boles, Brown, Brubaker, Burr, Burris-Floyd, Cleveland, Current, Daughtry, Dockham, Dollar, Folwell, Frye, Gillespie, Grady, Guice, Gulley, Hilton, Holloway, Howard, Hurley, Johnson, Justice, Justus, Killian, Langdon, Lewis, McComas, McCormick, McElraft, McGee, Mills, Moore, Neumann, Randleman, Rhyne, Sager, Samuelson, Setzer, Stam, Starnes, Steen, Stevens, Stiller, Tarleton, Tillis, West, and Wiley - 52.

Excused absences: None.

On motion of Representative Faison, Committee Amendment No. 4, which is ruled to be material, is adopted by the following vote:

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Bell, Blackwell, Blackwood, Boles, Bordsen, Braxton, Brisson, Brown, Bryant, Burris-Floyd, Carney, Coates, Cole, Cotham, Crawford, Current, Daughtry, Dickson, Dockham, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Guice, Gulley, Haire, Hall, Harrell, Harrison, Hill, Holliman, Holloway, Hughes, Insko, Jackson, Jeffus, Johnson, Jones, Justus, Lewis, Love, Lucas, Luebke, Mackey, Martin, McComas, McCormick, McGee, McLawhorn, Michaux, Mills, Mobley, Neumann, Owens, Parmon, Pierce, Randleman, Rapp, Ross, Setzer, Spear, Stam, Steen, Stewart, Sutton, Tarleton, Tillis, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, Whilden, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 93.

Voting in the negative: Representatives Avila, Barnhart, Blust, Brubaker, Burr, Cleveland, Dollar, Grady, Hilton, Howard, Hurley, Justice, Killian, Langdon, McElraft, Moore, Rhyne, Sager, Samuelson, Starnes, Stevens, Stiller, and West - 23.

Excused absence: Representative Folwell.

Representative Crawford offers Amendment No. 5 which is adopted by electronic vote (114-1).

Representative Wilkins offers Amendment No. 6 which is adopted by electronic vote (69-44).

Representative Luebke offers Amendment No. 7 which is adopted by electronic vote (88-25).

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Representative Harrison offers Amendment No. 8 which is adopted by electronic vote (105-10).

Representative Blust offers Amendment No. 9 which is adopted by electronic vote (111-2).

Representative Tolson offers Amendment No. 10 which is temporarily displaced.

Representative Earle offers Amendment No. 11 which is adopted by electronic vote (112-0).

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

Representative E. Warren offers Amendment No. 12 which is adopted by electronic vote (92-19).

Representative Glazier offers Amendment No. 13 which is adopted by electronic vote (112-0).

Representative Insko offers Amendment No. 14 which is adopted by electronic vote (114-0).

Representative Bordsen offers Amendment No. 15 which is adopted by electronic vote (111-0).

Representative Love offers Amendment No. 16 which is adopted by electronic vote (114-0).

Representative Insko offers Amendment No. 17 which is adopted by electronic vote (113-1).

Representative Moore offers Amendment No. 18, which is ruled to be material. The amendment is adopted by the following vote:

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Avila, Barnhart, Bell, Blackwell, Blackwood, Blust, Boles, Bordsen, Braxton, Brisson, Brown, Brubaker, Bryant, Burr, Burris-Floyd, Cleveland, Coates, Cole, Cotham, Crawford, Current, Daughtry, Dickson, Dockham, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Grady, Guice, Gulley, Haire, Hall, Harrell, Harrison, Hill, Hilton, Holliman, Holloway, Howard, Hughes, Hurley, Insko, Jackson, Jeffus, Johnson, Jones,

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Justice, Justus, Killian, Langdon, Lewis, Love, Lucas, Luebke, Mackey, Martin, McComas, McCormick, McElraft, McGee, McLawhorn, Michaux, Mills, Mobley, Moore, Neumann, Owens, Parmon, Pierce, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Setzer, Spear, Stam, Starnes, Steen, Stevens, Stiller, Sutton, Tarleton, Tillis, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 114.

Voting in the negative: None.

Excused absences: Representatives Carney and Folwell - 2.

Representative Crawford offers Amendment No. 19 which is adopted by electronic vote (112-0).

Representative Insko offers Amendment No. 20 which is adopted by electronic vote (113-0).

Representative Underhill offers Amendment No. 21 which is adopted by electronic vote (110-3).

Representative Blust offers Amendment No. 22 which is temporarily displaced.

Amendment No. 10, which was temporarily displaced, is before the Body.

The amendment is temporarily displaced.

Representative Barnhart offers Amendment No. 23 which is adopted by electronic vote (111-3).

Representative Blust offers Amendment No. 24 which fails of adoption by electronic vote (55-57).

Representative Underhill requests and is granted permission to change her vote from "aye" to "no". The adjusted vote total is (54-58).

Representative R. Warren offers Amendment No. 25 which is adopted by electronic vote (114-0).

Representative Owens offers Amendment No. 26 which is adopted by electronic vote (113-0).

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Representative Goforth offers Amendment No. 27, which is temporarily displaced.

Representative Gibson offers Amendment No. 28 which is temporarily displaced.

Representative Parmon offers Amendment No. 29 which is adopted by electronic vote (110-3).

Representative Wainwright offers Amendment No. 30 which is temporarily displaced.

Amendment No. 27, which was temporarily displaced, is before the Body. The amendment is adopted by electronic vote (107-6).

Representative Stevens offers Amendment No. 31 which fails of adoption by electronic vote (46-68).

Representative Dollar offers an amendment which is ruled out of order.

Representative Dollar moves that Rule 31(d) be suspended in order that he might offer an amendment, which would change the title. The motion fails by electronic vote (50-64).

On motion of the Speaker, the House recesses at 6:01 p.m.

RECESS

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

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Glazier, Love, and Weiss, Vice Chairs, for the Committee on Judiciary II:

S.B. 799 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE TRANSPARENCY OF STATE FACILITIES THAT PROVIDE MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES BY REQUIRING THE DISCLOSURE OF CERTAIN INFORMATION ABOUT DEATH REPORTS, FACILITY POLICE REPORTS, AND

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INCIDENT REPORTS, with a favorable report as to House Committee Substitute Bill No. 2, unfavorable as to House Committee Substitute Bill No. 1.

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

MESSAGES FROM THE SENATE

The following are received from the Senate:

H.B. 673 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES, TO TAKE CERTAIN ACTIONS TO IMPROVE SUPPORTS FOR PERSONS WITH DEVELOPMENTAL DISABILITIES, is returned for concurrence in the Senate committee substitute bill.

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

H.B. 787 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE CRIMINAL PENALTY FOR ALTERING, DESTROYING, OR REMOVING THE PERMANENT SERIAL NUMBER OF A FIREARM AND FOR POSSESSING A FIREARM WITH THE SERIAL NUMBER REMOVED, is returned for concurrence in the Senate committee substitute bill.

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

Senate Committee Substitute for **H.B. 808** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE THE CONSTRUCTION PROCESS FOR COMMUNITY COLLEGE FACILITIES MORE EFFICIENT, is returned for concurrence in the Senate committee substitute bill and referred to the Committee on State Government/State Personnel.

Upon concurrence the Senate committee substitute bill changes the title.

H.B. 1190 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY AND STRENGTHEN THE LAW REGARDING THE PRESERVATION OF DNA AND BIOLOGICAL EVIDENCE THAT

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IS RELATED TO A CRIMINAL OFFENSE AND A DEFENDANT'S ACCESS TO THAT EVIDENCE, is returned for concurrence in the Senate committee substitute bill.

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

CALENDAR (continued)

S.B. 202 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE BASE BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES; TO PROVIDE FOR TWO NEW PERMANENT UPPER-INCOME TAX BRACKETS WITH BEGINNING THRESHOLDS AT TWICE AND FIVE TIMES THE CURRENT HIGHEST BRACKET EFFECTIVE JANUARY 1, 2009; TO PERMANENTLY PROVIDE FOR MANDATORY COMBINED REPORTING FOR CORPORATE INCOME TAX PURPOSES EFFECTIVE JANUARY 1, 2010; TO PERMANENTLY EXPAND THE CORPORATE FRANCHISE TAX BASE TO INCLUDE ALL LIMITED LIABILITY BUSINESS ENTITIES EFFECTIVE JANUARY 1, 2010; TO PERMANENTLY MODIFY THE CORPORATE INCOME TAX APPORTIONMENT FORMULA BY REQUIRING THAT SALES BE INCLUDED IN THE NUMERATOR OF THE SALES FACTOR IF THE PROPERTY IS SHIPPED FROM THIS STATE AND THE TAXPAYER IS NOT TAXABLE IN THE STATE WHERE THE PROPERTY IS DELIVERED, EFFECTIVE JANUARY 1, 2010; TO PERMANENTLY CONFORM THE EXEMPTION FOR FINANCIAL INSTITUTIONS FOR INTEREST EXPENSE THAT IS ALLOCABLE TO TAX-EXEMPT INTEREST INCOME TO THE GENERAL FEDERAL TREATMENT OF THIS EXPENSE EFFECTIVE JANUARY 1, 2010; TO PERMANENTLY INCREASE THE STATE GENERAL SALES AND USE TAX RATE BY ONE-QUARTER PERCENTAGE POINT EFFECTIVE AUGUST 1, 2009; TO PERMANENTLY IMPOSE THE STATE AND LOCAL SALES AND USE TAX ON SERVICE CONTRACTS AND ON REPAIR, MAINTENANCE, AND INSTALLATION SERVICES FOR TANGIBLE PERSONAL PROPERTY EFFECTIVE OCTOBER 1, 2009; TO PERMANENTLY IMPOSE THE STATE AND LOCAL SALES AND USE TAX ON LOCAL AND INTERSTATE COURIER SERVICES EFFECTIVE OCTOBER 1, 2009; TO PERMANENTLY IMPOSE THE STATE AND LOCAL SALES AND USE TAX ON SALES OF DIGITAL PRODUCTS EFFECTIVE OCTOBER 1, 2009; TO PERMANENTLY

June 11, 2009

REQUIRE A REMOTE SELLER TO COLLECT SALES TAX WHEN THE SELLER ENTERS INTO AN AGREEMENT WITH ONE OR MORE STATE RESIDENTS PROVIDING FOR A COMMISSION WHEN THE RESIDENT REFERS CUSTOMERS TO THE SELLER AND THE SELLER HAS GROSS RECEIPTS OF AT LEAST TEN THOUSAND DOLLARS ANNUALLY FROM SALES TO ALL CUSTOMERS REFERRED TO THE SELLER BY ALL SUCH RESIDENTS, EFFECTIVE WHEN IT BECOMES LAW; TO PERMANENTLY IMPOSE THE STATE AND LOCAL SALES TAX ON MOVIES AND OTHER AMUSEMENTS IN LIEU OF THE PRIVILEGE TAXES CURRENTLY IMPOSED ON THESE ACTIVITIES EFFECTIVE OCTOBER 1, 2009; AND TO PERMANENTLY INCREASE THE EXCISE TAX RATE ON SPIRITUOUS LIQUOR BY ONE AND ONE-HALF PERCENTAGE POINTS EFFECTIVE AUGUST 1, 2009, is before the Body.

Amendment No. 28, which was temporarily displaced, is before the Body. The amendment is adopted by electronic vote (89-19).

Representative Fisher requests and is granted permission to change her vote from "aye" to "no". The adjusted vote total is (88-20).

Representative Tolson withdraws Amendment No. 10, which was temporarily displaced.

Representative Wainwright withdraws Amendment No. 30, which was temporarily displaced.

Amendment No. 22, which was temporarily displaced, is before the Body. The amendment is adopted by electronic vote (106-4).

Representative Neumann moves that the Rules be suspended in order that he might offer an amendment which is not in compliance with the Rules. The motion fails by electronic vote (50-64).

Representative Jackson moves that Rule 31(d) be suspended in order that he might offer an amendment which would change the title. The motion fails by electronic vote (14-100).

Representative Blackwell offers Amendment No. 32.

Pursuant to Rule 36.1, Representative Michaux, Chair of the Committee on Appropriations, requests a fiscal note on the amendment.

June 11, 2009

Amendment No. 32 is temporarily displaced.

Representative Blackwell offers Amendment No. 33 which is adopted by electronic vote (59-55).

Representative Michaux offers Amendment No. 34 which is adopted by electronic vote (114-0).

Representative Tolson offers Amendment No. 35 which is adopted by electronic vote (87-27).

Representative Insko offers Amendment No. 36 which fails of adoption by electronic vote (17-95).

Representative Stam moves that the Rules be suspended in order that he might offer an amendment which is not in compliance with the Rules. The motion fails by electronic vote (52-61).

Representative Blackwell offers Amendment No. 37 which is adopted by electronic vote (68-45).

The bill, having been materially amended, remains on the Calendar for its second roll call reading.

On motion of Representative Owens, seconded by Representative Grady, the House adjourns at 8:16 p.m. to reconvene June 12 at 8:00 p.m.

SEVENTY-NINTH DAY

HOUSE OF REPRESENTATIVES
Friday, June 12, 2009

The House meets at 8:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by Representative William L. Wainwright, Speaker Pro Tempore:

"Gracious God, Our Heavenly Father:

June 12, 2009

"We thank You for having watched over us this day, and brought us safely back to our place of work. We thank You for this new day of mercies and for all of Your blessings. Be with us this night, O God, as we continue the work of this Chamber. Lead our discussion along the path of truthfulness. Guide our decisions along the trails of justice. Direct our actions along the avenues of fairness, compassion, and virtue. Guide our continued budget discussions and be Thou with us in all that we do. It is in Your Holy Name that we pray. Amen."

Representative Owens, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 11 has been examined and found correct. Upon his motion, the Journal is approved as written.

Representative Stewart is excused for a portion of the Session.

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

THE APPOINTMENT OF DAN W. INGLE

2009-2010

BY THE GOVERNOR OF THE STATE OF NORTH CAROLINA

A PROCLAMATION

WHEREAS, the Honorable Cary Allred, elected Representative from the Alamance County House District 2009-2010 General Assembly, has resigned; and

WHEREAS, the provisions of General Statute § 163-11 require that the vacancy created by the resignation of the Honorable Cary Allred be filled by appointment of the person recommended by the Alamance County State House of Representatives District Executive Committee of the Republican Party; and

WHEREAS, the Alamance County State House of Representatives District Executive Committee of the Republican Party has notified me of its recommendation of Dan W. Ingle of Alamance County, North Carolina, to fill the unexpired term,

June 12, 2009

I do by these presents appoint

DAN W. INGLE

as a member of the

HOUSE OF REPRESENTATIVES

2009-2010 General Assembly

IN WITNESS WHEREOF, I have hereunto signed my name and affixed the Great Seal of the State of North Carolina at the Capitol in the City of Raleigh, this twelfth day of June in the year of our Lord two thousand and nine, and of the Independence of the United States of America the two hundred and thirty-third.

S/ Beverly Perdue
Governor

ATTEST:

S/ Elaine F. Marshall
Secretary of State

The Chair appoints Representatives Starnes, Holloway, Tillis, Bordsen, and Lewis to escort the Member to the podium for the administration of the oath.

The following oath of office is administered to Dan W. Ingle, by the Speaker, pursuant to G.S. 120-5.

**OATH FOR MEMBERS OF THE
HOUSE OF REPRESENTATIVES
2009 SESSION**

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

June 12, 2009

"I, DAN W. INGLE, do swear (or affirm) that I will well and truly execute the duties of the office of a member of the House of Representatives according to the best of my skill and ability, according to law; so help me, God."

Representative Lewis escorts Representative Ingle to Seat 63.

The Speaker assigns Representative Ingle to the following committees: Agriculture, Appropriations, Appropriations Subcommittee on Capital, and Transportation.

MESSAGES FROM THE SENATE

The following are received from the Senate:

H.B. 315 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT REJECTION OF A PLEA ARRANGEMENT BY A JUDGE IN SUPERIOR COURT SHALL BE NOTED ON THE PLEA TRANSCRIPT AND BE MADE PART OF THE COURT RECORD, is returned for concurrence in one Senate amendment.

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

H.B. 722 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE REGULATION OF CERTAIN DEVICES THAT MAY BE USED AS DRUG PARAPHERNALIA, is returned for concurrence in one Senate amendment.

Pursuant to Rule 36(b), Committee Substitute Bill No. 2 is placed on the Calendar of June 16.

S.J.R. 1101 (Committee Substitute), A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF THE APPOINTMENTS OF LORINZO JOYNER, BRYAN BEATTY, AND TONOLA D. BROWN-BLAND TO THE UTILITIES COMMISSION, is read the first time and referred to the Committee on Public Utilities.

MOTION TO SUSPEND RULES

Representative Owens requests unanimous consent of the House that Rule 1 be suspended. Without objection, the House continues its Session past the 9:00 p.m. hour of adjournment.

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CALENDAR

Action is taken on the following:

S.B. 202 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE BASE BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES; TO PROVIDE FOR TWO NEW PERMANENT UPPER-INCOME TAX BRACKETS WITH BEGINNING THRESHOLDS AT TWICE AND FIVE TIMES THE CURRENT HIGHEST BRACKET EFFECTIVE JANUARY 1, 2009; TO PERMANENTLY PROVIDE FOR MANDATORY COMBINED REPORTING FOR CORPORATE INCOME TAX PURPOSES EFFECTIVE JANUARY 1, 2010; TO PERMANENTLY EXPAND THE CORPORATE FRANCHISE TAX BASE TO INCLUDE ALL LIMITED LIABILITY BUSINESS ENTITIES EFFECTIVE JANUARY 1, 2010; TO PERMANENTLY MODIFY THE CORPORATE INCOME TAX APPORTIONMENT FORMULA BY REQUIRING THAT SALES BE INCLUDED IN THE NUMERATOR OF THE SALES FACTOR IF THE PROPERTY IS SHIPPED FROM THIS STATE AND THE TAXPAYER IS NOT TAXABLE IN THE STATE WHERE THE PROPERTY IS DELIVERED, EFFECTIVE JANUARY 1, 2010; TO PERMANENTLY CONFORM THE EXEMPTION FOR FINANCIAL INSTITUTIONS FOR INTEREST EXPENSE THAT IS ALLOCABLE TO TAX-EXEMPT INTEREST INCOME TO THE GENERAL FEDERAL TREATMENT OF THIS EXPENSE EFFECTIVE JANUARY 1, 2010; TO PERMANENTLY INCREASE THE STATE GENERAL SALES AND USE TAX RATE BY ONE-QUARTER PERCENTAGE POINT EFFECTIVE AUGUST 1, 2009; TO PERMANENTLY IMPOSE THE STATE AND LOCAL SALES AND USE TAX ON SERVICE CONTRACTS AND ON REPAIR, MAINTENANCE, AND INSTALLATION SERVICES FOR TANGIBLE PERSONAL PROPERTY EFFECTIVE OCTOBER 1, 2009; TO PERMANENTLY IMPOSE THE STATE AND LOCAL SALES AND USE TAX ON LOCAL AND INTERSTATE COURIER SERVICES EFFECTIVE OCTOBER 1, 2009; TO PERMANENTLY IMPOSE THE STATE AND LOCAL SALES AND USE TAX ON SALES OF DIGITAL PRODUCTS EFFECTIVE OCTOBER 1, 2009; TO PERMANENTLY REQUIRE A REMOTE SELLER TO COLLECT SALES TAX WHEN THE SELLER ENTERS INTO AN AGREEMENT WITH ONE OR MORE STATE RESIDENTS PROVIDING FOR A COMMISSION WHEN THE RESIDENT REFERS CUSTOMERS TO THE SELLER AND THE SELLER HAS GROSS RECEIPTS OF AT LEAST TEN THOUSAND DOLLARS ANNUALLY FROM SALES TO ALL CUSTOMERS REFERRED TO THE SELLER BY ALL SUCH RESIDENTS, EFFECTIVE WHEN IT BECOMES LAW; TO PERMANENTLY IMPOSE THE STATE AND

June 12, 2009

LOCAL SALES TAX ON MOVIES AND OTHER AMUSEMENTS IN LIEU OF THE PRIVILEGE TAXES CURRENTLY IMPOSED ON THESE ACTIVITIES EFFECTIVE OCTOBER 1, 2009; AND TO PERMANENTLY INCREASE THE EXCISE TAX RATE ON SPIRITUOUS LIQUOR BY ONE AND ONE-HALF PERCENTAGE POINTS EFFECTIVE AUGUST 1, 2009.

Representative Gibson offers Amendment No. 38 which is adopted by electronic vote (114-3).

Representative Bordsen offers Amendment No. 39 which is adopted by electronic vote (117-0).

Representative Blust offers Amendment No. 40 which is temporarily displaced.

Representative Tillis moves that the Rules be suspended in order that he might offer an amendment which is not in compliance with the Rules. The motion fails by electronic vote (49-68).

Representative Michaux offers Amendment No. 41 which is adopted by electronic vote (114-3).

Representative Justus offers Amendment No. 42 which is adopted by electronic vote (117-0).

Representative Blackwell withdraws Amendment No. 32, which was temporarily displaced on June 11.

Representative Blackwell offers Amendment No. 43 which is adopted by electronic vote (67-49).

Representative Michaux offers Amendment No. 44 which is adopted by electronic vote (115-1).

Representative Yongue requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (116-1).

Amendment No. 40, which was temporarily displaced, is before the Body.

Representative Blust offers Perfecting Amendment No. 45 to Amendment No. 40, which is adopted by electronic vote (104-12).

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Amendment No. 40, as perfected by Amendment No. 45, fails of adoption by electronic vote (52-63).

Representative Stewart requests and is granted permission to be recorded as voting "no". The adjusted vote total is (52-64).

Representative Michaux offers Amendment No. 46 which is adopted by electronic vote (117-1).

Representative Blust offers Amendment No. 47.

Representative Blust offers Perfecting Amendment No. 48 to Amendment No. 47, which is adopted by electronic vote (93-23).

Amendment No. 47, as perfected by Amendment No. 48, fails of adoption by electronic vote (53-65).

Representative Farmer-Butterfield offers Amendment No. 49 which is adopted by electronic vote (114-4).

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

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Bell, Bordsen, Brisson, Bryant, Carney, Coates, Cole, Cotham, Crawford, Dickson, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Gibson, Glazier, Goforth, Goodwin, Haire, Hall, Harrell, Harrison, Hill, Holliman, Hughes, Insko, Jackson, Jeffus, Jones, Love, Lucas, Luebke, Mackey, Martin, McLawhorn, Michaux, Mobley, Owens, Parmon, Pierce, Rapp, Ross, Spear, Stewart, Sutton, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, Whilden, Wilkins, Williams, Womble, Wray, and Yongue - 64.

Voting in the negative: Representatives Avila, Barnhart, Blackwell, Blackwood, Blust, Boles, Braxton, Brown, Brubaker, Burr, Burris-Floyd, Cleveland, Current, Daughtry, Dockham, Dollar, Folwell, Frye, Gillespie, Grady, Guice, Gulley, Hilton, Holloway, Howard, Hurley, Ingle, Johnson, Justice, Justus, Killian, Langdon, Lewis, McComas, McCormick, McElraft, McGee, Mills, Moore, Neumann, Randleman, Rhyne, Sager, Samuelson, Setzer, Stam, Starnes, Steen, Stevens, Stiller, Tarleton, Tillis, West, and Wiley - 54.

Excused absences: None.

June 12, 2009

On motion of Representative Owens, seconded by Representative Stiller, the House adjourns at 11:56 p.m. to reconvene June 13 at 12:05 a.m.

EIGHTIETH DAY

HOUSE OF REPRESENTATIVES
Saturday, June 13, 2009

The House meets at 12:05 a.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by Representative Ruth Samuelson:

"Lord, make us instruments of Your peace.
Where there is hatred, let us sow love.
Where there is injury, pardon
Where there is doubt, faith
Where there is despair, hope
Where there is darkness, light
Where there is sadness, joy.

"Divine Master, grant that we may not so much seek to be consoled, as
to console
to be understood, as to understand
to be loved, as to love

"For it is in giving, that we receive
it is in pardoning, that we are pardoned
and it is in dying, that we are born to eternal life."

(Adapted from St. Francis of Assisi,
12th Century Friar)

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

There are no excused absences for today.

June 13, 2009

CALENDAR

Action is taken on the following:

S.B. 202 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE BASE BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES; TO PROVIDE FOR TWO NEW PERMANENT UPPER-INCOME TAX BRACKETS WITH BEGINNING THRESHOLDS AT TWICE AND FIVE TIMES THE CURRENT HIGHEST BRACKET EFFECTIVE JANUARY 1, 2009; TO PERMANENTLY PROVIDE FOR MANDATORY COMBINED REPORTING FOR CORPORATE INCOME TAX PURPOSES EFFECTIVE JANUARY 1, 2010; TO PERMANENTLY EXPAND THE CORPORATE FRANCHISE TAX BASE TO INCLUDE ALL LIMITED LIABILITY BUSINESS ENTITIES EFFECTIVE JANUARY 1, 2010; TO PERMANENTLY MODIFY THE CORPORATE INCOME TAX APPORTIONMENT FORMULA BY REQUIRING THAT SALES BE INCLUDED IN THE NUMERATOR OF THE SALES FACTOR IF THE PROPERTY IS SHIPPED FROM THIS STATE AND THE TAXPAYER IS NOT TAXABLE IN THE STATE WHERE THE PROPERTY IS DELIVERED, EFFECTIVE JANUARY 1, 2010; TO PERMANENTLY CONFORM THE EXEMPTION FOR FINANCIAL INSTITUTIONS FOR INTEREST EXPENSE THAT IS ALLOCABLE TO TAX-EXEMPT INTEREST INCOME TO THE GENERAL FEDERAL TREATMENT OF THIS EXPENSE EFFECTIVE JANUARY 1, 2010; TO PERMANENTLY INCREASE THE STATE GENERAL SALES AND USE TAX RATE BY ONE-QUARTER PERCENTAGE POINT EFFECTIVE AUGUST 1, 2009; TO PERMANENTLY IMPOSE THE STATE AND LOCAL SALES AND USE TAX ON SERVICE CONTRACTS AND ON REPAIR, MAINTENANCE, AND INSTALLATION SERVICES FOR TANGIBLE PERSONAL PROPERTY EFFECTIVE OCTOBER 1, 2009; TO PERMANENTLY IMPOSE THE STATE AND LOCAL SALES AND USE TAX ON LOCAL AND INTERSTATE COURIER SERVICES EFFECTIVE OCTOBER 1, 2009; TO PERMANENTLY IMPOSE THE STATE AND LOCAL SALES AND USE TAX ON SALES OF DIGITAL PRODUCTS EFFECTIVE OCTOBER 1, 2009; TO PERMANENTLY REQUIRE A REMOTE SELLER TO COLLECT SALES TAX WHEN THE SELLER ENTERS INTO AN AGREEMENT WITH ONE OR MORE STATE RESIDENTS PROVIDING FOR A COMMISSION WHEN THE RESIDENT REFERS CUSTOMERS TO THE SELLER AND THE SELLER HAS GROSS RECEIPTS OF AT LEAST TEN THOUSAND DOLLARS ANNUALLY FROM SALES TO ALL CUSTOMERS REFERRED TO THE SELLER BY ALL SUCH RESIDENTS, EFFECTIVE WHEN IT BECOMES LAW; TO PERMANENTLY IMPOSE THE STATE AND LOCAL SALES TAX ON MOVIES AND OTHER AMUSEMENTS IN

June 13, 2009

LIEU OF THE PRIVILEGE TAXES CURRENTLY IMPOSED ON THESE ACTIVITIES EFFECTIVE OCTOBER 1, 2009; AND TO PERMANENTLY INCREASE THE EXCISE TAX RATE ON SPIRITUOUS LIQUOR BY ONE AND ONE-HALF PERCENTAGE POINTS EFFECTIVE AUGUST 1, 2009.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate for concurrence in House Committee Substitute Bill No. 2 by Special Message.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Bell, Bordsen, Brisson, Bryant, Carney, Coates, Cole, Cotham, Crawford, Dickson, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Gibson, Glazier, Goforth, Goodwin, Haire, Hall, Harrell, Harrison, Hill, Holliman, Hughes, Insko, Jackson, Jeffus, Jones, Love, Lucas, Luebke, Mackey, Martin, McLawhorn, Michaux, Mobley, Owens, Parmon, Pierce, Rapp, Ross, Spear, Stewart, Sutton, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, Whilden, Wilkins, Williams, Womble, Wray, and Yongue - 64.

Voting in the negative: Representatives Avila, Barnhart, Blackwell, Blackwood, Blust, Boles, Braxton, Brown, Brubaker, Burr, Burris-Floyd, Cleveland, Current, Daughtry, Dockham, Dollar, Folwell, Frye, Gillespie, Grady, Guice, Gulley, Hilton, Holloway, Howard, Hurley, Ingle, Johnson, Justice, Justus, Killian, Langdon, Lewis, McCormick, McElraft, McGee, Mills, Moore, Neumann, Randleman, Rhyne, Sager, Samuelson, Setzer, Stam, Starnes, Steen, Stevens, Stiller, Tarleton, Tillis, West, and Wiley - 53.

Excused absences: None.

On motion of Representative Owens, seconded by Representative Stiller, the House adjourns at 12:14 a.m. to reconvene Tuesday, June 16, 2009, at 3:00 p.m.

EIGHTY-FIRST DAY

HOUSE OF REPRESENTATIVES
Tuesday, June 16, 2009

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

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The following prayer is offered by the Reverend Dr. Byron Wade, Pastor of Davie Street Presbyterian Church, Raleigh, North Carolina.

"O Creator God:

"We thank You for this day that You have given us. We ask that Your presence may be with the Legislature today in their deliberations. Give them Your wisdom and guidance to follow Your will as they make decisions that will affect the citizens of North Carolina. And at the end of the day, help us to rejoice in You. In the name of the sovereign God who rules and guides us all. Amen."

The Speaker leads the Body in the Pledge of Allegiance.

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

Leaves of absence are granted Representatives Farmer-Butterfield, Mills, Setzer, and E. Warren for today. Representative Starnes is excused for a portion of the Session.

ENROLLED BILLS

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

S.B. 754, AN ACT TO AMEND THE NORTH CAROLINA GENERAL STATUTES TO ALLOW THE STATE TO TAKE FULL ADVANTAGE OF THE EXPANSION OF EXISTING BOND PROGRAMS AND THE CREATION OF NEW BOND PROGRAMS UNDER THE AMERICAN RECOVERY AND REINVESTMENT TAX ACT OF 2009 (ARRTA).

S.B. 1027, AN ACT RELATING TO THE NOTIFICATION OF PROPERTY OWNERS UPON THE FILING OF AN APPLICATION FOR A ZONING MAP AMENDMENT.

H.B. 312, AN ACT TO INCREASE THE AMOUNT OF THE YEAR'S ALLOWANCE FOR A SURVIVING SPOUSE AND TO MAKE CONFORMING CHANGES TO RELATED PROVISIONS.

H.B. 377, AN ACT TO AUTHORIZE THE DIVISION OF EMERGENCY MANAGEMENT TO ESTABLISH A VOLUNTARY EMERGENCY MANAGEMENT CERTIFICATION PROGRAM, AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON EMERGENCY PREPAREDNESS AND DISASTER MANAGEMENT RECOVERY.

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H.B. 379, AN ACT TO ALLOW MUTUAL AID AGREEMENTS BETWEEN THE STATE AND POLITICAL SUBDIVISIONS OF THE STATE, AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON EMERGENCY PREPAREDNESS AND DISASTER MANAGEMENT RECOVERY.

H.B. 381, AN ACT TO EXPAND THE POWERS OF THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY, DIVISION OF EMERGENCY MANAGEMENT, AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON EMERGENCY PREPAREDNESS AND DISASTER MANAGEMENT RECOVERY.

H.B. 615, AN ACT TO AMEND THE LAW GOVERNING BUSINESS TRUSTS.

H.B. 698, AN ACT TO AMEND THE UMSTEAD ACT TO PERMIT FAYETTEVILLE TECHNICAL COMMUNITY COLLEGE TO PROPERLY TAKE ADVANTAGE OF CERTAIN INNOVATIVE TECHNOLOGIES.

H.B. 794, AN ACT TO AMEND THE LAW GOVERNING SUBSTITUTION OF TRUSTEES IN MORTGAGES AND DEEDS OF TRUST.

H.B. 896, AN ACT TO UPDATE THE CANCER COMPENDIA STATUTE TO REFLECT NEW COMPENDIA THAT ARE AVAILABLE.

H.B. 1046, AN ACT TO TRANSFER THE AUTHORITY TO ADOPT RULES ESTABLISHING STANDARDS APPLICABLE TO CHILD CARE CENTERS THAT PROVIDE DEVELOPMENTAL DAY PROGRAMS.

H.B. 1088, AN ACT TO EXEMPT FROM THE PURCHASES AND CONTRACTS LAW PURCHASES BY CERTAIN MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES FACILITIES.

H.B. 1161, AN ACT TO MAKE CHANGES IN THE LAWS RELATED TO THE FINANCIAL CONDITIONS OF INSURANCE COMPANIES, INCLUDING REINSURANCE INTERMEDIARIES, RECEIVERSHIP, THIRD-PARTY ADMINISTRATORS AND AUDITS OF WORKERS' COMPENSATION SELF-INSURERS, AND FOREIGN INSURERS.

H.B. 1164, AN ACT REQUESTED BY THE COMMISSIONER OF INSURANCE TO ELIMINATE OBSOLETE DATA COLLECTION REQUIREMENTS FOR HEALTH MAINTENANCE ORGANIZATIONS.

H.B. 1165, AN ACT TO CODIFY THE PROVISIONS SET FORTH IN THE PHOTOGRAPHIC VERSION OF THE STANDARD FIRE INSURANCE POLICY; MAKE CONFORMING AMENDMENTS; AND REPEAL THE STATUTE THAT CONTAINS THE PHOTOGRAPHIC VERSION OF THE STANDARD FIRE INSURANCE POLICY.

H.B. 1210, AN ACT TO FACILITATE OBTAINING FEDERAL WAIVERS THAT ARE NECESSARY TO ENSURE ADEQUATE GASOLINE SUPPLIES THROUGHOUT THE STATE; TO ALLOW THE GOVERNOR TO ENABLE BUSINESSES THAT SELL ITEMS CONSUMED OR USED TO SUSTAIN LIFE, HEALTH, SAFETY, OR ECONOMIC WELL-BEING TO BE EXEMPT FROM LOCAL CURFEWS; AND TO MAKE VARIOUS OTHER CHANGES THAT WILL FACILITATE POPULACE ACCESS TO EMERGENCY SUPPLIES AND SERVICES.

H.B. 1271, AN ACT TO CLARIFY AUTHORITY OF THE SOCIAL SERVICES COMMISSION IN SETTING QUALIFICATIONS FOR STAFF OF RESIDENTIAL CHILD CARE AGENCIES, RESIDENTIAL MATERNITY CARE AGENCIES, AND CHILD PLACING AGENCIES.

H.B. 1368, AN ACT TO AMEND THE FUTURE ADVANCES STATUTES BY DISTINGUISHING BETWEEN A FUTURE ADVANCE AND A FUTURE OBLIGATION AND BY MAKING VARIOUS OTHER CHANGES.

H.B. 1390, AN ACT TO RENDER VOID ANY BEQUEST OR DEVISE IN A WILL TO THE ATTORNEY WHO DRAFTED THE WILL UNLESS THE ATTORNEY IS A RELATIVE OF THE TESTATOR, AND TO REQUIRE ATTORNEYS WHO DRAFT A WILL OR CODICIL TO STATE THEIR NAME ON THE DOCUMENT.

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

H.B. 225, AN ACT TO AUTHORIZE AN INITIAL REVIEW OF APPEALS FOR REFUNDS OF OVERPAYMENT OF EXCISE STAMP TAXES FOR PURPOSES OF STREAMLINING RESOLUTION.

H.B. 280, AN ACT TO REMOVE THE CAP ON SATELLITE ANNEXATIONS FOR THE CITY OF BELMONT.

H.B. 395, AN ACT TO CREATE A SPECIAL TAXING DISTRICT MADE UP OF THE UNINCORPORATED AREAS OF SURRY COUNTY AND TO AUTHORIZE THE SPECIAL TAXING DISTRICT IN SURRY COUNTY TO LEVY A SIX PERCENT ROOM OCCUPANCY TAX.

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H.B. 422, AN ACT TO ANNEX CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE CITY OF KANNAPOLIS.

H.B. 702, AN ACT TO MAKE FURTHER AMENDMENTS TO THE SULLIVAN ACT, AND TO ALLOW THE CITY OF ASHEVILLE TO USE REVENUES FOR STREET AND SIDEWALK IMPROVEMENTS ASSOCIATED WITH WATERLINE IMPROVEMENTS.

H.B. 721, AN ACT AMENDING THE CHARTER OF THE TOWN OF CARRBORO TO ALLOW THE TOWN TO ADOPT ORDINANCES PROHIBITING HOUSING DISCRIMINATION ON THE BASIS OF FAMILIAL STATUS AND HANDICAP.

H.B. 767, AN ACT TO PROHIBIT THE DISCHARGING OF FIRE-ARMS FROM OR ACROSS THE RIGHT-OF-WAY OF A PORTION OF STATE ROAD 1862, KNOWN AS JOYNER DRIVE, IN CRAVEN COUNTY.

CHAPTERED BILLS

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

H.B. 459, AN ACT AMENDING THE CHARTER OF THE CITY OF ROCKY MOUNT TO ALLOW THE CITY TO ENACT A FAIR HOUSING ORDINANCE. (S.L. 2009-74)

H.B. 701, AN ACT TO MAKE THE OFFICE OF TAX COLLECTOR IN AVERY COUNTY APPOINTIVE RATHER THAN ELECTIVE; AND TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS FOR MOORE COUNTY TO DELEGATE THE AUTHORITY TO ISSUE PYROTECHNICS PERMITS TO THE COUNTY FIRE MARSHAL. (S.L. 2009-75)

H.B. 747, AN ACT INCREASING THE FORCE ACCOUNT LIMIT FOR THE CITY OF ASHEVILLE AND BUNCOMBE COUNTY AND FOR THE TOWN OF DALLAS FOR CONSTRUCTION OR REPAIR PROJECTS. (S.L. 2009-76)

H.B. 888, AN ACT TO REGULATE BOW HUNTING ON THE LANDS OF ANOTHER IN HYDE COUNTY; TO REGULATE HUNTING WITH GUNS, DOGS, OR BOW AND ARROW ON THE LANDS OF ANOTHER IN WAYNE COUNTY; AND TO EXTINGUISH ANCIENT MINERAL CLAIMS IN HYDE COUNTY. (S.L. 2009-77)

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H.B. 1621, AN ACT TO REALIGN THE DISTRICTS IN PENDER AND NEW HANOVER COUNTIES FOR THE ELECTION OF MEMBERS OF THE NORTH CAROLINA HOUSE OF REPRESENTATIVES TO BE IN COMPLIANCE WITH THE ORDER OF THE UNITED STATES SUPREME COURT IN BARTLETT V. STRICKLAND. (S.L. 2009-78)

S.B. 114, AN ACT EXEMPTING PRIVATE CLUBS AND RELIGIOUS ORGANIZATIONS FROM CERTAIN PROVISIONS OF THE NORTH CAROLINA STATE BUILDING CODE RELATING TO LIMITED-USE AND LIMITED-ACCESS ELEVATORS AND TO REQUIRE THE ADOPTION OF RULES UNDER THE ELEVATOR SAFETY ACT OF NORTH CAROLINA PROVIDING FOR THE PROMINENT DISPLAY OF IDENTIFYING NUMBERS IN ELEVATORS TO FACILITATE THE EXTRICATION OF PASSENGERS FROM MALFUNCTIONING ELEVATORS. (S.L. 2009-79)

H.B. 135, AN ACT PERMITTING CERTAIN BROADBAND SERVICE PROVIDERS THAT PROVIDE VOICE GRADE COMMUNICATIONS SERVICES WITHIN A DEFINED SERVICE TERRITORY OR FRANCHISE AREA TO OFFER SUCH VOICE GRADE SERVICE AS AN INCIDENT TO BROADBAND SERVICE IN AREAS CONTIGUOUS TO THE PROVIDERS' SERVICE TERRITORY OR FRANCHISE AREA. (S.L. 2009-80)

H.B. 201, AN ACT TO FACILITATE THE TRANSFER OF MOTOR VEHICLES FROM THE UNITED STATES DEPARTMENT OF DEFENSE TO LOCAL GOVERNMENT UNITS, VOLUNTEER FIRE DEPARTMENTS, AND VOLUNTEER RESCUE SQUADS AND TO CLARIFY THAT THE DIVISION OF LAW ENFORCEMENT SUPPORT SERVICES IS A DIVISION OF THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY. (S.L. 2009-81)

H.B. 360, AN ACT TO AUTHORIZE THE STATE BAR TO BORROW FUNDS, SUBJECT TO THE APPROVAL OF THE GOVERNOR AND THE COUNCIL OF STATE. (S.L. 2009-82)

H.B. 439, AN ACT TO REDUCE THE FINANCIAL LOSS TO COUNTIES AND CITIES FOR UNREIMBURSED COUNTY OR CITY AMBULANCE SERVICES PROVIDED TO STATE HEALTH PLAN MEMBERS BY REQUIRING THE STATE HEALTH PLAN TO MAKE PAYMENTS FOR COUNTY OR CITY AMBULANCE SERVICES DIRECTLY OR CO-PAYABLE TO THE COUNTY OR CITY AMBULANCE SERVICE PROVIDER. (S.L. 2009-83)

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H.B. 461, AN ACT TO EXTEND THE SUNSET FOR THE PILOT PROGRAM REGARDING ANNUAL INSPECTIONS OF ANIMAL OPERATIONS THAT ARE SUBJECT TO A GENERAL PERMIT FOR AN ANIMAL WASTE MANAGEMENT SYSTEM. (S.L. 2009-84)

H.B. 960, AN ACT TO ALLOW SANITARY DISTRICTS THE SAME POWER AS ALL OTHER UNITS OF LOCAL GOVERNMENT IN ACQUIRING PROPERTY BY CONDEMNATION FOR WATER SUPPLY AND DISTRIBUTION SYSTEMS. (S.L. 2009-85)

H.B. 1039, AN ACT TO DIRECT THE ADMINISTRATIVE OFFICE OF THE COURTS TO REVISE THE "TRANSCRIPT OF PLEA" FORM PROVIDED TO A DEFENDANT WHO ENTERS A PLEA OF GUILTY OR NO CONTEST TO MORE CLEARLY ADDRESS THE RIGHT OF APPEAL LIMITATIONS AND SHORTER BIOLOGICAL EVIDENCE PRESERVATION TIME FRAME THAT MAY APPLY AS A RESULT OF THE PLEA. (S.L. 2009-86)

H.B. 1108, AN ACT TO CLARIFY LICENSURE REQUIREMENTS FOR OUT-OF-STATE WEIGHMASTERS UNDER THE LAWS REGULATING PUBLIC WEIGHMASTERS. (S.L. 2009-87)

H.B. 1168, AN ACT TO ESTABLISH TITLE PROTECTION FOR SOCIAL WORKERS AND TO AUTHORIZE ANY GOVERNMENTAL EMPLOYEE WHOSE POSITION IS DERIVED FROM THE OFFICE OF STATE PERSONNEL SOCIAL WORK SERIES, HAS BEEN CERTIFIED TO BE SUBSTANTIALLY EQUIVALENT, OR WAS CREATED BY A COUNTY IN A HUMAN SERVICES AGENCY TO USE THE TITLE "SOCIAL WORKER." (S.L. 2009-88)

H.B. 1118, AN ACT TO STANDARDIZE WILD BOAR HUNTING SEASON AND THE HARVESTING OF FERAL SWINE AND TO DIRECT THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES TO STUDY ISSUES RELATED TO THE IMPORTATION OF FERAL SWINE IN NORTH CAROLINA. (S.L. 2009-89)

H.B. 1027, AN ACT EXTENDING THE SUNSET ON THE COLLECTION OF SERVICE CHARGES FOR PREPAID WIRELESS TELEPHONE SERVICE. (S.L. 2009-90)

H.B. 1037, AN ACT TO PERMIT CAPITAL APPELLATE AND POSTCONVICTION COUNSEL REASONABLE ACCESS TO THEIR CLIENTS FOLLOWING DECISIONS BY THE COURTS WITH RESPECT TO THEIR CLIENTS' SENTENCES. (S.L. 2009-91)

H.B. 1175, AN ACT TO UPDATE THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITTING REQUIREMENTS FOR CONFINED ANIMAL FEEDING OPERATIONS (CAFOS). (S.L. 2009-92)

H.B. 1327, AN ACT AUTHORIZING LAW ENFORCEMENT AGENCIES TO DISSEMINATE AN ASSESSMENT OF CRIMINAL INTELLIGENCE INFORMATION TO A SCHOOL PRINCIPAL PURSUANT TO FEDERAL LAW. (S.L. 2009-93)

H.B. 1109, AN ACT TO ENABLE COMPANY POLICE AGENCIES OF THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES TO ENTER INTO MUTUAL AID AGREEMENTS WITH OTHER LAW ENFORCEMENT AGENCIES. (S.L. 2009-94)

S.B. 52, AN ACT AUTHORIZING COUNTIES AND MUNICIPALITIES TO PROVIDE DEVELOPMENT INCENTIVES IN EXCHANGE FOR REDUCTIONS IN ENERGY CONSUMPTION. (S.L. 2009-95)

H.B. 170, AN ACT TO PROVIDE THAT THE SECRETARY OF STATE SHALL NOTIFY PARTIES OF THE REQUIREMENT TO NOMINATE FIRST AND SECOND ALTERNATE ELECTORS, NOTIFY PARTIES AND ELECTORS OF THE DUAL-OFFICE HOLDING RULE, AND TO ALLOW PRESIDENTIAL ELECTORS TO HOLD THAT OFFICE IN ADDITION TO THE NUMBER OF APPOINTIVE OFFICES ALLOWED BY LAW. (S.L. 2009-96)

H.B. 867, AN ACT AFFECTING THE REGULATION OF ABANDONED OR JUNKED MOTOR VEHICLES IN ALL MUNICIPALITIES. (S.L. 2009-97)

S.B. 703, AN ACT CONCERNING INVESTMENTS OF THE STATE TREASURER. (S.L. 2009-98)

H.B. 1198, AN ACT TO CLARIFY THAT PERSONS WHO HAD A THREE-YEAR WAITING PERIOD FOR A HEARING ON CONDITIONAL RESTORATION OF A REVOKED LICENSE WHEN THE LAW WAS CHANGED TO A FIVE-YEAR WAITING PERIOD WERE NOT AFFECTED BY THE CHANGE. (S.L. 2009-99)

S.B. 188, AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF PUBLIC HEALTH, IN COLLABORATION WITH THE DIVISION OF MEDICAL ASSISTANCE, DIVISION OF AGING AND ADULT SERVICES, THE UNIVERSITY

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OF NORTH CAROLINA AT CHAPEL HILL AND EAST CAROLINA UNIVERSITY SCHOOLS OF DENTISTRY, THE NORTH CAROLINA DENTAL SOCIETY, AND CURRENT SPECIAL CARE DENTAL PROVIDERS, TO EXAMINE DENTAL CARE OPTIONS FOR SPECIAL CARE POPULATIONS. (S.L. 2009-100)

H.B. 1124, AN ACT RELATING TO UNEMPLOYMENT INSURANCE COMPENSATION FOR CERTAIN SEVERELY DISABLED VETERANS DISCHARGED FOR ACTS OR OMISSIONS ATTRIBUTED TO A SERVICE-CONNECTED DISABILITY. (S.L. 2009-101)

H.B. 1104, AN ACT TO UPDATE NORTH CAROLINA'S MEAT INSPECTION ACT TO BE EQUIVALENT TO FEDERAL STANDARDS BY EXEMPTING OSTRICHES FROM INSPECTION FEES, EXEMPTING RABBITS FROM THE POULTRY PRODUCTS INSPECTION ACT, AND CHANGING THE THRESHOLDS UNDER THE POULTRY PRODUCER EXEMPTION FOR PROCESSING POULTRY PRODUCTS FOR INTERSTATE COMMERCE. (S.L. 2009-102)

H.B. 1083, AN ACT TO REMOVE THE SUNSET PROVISION OF THE ACT THAT STRENGTHENED THE AUTHORITY OF THE STATE VETERINARIAN TO PREVENT AND CONTROL AN OUTBREAK OF FOOT-AND-MOUTH DISEASE AND OTHER FOREIGN ANIMAL DISEASES. (S.L. 2009-103)

H.B. 825, AN ACT TO PERMIT GARBAGE TRUCKS TO STOP ON THE PAVEMENT OF HIGHWAYS OUTSIDE MUNICIPAL LIMITS WHILE COLLECTING GARBAGE OR RECYCLABLE MATERIAL. (S.L. 2009-104)

H.B. 759, AN ACT TO EXTEND THE ONE-YEAR STAY OF COMPLIANCE WITH THE MANDATORY RECYCLING LAW FOR ABC PERMITTEES TO ACCOMMODATE THOSE PERMITTEES WHO DO NOT HAVE ACCESS TO RECYCLING SERVICES. (S.L. 2009-105)

H.B. 266, AN ACT TO REQUIRE THE DIVISION OF CRIMINAL STATISTICS TO COLLECT, MAINTAIN, AND PUBLISH STATISTICS ON THE USE OF DEADLY FORCE BY LAW ENFORCEMENT WHICH RESULTS IN DEATH. (S.L. 2009-106)

H.B. 43, AN ACT MAKING IT UNLAWFUL FOR A SCHOOL BOARD MEMBER TO WILLFULLY FAIL TO DISCHARGE THE DUTIES OF THE OFFICE. (S.L. 2009-107)

June 16, 2009

S.B. 200, AN ACT TO ESTABLISH A MINIMUM MOTOR FUELS TAX RATE FOR TWO YEARS. (S.L. 2009-108)

**REPORTS OF STANDING COMMITTEES AND PERMANENT
SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representatives Bell and Lucas, Chairs, for the Committee on Education:

S.B. 1019, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A FINANCIAL LITERACY COUNCIL TO COORDINATE AND EXPAND THE STATEWIDE DELIVERY OF FINANCIAL EDUCATION FOR ALL NORTH CAROLINIANS, with a favorable report as to the House committee substitute bill, unfavorable as to the original bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Appropriations.

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

S.B. 1030 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT CLARIFYING THE MEANING OF PUBLIC SCHOOL BUILDINGS AS RELATED TO AFTER-SCHOOL CHILD CARE PROGRAMS AND ESTABLISHING PROCEDURES FOR APPROVING EDUCATION CRITERIA FOR AFTER-SCHOOL CHILD CARE PROGRAM COORDINATORS AND GROUP LEADERS, with a favorable report as to House Committee Substitute Bill No. 2, unfavorable as to House Committee Substitute Bill No. 1.

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

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

H.J.R. 1653, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF WILLIAM OLIVER SWOFFORD, AMERICAN POP SINGER AND NATIVE SON OF NORTH CAROLINA, with a favorable report.

June 16, 2009

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

By Representative Sutton, Chair, for the Committee on Judiciary III:

S.B. 780 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXPAND COVERAGE UNDER THE INSURANCE GUARANTY ASSOCIATION WITH RESPECT TO STRUCTURED SETTLEMENT ANNUITIES FOR MATTERS INVOLVING PERSONAL INJURY OR ILLNESS, with a favorable report.

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

By Representative Ross, Chair, for the Committee on Judiciary I:

S.B. 513 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE SERVICE BY MAIL OF NOTICES OF HEARINGS ON VIOLATIONS OF UNSUPERVISED PROBATION, with a favorable report as to the House committee substitute bill, unfavorable as to the Senate committee substitute bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Ways and Means/Broadband Connectivity.

The House committee substitute bill is re-referred to the Committee on Ways and Means/Broadband Connectivity. The Senate committee substitute bill is placed on the Unfavorable Calendar.

S.B. 526 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE SCHOOL VIOLENCE PREVENTION ACT AND TO DEFINE BULLYING OR HARASSING BEHAVIOR AS USED IN THE ACT AS ANY PATTERN OF GESTURES OR WRITTEN, ELECTRONIC, OR VERBAL COMMUNICATIONS, OR ANY PHYSICAL ACT OR ANY THREATENING COMMUNICATION, THAT TAKES PLACE ON SCHOOL PROPERTY, AT ANY SCHOOL-SPONSORED FUNCTION, OR ON A SCHOOL BUS, AND THAT PLACES A STUDENT OR SCHOOL EMPLOYEE IN ACTUAL AND REASONABLE FEAR OF HARM TO HIS OR HER PERSON OR DAMAGE TO HIS OR HER PROPERTY; OR CREATES OR IS CERTAIN TO CREATE A HOSTILE ENVIRONMENT BY SUBSTANTIALLY INTERFERING WITH OR IMPAIRING A STUDENT'S EDUCATIONAL PERFORMANCE, OPPORTUNITIES, OR BENEFITS; TO DEFINE HOSTILE ENVIRONMENT AS USED IN THE ACT AS MEANING THE VICTIM SUBJECTIVELY VIEWS THE CONDUCT AS BULLYING OR HARASSING BEHAVIOR AND THE CONDUCT IS OBJECTIVELY SEVERE OR PERVASIVE ENOUGH THAT A REASONABLE PERSON WOULD AGREE THAT

June 16, 2009

IT IS BULLYING OR HARASSING BEHAVIOR; TO PROVIDE THAT BULLYING OR HARASSING BEHAVIOR INCLUDES, BUT IS NOT LIMITED TO, ACTS REASONABLY PERCEIVED AS BEING MOTIVATED BY ANY ACTUAL OR PERCEIVED DIFFERENTIATING CHARACTERISTIC, SUCH AS RACE, COLOR, RELIGION, ANCESTRY, NATIONAL ORIGIN, GENDER, SOCIOECONOMIC STATUS, ACADEMIC STATUS, GENDER IDENTITY, PHYSICAL APPEARANCE, SEXUAL ORIENTATION, OR MENTAL, PHYSICAL, DEVELOPMENTAL, OR SENSORY DISABILITY, OR BY ASSOCIATION WITH A PERSON WHO HAS OR IS PERCEIVED TO HAVE ONE OR MORE OF THESE CHARACTERISTICS; AND TO REQUIRE ALL LOCAL SCHOOL ADMINISTRATIVE UNITS TO ADOPT A POLICY PROHIBITING BULLYING AND HARASSING BEHAVIOR AS REQUIRED BY THE ACT, with a favorable report.

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

S.B. 649 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PREVENT SPEED LIMITS IN AREAS NEWLY ANNEXED BY A MUNICIPALITY FROM AUTOMATICALLY BECOMING THIRTY-FIVE MILE-PER-HOUR SPEED ZONES AND TO ALLOW FLEXIBILITY IN THE DESIGNATION OF SEGMENTS OF WORK ZONES SUBJECT TO ADDITIONAL PENALTIES, with a favorable report as to House Committee Substitute Bill No. 2, unfavorable as to House Committee Substitute Bill No. 1.

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

SPECIAL MESSAGE FROM THE SENATE

2009 GENERAL ASSEMBLY FIRST SESSION

Senate Chamber
June 15, 2009

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in House Committee Substitute No. 2 to **S.B. 202** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE BASE BUDGET APPROPRIATIONS

June 16, 2009

FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, and requests conferees. The President *Pro Tempore* appoints:

Senator Garrou, Co-Chair	Senator Hoyle
Senator Albertson, Co-Chair	Senator Jenkins
Senator Dannelly, Co-Chair	Senator Jones
Senator Swindell, Co-Chair	Senator Kinnaird
Senator Atwater	Senator McKissick
Senator Berger of Franklin	Senator Nesbitt
Senator Bingham	Senator Purcell
Senator Blue	Senator Queen
Senator Boseman	Senator Rand
Senator Clodfelter	Senator Shaw
Senator Davis	Senator Snow
Senator Dorsett	Senator Soles
Senator Foriest	Senator Stein
Senator Goss	Senator Stevens
Senator Graham	Senator Vaughan
Senator Hartsell	Senator Weinstein

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

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for **H.B. 103** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT PROVIDING THAT ALEXANDER, ANSON, CATAWBA, CHOWAN, AND TYRRELL COUNTIES MAY PROHIBIT THE ISSUANCE OF A BUILDING PERMIT TO A DELINQUENT TAXPAYER, is returned for concurrence in the Senate committee substitute bill.

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

Upon concurrence the Senate committee substitute bill changes the title.

June 16, 2009

H.B. 380 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STRENGTHEN LOCAL EMERGENCY MANAGEMENT CAPABILITIES, AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON EMERGENCY PREPAREDNESS AND DISASTER MANAGEMENT RECOVERY, is returned for concurrence in the Senate committee substitute bill.

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

Senate Committee Substitute for **H.B. 464** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE PERMANENT AN ACT EXEMPTING THE CITY OF RALEIGH FROM COMPETITIVE BIDDING REQUIREMENTS WHEN LETTING CONTRACTS FOR USE AS PART OF ANY PILOT PROGRAM AUTHORIZED BY THE CITY COUNCIL TO TEST THE EFFICIENCY AND EFFECTIVENESS OF LIGHT-EMITTING DIODE TECHNOLOGIES, TO EXPAND THE ACT TO ALL RALEIGH PILOT PROGRAMS AIMED AT INCREASING ENERGY EFFICIENCY, AND TO AUTHORIZE A LEASE FOR THE SITING AND OPERATION OF A RENEWABLE ENERGY FACILITY FOR TWENTY YEARS WITHOUT TREATING IT AS A SALE AND WITHOUT GIVING NOTICE BY PUBLICATION, is returned for concurrence in Senate committee substitute bill and referred to the Committee on Energy and Energy Efficiency.

Upon concurrence the Senate committee substitute bill changes the title.

H.B. 502, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF ASHEVILLE TO DISPOSE OF PROPERTY AND LIMIT USE OF THE PROPERTY AFTER DISPOSITION, is returned for concurrence in one Senate amendment and referred to the Committee on Local Government I.

Upon concurrence the Senate amendment changes the title.

H.B. 631 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO FACILITATE THE WEARING OF MILITARY MEDALS BY PUBLIC SAFETY PERSONNEL, is returned for concurrence one Senate amendment and referred to the Committee on Judiciary I.

Senate Committee Substitute for **H.B. 924**, A BILL TO BE ENTITLED AN ACT CONCERNING PUBLIC-PRIVATE REIMBURSEMENT AGREEMENTS FOR PARK INFRASTRUCTURE DEVELOPMENT BY MECKLENBURG COUNTY, is returned for concurrence in Senate committee substitute bill and referred to the Committee on Environment and Natural Resources.

June 16, 2009

Upon concurrence the Senate committee substitute bill changes the title.

Senate Committee Substitute for **H.B. 1021** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DESIGNATE A PORTION OF U.S. HIGHWAY 17 AND U.S. HIGHWAY 70 AS "THE U.S. MARINE CORPS PARKWAY: HOME OF THE CAROLINA MARINES SINCE 1941", is returned for concurrence in the Senate committee substitute bill.

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

Upon concurrence the Senate committee substitute bill changes the title.

H.B. 1032 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT MODIFYING THE HISTORY AND GEOGRAPHY CURRICULA IN THE PUBLIC SCHOOLS, is returned for concurrence in Senate committee substitute bill and referred to the Committee on Education.

H.B. 1087 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO APPLY CLIENT RIGHTS AND HUMAN RIGHTS COMMITTEE REQUIREMENTS FOR MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES FACILITIES, AND LOCAL MANAGEMENT ENTITIES, TO PROVIDER ENTITIES, is returned for concurrence in the Senate committee substitute bill.

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

S.B. 935 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT AMENDING THE MARRIAGE AND FAMILY THERAPY LICENSURE LAWS AND AUTHORIZING THE NORTH CAROLINA MARRIAGE AND FAMILY THERAPY LICENSURE BOARD TO INCREASE FEES, is read the first time and referred to the Committee on Health and, if favorable, to the Committee on Finance.

CONFEREES APPOINTED

The Speaker appoints the following conferees on House Committee Substitute No. 2 for **S.B. 202** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE BASE BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES.

June 16, 2009

CHAIRS: Representative Michaux, Senior Chair; Representatives Adams, M. Alexander, Crawford, Haire, Jeffus, Tolson, Yongue, Luebke, Gibson, Wainwright, Weiss, Holliman, and Owens.

APPROPRIATIONS SUBCOMMITTEE ON CAPITAL: Representatives Goforth, Owens, and Womble, Chairs; Representatives Holliman, Ross, Wainwright, and Grady.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION: Representatives Glazier, Rapp, and McLawhorn, Chairs; Representatives Bell, Lucas, Parmon, Tarleton, and Wiley.

APPROPRIATIONS SUBCOMMITTEE ON GENERAL GOVERNMENT: Representatives Fisher and Underhill, Chairs; Representatives Tucker, Whilden, E. Floyd, and Steen.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES: Representatives Earle, England, and Insko, Chairs; Representatives Farmer-Butterfield, Brisson, Stewart, Weiss, and Barnhart.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY: Representatives Bordsen and Love, Chairs; Representatives Spear, Sutton, R. Warren, Goodwin, Jackson, Mobley, and Moore.

APPROPRIATIONS SUBCOMMITTEE ON NATURAL AND ECONOMIC RESOURCES: Representatives Harrison, Pierce, and E. Warren, Chairs; Representatives Wilkins, Wray, Bryant, and Justice.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION: Representatives Cole and Martin, Chairs; Representatives Allen, Coates, Harrell, Dickson, Mackey, Williams, and Frye.

The Senate is so notified by Special Message.

CALENDAR

Action is taken on the following:

H.B. 315 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT REJECTION OF A PLEA ARRANGEMENT BY A JUDGE IN SUPERIOR COURT SHALL BE NOTED ON THE PLEA TRANSCRIPT AND BE MADE PART OF THE COURT RECORD.

June 16, 2009

On motion of Representative Moore, the House concurs in the Senate amendment, by electronic vote (110-2), and the bill is ordered enrolled and presented to the Governor.

Senate Committee Substitute for **H.B. 406** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF JUSTICE AND THE WILDLIFE RESOURCES COMMISSION TO DEVELOP JOINTLY A PLAN FOR CONSTRUCTION OF A FIRING RANGE FOR USE BY CRIMINAL JUSTICE OFFICERS ATTENDING THE WESTERN JUSTICE ACADEMY, LAW ENFORCEMENT OFFICERS OF THE WILDLIFE RESOURCES COMMISSION AND OTHERS AND FOR A FIRING AND ARCHERY RANGE OPEN AND ACCESSIBLE FOR PUBLIC USE; AND TO PROVIDE THAT ANY FIRING RANGE CONSTRUCTED ON THE GROUNDS OF THE LARRY T. JUSTUS WESTERN JUSTICE ACADEMY SHALL BE AN INDOOR FACILITY.

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

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

H.B. 673 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES, TO TAKE CERTAIN ACTIONS TO IMPROVE SUPPORTS FOR PERSONS WITH DEVELOPMENTAL DISABILITIES.

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

H.B. 722 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE REGULATION OF CERTAIN DEVICES THAT MAY BE USED AS DRUG PARAPHERNALIA.

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

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

June 16, 2009

H.B. 787 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE CRIMINAL PENALTY FOR ALTERING, DESTROYING, OR REMOVING THE PERMANENT SERIAL NUMBER OF A FIREARM AND FOR POSSESSING A FIREARM WITH THE SERIAL NUMBER REMOVED.

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

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

H.B. 1190 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY AND STRENGTHEN THE LAW REGARDING THE PRESERVATION OF DNA AND BIOLOGICAL EVIDENCE THAT IS RELATED TO A CRIMINAL OFFENSE AND A DEFENDANT'S ACCESS TO THAT EVIDENCE.

On motion of Representative Glazier, the House concurs in the Senate committee substitute bill, by electronic vote (111-0), and the bill is ordered enrolled and presented to the Governor.

S.B. 863 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE PURCHASE OF CREDITABLE SERVICE BY MEMBERS OF THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM FOR CERTAIN PERIODS OF NONQUALIFIED EMPLOYMENT.

On motion of Representative Cole and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of June 17.

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

S.B. 43 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPROVE BOATING SAFETY BY REQUIRING BOATING SAFETY EDUCATION PRIOR TO OPERATING A VESSEL WITH A MOTOR OF TEN HORSEPOWER OR GREATER, AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON MANDATORY BOATING SAFETY EDUCATION.

Representative Stam offers Amendment No. 1 which is adopted by electronic vote (111-1).

June 16, 2009

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

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

S.B. 448 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE LAWS REGULATING SELF-SERVICE STORAGE FACILITIES.

Pursuant to Rule 24.1A, Representatives Gibson and Gillespie request that they be excused from voting on this bill. These requests are granted.

The bill passes its second reading, by electronic vote (108-1), and there being no objection is read a third time.

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

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

S.B. 625, A BILL TO BE ENTITLED AN ACT TO PROHIBIT DECEPTIVE ADVERTISING ABOUT GEOGRAPHICAL LOCATION BY BUSINESSES THAT SUPPLY PERISHABLE PRODUCTS.

The bill passes its second reading by electronic vote (109-2).

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

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

S.B. 799 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO INCREASE TRANSPARENCY OF STATE FACILITIES THAT PROVIDE MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES BY REQUIRING THE DISCLOSURE OF CERTAIN INFORMATION ABOUT DEATH REPORTS, FACILITY POLICE REPORTS, AND INCIDENT REPORTS, passes its second reading, by electronic vote (110-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House Committee Substitute Bill No. 2.

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

June 16, 2009

S.B. 889 (Committee Substitute), A BILL TO BE ENTITLED AN ACT FURTHER AUTHORIZING THE UTILITIES COMMISSION TO DETERMINE THE UNIVERSAL SERVICE PROVIDER IN CERTAIN SUBDIVISIONS AND AREAS.

Pursuant to Rule 24.1A, Representative Gibson requests that he be excused from voting on this bill. This request is granted.

The bill passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

S.B. 43 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPROVE BOATING SAFETY BY REQUIRING BOATING SAFETY EDUCATION PRIOR TO OPERATING A VESSEL WITH A MOTOR OF TEN HORSEPOWER OR GREATER, AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON MANDATORY BOATING SAFETY EDUCATION, which was temporarily displaced, is before the Body.

The bill, as amended, passes its second reading by electronic vote (79-33).

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

INTRODUCTION OF PAGES

Pages for the week of June 15 are introduced to the membership. They are: Jonathan Albertson of Guilford; Samantha Bellamy of Wake; Berkeley Bennett of Wake; Brantley Craft of Guilford; Ashleigh Curry of Gaston; Meredith Dinkins of Davie; Louis Duke of Rockingham; William Edwards of Columbus; Jacob Evans of Caldwell; Kayla Fowler of Surry; Tisha Funderburk of Davie; Anna Hamilton of Wake; Tyler Jackson of Wake; Michael Jensen of Nash; Baker Jethro of Pitt; Meagan Laframboise of Gaston; Ashton MacKenzie of Pitt; Ellen Marion of New Hanover; Rachel McCabe of Plant City, Florida; Emily Odom of Franklin; Tyler Ramsey of Gaston; Morgan Stegall of Union; Jim Stirling of Wake; Alexander Ventriglia of New Hanover; Grey Walters of Mecklenburg, and Jackson Weeks of Wake.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following report from standing committee is presented:

June 16, 2009

By Representative Sutton, Chair, for the Committee on Judiciary III:

H.B. 20, A BILL TO BE ENTITLED AN ACT TO PROVIDE MONETARY COMPENSATION TO PERSONS STERILIZED BY THE EUGENICS STERILIZATION PROGRAM, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the original bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Appropriations.

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

CONFEREES APPOINTED

The Speaker appoints the following conferees on Senate Committee Substitute for **H.B. 1508**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE TWO-THIRDS BONDS ACT OF 2008: Representatives Owens, Goforth, Womble, Michaux, Crawford, Grady, and Ross.

The Senate is so notified by Special Message.

The Speaker appoints the following conferees on Senate Committee Substitute for **H.B. 406** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF JUSTICE AND THE WILDLIFE RESOURCES COMMISSION TO DEVELOP JOINTLY A PLAN FOR CONSTRUCTION OF A FIRING RANGE FOR USE BY CRIMINAL JUSTICE OFFICERS ATTENDING THE WESTERN JUSTICE ACADEMY, LAW ENFORCEMENT OFFICERS OF THE WILDLIFE RESOURCES COMMISSION AND OTHERS AND FOR A FIRING AND ARCHERY RANGE OPEN AND ACCESSIBLE FOR PUBLIC USE; AND TO PROVIDE THAT ANY FIRING RANGE CONSTRUCTED ON THE GROUNDS OF THE LARRY T. JUSTUS WESTERN JUSTICE ACADEMY SHALL BE AN INDOOR FACILITY: Representatives Justus, Randleman, Spear, and Williams.

The Senate is so notified by Special Message.

BILL WITHDRAWN FROM COMMITTEE

On motion of Representative Owens and without objection, **H.B. 735**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW REGARDING BUILDING CODE STANDARDS FOR BUILDINGS USED

June 16, 2009

BY HIGH SCHOOL STUDENTS ATTENDING CLASSES ON COMMUNITY COLLEGE CAMPUSES AND TO PROVIDE THAT A COUNTY MAY OBTAIN A PERMIT FOR THE CONSTRUCTION OF FACILITIES TO BE USED FOR ADMINISTRATIVE PURPOSES UNTIL AUGUST 1, 2009, UNDER THE 2006 NORTH CAROLINA STATE BUILDING CODE, is withdrawn from the Committee on Education and pursuant to Rule 36(b), is placed on the Calendar of June 17.

On motion of Representative Owens, seconded by Representative Glazier, the House adjourns at 4:10 p.m. to reconvene June 17 at 3:00 p.m.

EIGHTY-SECOND DAY

HOUSE OF REPRESENTATIVES
Wednesday, June 17, 2009

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

The following prayer is offered by the Reverend Dr. Byron Wade, Davie Street Presbyterian Church, Raleigh, North Carolina:

"Almighty God:

"Bless those who hold office in the government of this State, that they may do their work in the spirit of wisdom, kindness, and justice. Help them to use their authority to serve faithfully and to promote the general welfare. All praise be Yours now and forever. Amen."

Representative Owens, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 16 has been examined and found correct. Upon his motion, the Journal is approved as written.

A leave of absence is granted Representative Parmon for today. Representative Adams is excused for a portion of the Session.

ENROLLED BILLS

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

June 17, 2009

S.B. 889, AN ACT FURTHER AUTHORIZING THE UTILITIES COMMISSION TO DETERMINE THE UNIVERSAL SERVICE PROVIDER IN CERTAIN SUBDIVISIONS AND AREAS.

H.B. 315, AN ACT TO PROVIDE THAT REJECTION OF A PLEA ARRANGEMENT BY A JUDGE IN SUPERIOR COURT SHALL BE NOTED ON THE PLEA TRANSCRIPT AND BE MADE PART OF THE COURT RECORD.

H.B. 323, AN ACT TO STRENGTHEN THE REQUIREMENTS REGARDING SECONDARY METALS RECYCLING OF REGULATED METALS PROPERTY IN ORDER TO PREVENT THE THEFT OF THIS PROPERTY.

H.B. 576, AN ACT TO CLARIFY THAT A LOCAL MANAGEMENT ENTITY'S AUTHORITY INCLUDES THE RIGHT OF ACCESS TO A PROVIDER FOR MONITORING AND IN RESPONSE TO COMPLAINTS OR EMERGENCIES AND TO CLARIFY THAT A LOCAL MANAGEMENT ENTITY MAY REMOVE A PROVIDER'S ENDORSEMENT IF ACCESS FOR THESE PURPOSES IS DENIED.

H.B. 673, AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES, TO TAKE CERTAIN ACTIONS TO IMPROVE SUPPORTS FOR PERSONS WITH DEVELOPMENTAL DISABILITIES.

H.B. 722, AN ACT TO PROVIDE FOR THE REGULATION OF CERTAIN DEVICES THAT MAY BE USED AS DRUG PARAPHERNALIA.

H.B. 787, AN ACT TO INCREASE THE CRIMINAL PENALTY FOR ALTERING, DESTROYING, OR REMOVING THE PERMANENT SERIAL NUMBER OF A FIREARM AND FOR POSSESSING A FIREARM WITH THE SERIAL NUMBER REMOVED.

H.B. 1190, AN ACT TO CLARIFY AND STRENGTHEN THE LAW REGARDING THE PRESERVATION OF DNA AND BIOLOGICAL EVIDENCE THAT IS RELATED TO A CRIMINAL OFFENSE AND A DEFENDANT'S ACCESS TO THAT EVIDENCE.

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

June 17, 2009

H.J.R. 1538, A JOINT RESOLUTION HONORING THE MEMORY OF THE FOUNDERS OF THE HIGH POINT FURNITURE MARKET ON THE OCCASION OF ITS ONE HUNDREDTH ANNIVERSARY. (RESOLUTION 2009-21)

CHAPTERED BILLS

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

S.B. 411, AN ACT TO AMEND THE PROVISION FOR THE SURVIVOR'S ALTERNATE BENEFIT FOR MEMBERS OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM TO PROVIDE A BENEFIT FOR SURVIVORS OF LAW ENFORCEMENT OFFICERS KILLED IN THE LINE OF DUTY AFTER THE COMPLETION OF FIFTEEN YEARS OF SERVICE. (S.L. 2009-109)

H.B. 225, AN ACT TO AUTHORIZE AN INITIAL REVIEW OF APPEALS FOR REFUNDS OF OVERPAYMENT OF EXCISE STAMP TAXES FOR PURPOSES OF STREAMLINING RESOLUTION. (S.L. 2009-110)

H.B. 280, AN ACT TO REMOVE THE CAP ON SATELLITE ANNEXATIONS FOR THE CITY OF BELMONT. (S.L. 2009-111)

H.B. 395, AN ACT TO CREATE A SPECIAL TAXING DISTRICT MADE UP OF THE UNINCORPORATED AREAS OF SURRY COUNTY AND TO AUTHORIZE THE SPECIAL TAXING DISTRICT IN SURRY COUNTY TO LEVY A SIX PERCENT ROOM OCCUPANCY TAX. (S.L. 2009-112)

H.B. 422, AN ACT TO ANNEX CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE CITY OF KANNAPOLIS. (S.L. 2009-113)

H.B. 702, AN ACT TO MAKE FURTHER AMENDMENTS TO THE SULLIVAN ACT, AND TO ALLOW THE CITY OF ASHEVILLE TO USE REVENUES FOR STREET AND SIDEWALK IMPROVEMENTS ASSOCIATED WITH WATERLINE IMPROVEMENTS. (S.L. 2009-114)

H.B. 721, AN ACT AMENDING THE CHARTER OF THE TOWN OF CARRBORO TO ALLOW THE TOWN TO ADOPT ORDINANCES PROHIBITING HOUSING DISCRIMINATION ON THE BASIS OF FAMILIAL STATUS AND HANDICAP. (S.L. 2009-115)

June 17, 2009

H.B. 767, AN ACT TO PROHIBIT THE DISCHARGING OF FIRE-ARMS FROM OR ACROSS THE RIGHT-OF-WAY OF A PORTION OF STATE ROAD 1862, KNOWN AS JOYNER DRIVE, IN CRAVEN COUNTY. (S.L. 2009-116)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Holliman, Chair, for the Committee on Financial Institutions:

S.B. 605 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE DEPOSIT OF MONEY OF A WARD'S ESTATE INTO ANY FINANCIAL INSTITUTION AND TO MAKE OTHER CLARIFYING CHANGES, with a favorable report and recommendation that the bill be re-referred to the Committee on Judiciary II.

The bill is re-referred to the Committee on Judiciary II.

S.B. 981 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO GIVE THE COMMISSIONER OF INSURANCE DISCRETION TO WAIVE THE MINIMUM POLICYHOLDERS POSITION REQUIREMENT UNDER CERTAIN CIRCUMSTANCES FOR MORTGAGE GUARANTY INSURERS, with a favorable report as to the House committee substitute bill, unfavorable as to the Senate committee substitute bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Insurance.

The House committee substitute bill is re-referred to the Committee on Insurance. The Senate committee substitute bill is placed on the Unfavorable Calendar.

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

S.J.R. 1101 (Committee Substitute), A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF THE APPOINTMENTS OF LORINZO JOYNER, BRYAN BEATTY, AND TONOLA D. BROWNBAND TO THE UTILITIES COMMISSION, with a favorable report.

Pursuant to Rule 36(b), the resolution is placed on the Calendar of June 18.

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By Representative Sutton, Chair, for the Committee on Judiciary III:

S.B. 652 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE RETAIL SALE AND DISTRIBUTION OF NOVELTY LIGHTERS, AS RECOMMENDED BY THE CHILD FATALITY TASK FORCE, with a favorable report as to House Committee Substitute Bill No. 2, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(b), House Committee Substitute Bill No. 2 is placed on the Calendar of June 18. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representatives Luebke, Gibson, Wainwright, and Weiss, Chairs, for the Committee on Finance:

S.B. 60, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF WHITE LAKE, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 18.

S.B. 91, A BILL TO BE ENTITLED AN ACT TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF PINE KNOLL SHORES, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 18.

S.B. 364 (Committee Substitute), A BILL TO BE ENTITLED AN ACT RELATING TO ILLEGALLY PARKED VEHICLES IN THE TOWN OF APEX TO ALLOW USE OF WHEEL LOCKS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 18.

S.B. 432 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ANNEX THE MIDWAY COMMUNITY TO THE TOWN OF ABERDEEN, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 18.

S.B. 453 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF RALEIGH AND THE TOWN OF CHAPEL HILL TO ALLOW ACTIVATION OF PARKING METERS BY CREDIT CARD OR OTHER ELECTRONIC MEANS AND TO USE

June 17, 2009

PROCEEDS COLLECTED FROM PARKING METERS FOR PARKING PROGRAMS AND PROVIDING PARKING FACILITIES, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 18.

S.B. 457 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADD THE DEFINITION OF BIODIESEL TO THE ENERGY CREDIT BANKING AND SELLING PROGRAM FOR THE QUALITY AND SAFETY OF MOTORISTS AND TO MAKE A CONFORMING CHANGE TO THE ALTERNATIVE FUEL REVOLVING FUND, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 18.

S.B. 543 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF DURHAM TO COLLECT A MUNICIPAL TAX FOR PUBLIC TRANSPORTATION OF TEN DOLLARS ON VEHICLES RESIDENT IN THE CITY, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 18.

S.B. 763 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AUTHORIZATION FOR CERTAIN NONPROFIT CORPORATIONS TO RENDER LEGAL SERVICES, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 18.

By Representative Tucker, Chair, for the Committee on Pensions and Retirement:

H.B. 1160 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW CERTAIN FIREFIGHTERS THE OPPORTUNITY TO CONTINUE AS MEMBERS OF THE FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND BY MAKING RETROACTIVE PAYMENTS, with a favorable report as to House Committee Substitute Bill No. 2, unfavorable as to the House Committee Substitute Bill No. 1, and recommendation that House Committee Substitute Bill No. 2 be re-referred to the Committee on Appropriations.

House Committee Substitute Bill No. 2 is re-referred to the Committee on Appropriations. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

June 17, 2009

S.B. 390 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF MIDLAND TO PARTICIPATE IN THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM WITHOUT PROVIDING PRIOR SERVICE CREDITS TO ITS EMPLOYEES, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 18.

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

S.B. 80, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF JACKSONVILLE AND THE CITIES OF CRAMERTON, LOWELL, MCADENVILLE, MOUNT HOLLY, AND RANLO TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the original bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Finance.

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

S.B. 222 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF WILMINGTON TO USE RED LIGHT CAMERAS FOR SAFETY, FOR SCHOOLS, BUT NOT FOR PROFIT, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the Senate committee substitute bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Finance.

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

By Representatives England and Insko, Chairs, for the Committee on Health:

S.B. 694, A BILL TO BE ENTITLED AN ACT AMENDING THE LAWS PERTAINING TO THE PRACTICE OF DENTISTRY AS PERFORMED BY PERSONS PRACTICING DENTISTRY OUT OF STATE UNDER CERTAIN CIRCUMSTANCES, with a favorable report and recommendation that the bill be re-referred to the Committee on Judiciary II.

June 17, 2009

The bill is re-referred to the Committee on Judiciary II.

S.B. 877 (Committee Substitute), A BILL TO BE ENTITLED AN ACT RELATING TO CONTRACTS BETWEEN HEALTH BENEFIT PLANS AND HEALTH CARE PROVIDERS, with a favorable report and recommendation that the bill be re-referred to the Committee on Insurance.

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

By Representative Wilkins, Chair, for the Committee on State Government/State Personnel:

S.B. 208 (Committee Substitute), A BILL TO BE ENTITLED AN ACT PERTAINING TO STATUTORY AND ADMINISTRATIVE RULE REFERENCES TO PEOPLE WITH DISABILITIES, with a favorable report as to the House committee substitute bill, unfavorable as to the Senate committee substitute bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Health.

The House committee substitute bill is re-referred to the Committee on Health. The Senate committee substitute bill is placed on the Unfavorable Calendar.

S.B. 658 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE MEMBERSHIP OF THE SUPPLEMENTAL RETIREMENT BOARD OF TRUSTEES, with a favorable report and recommendation that the bill be re-referred to the Committee on Pensions and Retirement.

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

By Representative Dickson, Chair, for the Committee on Commerce, Small Business, and Entrepreneurship:

S.B. 764 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE GOOD FUNDS SETTLEMENT ACT TO CLARIFY THAT A SETTLEMENT AGENT IS GUILTY OF EMBEZZLEMENT IN INSTANCES WHERE IT CANNOT BE SHOWN THAT THE FUNDS WERE EMBEZZLED FROM A PARTICULAR PERSON OR ENTITY, with a favorable report and recommendation that the bill be re-referred to the Committee on Judiciary I.

The bill is re-referred to the Committee on Judiciary I.

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S.B. 1006 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE WITHHOLDING ON CONTRACTORS IDENTIFIED BY AN INDIVIDUAL TAXPAYER IDENTIFICATION NUMBER (ITIN), with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

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

S.B. 1018 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REDUCE PLASTIC AND NONRECYCLED PAPER BAG USE ON NORTH CAROLINA'S OUTER BANKS, with a favorable report as to House Committee Substitute Bill No. 2, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(b), House Committee Substitute Bill No. 2 is placed on the Calendar of June 18. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

SUBCOMMITTEE REFERRAL

Representatives Michaux, Adams, M. Alexander, Crawford, Haire, Jeffus, Tolson, and Yongue, Chairs, for the Committee on Appropriations, refer **S.B. 1019** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A FINANCIAL LITERACY COUNCIL TO COORDINATE AND EXPAND THE STATEWIDE DELIVERY OF FINANCIAL EDUCATION FOR ALL NORTH CAROLINIANS, to the Appropriations Subcommittee on Education.

CALENDAR

Action is taken on the following:

Senate Committee Substitute for **H.B. 103** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT PROVIDING THAT ALEXANDER, ANSON, CATAWBA, CHOWAN, AND TYRRELL COUNTIES MAY PROHIBIT THE ISSUANCE OF A BUILDING PERMIT TO A DELINQUENT TAXPAYER.

On motion of Representative Spear, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (115-0), and the bill is ordered enrolled.

H.B. 380 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STRENGTHEN LOCAL EMERGENCY MANAGEMENT

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CAPABILITIES, AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON EMERGENCY PREPAREDNESS AND DISASTER MANAGEMENT RECOVERY.

On motion of Representative Martin, the House concurs in the Senate committee substitute bill, by electronic vote (115-0), and the bill is ordered enrolled and presented to the Governor.

H.B. 735, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW REGARDING BUILDING CODE STANDARDS FOR BUILDINGS USED BY HIGH SCHOOL STUDENTS ATTENDING CLASSES ON COMMUNITY COLLEGE CAMPUSES.

On motion of Representative Tarleton, the House concurs in the Senate amendment, which changes the title, by electronic vote (114-0), and the bill is ordered enrolled and presented to the Governor.

Representative Current requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (115-0).

Senate Committee Substitute for **H.B. 1021** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DESIGNATE A PORTION OF U.S. HIGHWAY 17 AND U.S. HIGHWAY 70 AS "THE U.S. MARINE CORPS PARKWAY: HOME OF THE CAROLINA MARINES SINCE 1941."

On motion of Representative Tucker, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (114-0), and the bill is ordered enrolled and presented to the Governor.

Representative Adams requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (115-0).

H.B. 1087 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO APPLY CLIENT RIGHTS AND HUMAN RIGHTS COMMITTEE REQUIREMENTS FOR MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES FACILITIES, AND LOCAL MANAGEMENT ENTITIES, TO PROVIDER ENTITIES.

On motion of Representative Braxton, the House concurs in the Senate committee substitute bill, by electronic vote (115-0), and the bill is ordered enrolled and presented to the Governor.

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S.B. 43 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPROVE BOATING SAFETY BY REQUIRING BOATING SAFETY EDUCATION PRIOR TO OPERATING A VESSEL WITH A MOTOR OF TEN HORSEPOWER OR GREATER, AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON MANDATORY BOATING SAFETY EDUCATION.

On motion of Representative Wray and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of June 18.

S.B. 625, A BILL TO BE ENTITLED AN ACT TO PROHIBIT DECEPTIVE ADVERTISING ABOUT GEOGRAPHICAL LOCATION BY BUSINESSES THAT SUPPLY PERISHABLE PRODUCTS, passes its third reading, by electronic vote (116-0), and is ordered enrolled and presented to the Governor.

S.B. 649 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PREVENT SPEED LIMITS IN AREAS NEWLY ANNEXED BY A MUNICIPALITY FROM AUTOMATICALLY BECOMING THIRTY-FIVE MILE-PER-HOUR SPEED ZONES AND TO ALLOW FLEXIBILITY IN THE DESIGNATION OF SEGMENTS OF WORK ZONES SUBJECT TO ADDITIONAL PENALTIES.

On motion of Representative Martin and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of June 22.

S.B. 780 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXPAND COVERAGE UNDER THE INSURANCE GUARANTY ASSOCIATION WITH RESPECT TO STRUCTURED SETTLEMENT ANNUITIES FOR MATTERS INVOLVING PERSONAL INJURY OR ILLNESS, passes its second reading, by electronic vote (116-0), and there being no objection is read a third time.

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

S.B. 863 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE PURCHASE OF CREDITABLE SERVICE BY MEMBERS OF THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM FOR CERTAIN PERIODS OF NONQUALIFIED EMPLOYMENT.

Representative McGee offers Amendment No. 1 which is adopted by electronic vote (116-0).

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The bill, as amended, passes its second reading, by electronic vote (114-1), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House Amendment No. 1.

S.B. 1030 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT CLARIFYING THE MEANING OF PUBLIC SCHOOL BUILDINGS AS RELATED TO AFTER-SCHOOL CHILD CARE PROGRAMS AND ESTABLISHING PROCEDURES FOR APPROVING EDUCATION CRITERIA FOR AFTER-SCHOOL CHILD CARE PROGRAM COORDINATORS AND GROUP LEADERS, passes its second reading, by electronic vote (102-14), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House Committee Substitute Bill No. 2.

MESSAGES FROM THE SENATE

The following are received from the Senate:

H.B. 1180 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT ESTABLISHING THE CONSUMER CHOICE AND INVESTMENT ACT OF 2009, is returned for concurrence in Senate Committee Substitute Bill No. 2 and referred to the Committee on Public Utilities.

Senate Committee Substitute for **H.B. 1530** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COUNTIES TO RESCIND AN ADVANCED GENERAL REAPPRAISAL OF PROPERTY, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of June 18.

Upon concurrence the Senate committee substitute bill changes the title.

S.B. 359 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE VILLAGE OF SNEADS FERRY, is read the first time and referred to the Committee on Local Government I and, if favorable, to the Committee on Finance.

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S.B. 509 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL, CLARIFYING, AND ADMINISTRATIVE CHANGES TO THE TAX AND RELATED LAWS, is read the first time and referred to the Committee on Finance.

S.B. 700 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO: (1) EXTEND SUNSET DATES APPLICABLE TO THE DRY-CLEANING SOLVENT CLEANUP ACT, THE DRY-CLEANING SOLVENT CLEANUP FUND, AND THE DRY-CLEANING SOLVENT TAX; (2) ALLOW THE USE OF STATE AND LOCAL LAND-USE CONTROLS AND DEED NOTICES IN LIEU OF LAND-USE RESTRICTIONS FOR PROPERTIES IN THE AREA OF CONTAMINATED DRY-CLEANING SITES, NOT INCLUDING PROPERTIES ON WHICH A DRY-CLEANING FACILITY IS OR WAS LOCATED WHICH IS THE SOURCE OF A SITE'S CONTAMINATION; (3) MODIFY NOTICE AND COMMENT REQUIREMENTS ASSOCIATED WITH A NOTICE OF INTENT TO REMEDIATE; AND (4) REMOVE THE LIMITATION ON DISBURSEMENT OF MONIES FROM THE DRY-CLEANING SOLVENT CLEANUP FUND FOR COSTS INCURRED TO ADDRESS DRY-CLEANING SOLVENT CONTAMINATION ON STATE-OWNED PROPERTY, is read the first time and referred to the Committee on Environment and Natural Resources and, if favorable, to the Committee on Judiciary III.

RE-REFERRALS

On motion of Representative Owens, pursuant to Rule 39.2 and without objection, **H.B. 347** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF SOUTHPORT TO ENTER INTO AN ANNEXATION AGREEMENT, is withdrawn from the Committee on Finance and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative Owens and without objection, **S.B. 315** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF SOUTHPORT TO ENTER INTO AN ANNEXATION AGREEMENT, is withdrawn from the Calendar of June 18 and re-referred to the Committee on Rules, Calendar, and Operations of the House.

BILLS WITHDRAWN FROM COMMITTEE

On motion of Representative Owens and without objection, **H.B. 464** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE PERMANENT AN ACT EXEMPTING THE CITY OF RALEIGH

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FROM COMPETITIVE BIDDING REQUIREMENTS WHEN LETTING CONTRACTS FOR USE AS PART OF ANY PILOT PROGRAM AUTHORIZED BY THE CITY COUNCIL TO TEST THE EFFICIENCY AND EFFECTIVENESS OF LIGHT-EMITTING DIODE TECHNOLOGIES, TO EXPAND THE ACT TO ALL RALEIGH PILOT PROGRAMS AIMED AT INCREASING ENERGY EFFICIENCY, AND TO AUTHORIZE THE CITIES OF RALEIGH AND WINSTON-SALEM TO ENTER INTO A LEASE FOR THE SITING AND OPERATION OF A RENEWABLE ENERGY FACILITY FOR TWENTY YEARS WITHOUT TREATING IT AS A SALE AND WITHOUT GIVING NOTICE BY PUBLICATION, is withdrawn from the Committee on Energy and Energy Efficiency and pursuant to Rule 36(b), is placed on the Calendar of June 18.

On motion of Representative Owens and without objection, **H.B. 808** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE THE CONSTRUCTION PROCESS FOR COMMUNITY COLLEGE FACILITIES MORE EFFICIENT, is withdrawn from the Committee on State Government/State Personnel and pursuant to Rule 36(b), is placed on the Calendar of June 18.

On motion of Representative Owens and without objection, **H.B. 1032** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT MODIFYING THE HISTORY AND GEOGRAPHY CURRICULA IN THE PUBLIC SCHOOLS, is withdrawn from the Committee on Education and pursuant to Rule 36(b), is placed on the Calendar of June 18.

On motion of Representative Owens and without objection, **S.B. 648**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE DEPARTMENT OF TRANSPORTATION TO PARTNER WITH PRIVATE DEVELOPERS ON TRANSPORTATION IMPROVEMENT PROJECTS AND PROVIDE FUNDING DIRECTLY TO THE PRIVATE DEVELOPER, is withdrawn from the Committee on Appropriations and pursuant to Rule 36(b), is placed on the Calendar of June 18.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following report from standing committee is presented:

By Representatives Luebke, Gibson, Wainwright, and Weiss, Chairs, for the Committee on Finance:

S.B. 498, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE EDGEcombe COUNTY BOARD OF EDUCATION TO CONSTRUCT AND PROVIDE AFFORDABLE RENTAL HOUSING FOR

June 17, 2009

TEACHERS AND OTHER SCHOOL SYSTEM EMPLOYEES, with a favorable report as to the House committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of June 18. The original bill is placed on the Unfavorable Calendar.

Representative Owens moves, seconded by Representative Sutton, that the House adjourn, subject to the receipt of Committee Reports, to reconvene June 18 at 1:00 p.m.

The motion carries.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

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

H.B. 1180 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT ESTABLISHING THE CONSUMER CHOICE AND INVESTMENT ACT OF 2009, with recommendation that the House concur.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 18.

By Representatives Coates and Cole, Vice Chairs, for the Committee on Transportation:

S.B. 931, A BILL TO BE ENTITLED AN ACT TO PROVIDE RECIPROCITY TO COMMERCIAL DRIVERS LICENSE HOLDERS FROM MEXICO, TO EXPAND THE DEFINITION OF CONVICTION FOR OUT-OF-STATE VIOLATIONS, TO EXPAND THE DEFINITION OF EMPLOYER WITH REGARDS TO COMMERCIAL DRIVERS LICENSES, TO ADD A DISQUALIFYING VIOLATION TO COMMERCIAL DRIVERS LICENSES, TO INCREASE CIVIL PENALTIES, TO EXPAND EMPLOYER REPORTING RESPONSIBILITIES, AND TO MODIFY REQUIREMENTS FOR CONVICTIONS TEN YEARS OLD OR OLDER, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the original bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Finance.

June 17, 2009

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

The House stands adjourned at 4:12 p.m.

EIGHTY-THIRD DAY

HOUSE OF REPRESENTATIVES
Thursday, June 18, 2009

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

The following prayer is offered by the Reverend Dr. Byron Wade, Davie Street Presbyterian Church, Raleigh, North Carolina:

"Creator and Sovereign God of all the Earth:

"We thank You for allowing us to be present in this place for one more day. As we come together to govern the citizens of North Carolina, we humbly ask for Your guidance and wisdom in our decision making in this Session. Let us through Your leading do what is pleasing and right in Your sight that all may benefit. In the name of the one God we pray. Amen."

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

There are no excused absences for today.

ENROLLED BILLS

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

S.B. 625, AN ACT TO PROHIBIT DECEPTIVE ADVERTISING ABOUT GEOGRAPHICAL LOCATION BY BUSINESSES THAT SUPPLY PERISHABLE PRODUCTS.

H.B. 380, AN ACT TO STRENGTHEN LOCAL EMERGENCY MANAGEMENT CAPABILITIES, AS RECOMMENDED BY THE JOINT

June 18, 2009

SELECT COMMITTEE ON EMERGENCY PREPAREDNESS AND DISASTER MANAGEMENT RECOVERY.

H.B. 723, AN ACT TO REQUIRE HOLDERS OF ABANDONED PROPERTY WITH FIFTY OR MORE PROPERTY OWNER RECORDS TO FILE ELECTRONICALLY WITH THE OFFICE OF THE STATE TREASURER, TO ALLOW HOLDERS WITH LESS THAN FIFTY PROPERTY OWNER RECORDS TO FILE ELECTRONICALLY, AND TO ALLOW HOLDERS REPORTING ELECTRONICALLY TO FILE AN ELECTRONIC AFFIDAVIT.

H.B. 735, AN ACT TO CLARIFY THE LAW REGARDING BUILDING CODE STANDARDS FOR BUILDINGS USED BY HIGH SCHOOL STUDENTS ATTENDING CLASSES ON COMMUNITY COLLEGE CAMPUSES AND TO PROVIDE THAT A COUNTY MAY OBTAIN A PERMIT FOR THE CONSTRUCTION OF FACILITIES TO BE USED FOR ADMINISTRATIVE PURPOSES UNTIL AUGUST 1, 2009, UNDER THE 2006 NORTH CAROLINA STATE BUILDING CODE.

H.B. 1021, AN ACT TO DESIGNATE A PORTION OF U.S. HIGHWAY 17 AND U.S. HIGHWAY 70 AS "THE U.S. MARINE CORPS HIGHWAY: HOME OF THE CAROLINA-BASED MARINES SINCE 1941."

H.B. 1087, AN ACT TO APPLY CLIENT RIGHTS AND HUMAN RIGHTS COMMITTEE REQUIREMENTS FOR MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES FACILITIES, AND LOCAL MANAGEMENT ENTITIES, TO PROVIDER ENTITIES.

H.B. 1388, AN ACT TO EXPAND THE PUBLIC NOTICE REQUIREMENT REGARDING A PROSPECTIVE DEVELOPER'S INTENT TO REDEVELOP A BROWNFIELDS PROPERTY.

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

H.B. 103, AN ACT PROVIDING THAT ALEXANDER, ALLEGHANY, ANSON, BERTIE, CATAWBA, CHOWAN, STOKES, SURRY, AND TYRRELL COUNTIES MAY PROHIBIT THE ISSUANCE OF A BUILDING PERMIT TO A DELINQUENT TAXPAYER.

H.B. 969, AN ACT TO AMEND THE LAW PROHIBITING THE DISCHARGE OF FIREARMS ON REGISTERED LAND IN GRANVILLE

June 18, 2009

COUNTY BY ALLOWING THE TRACTS OF REGISTERED LAND TO BE RECORDED IN THE GEOGRAPHIC INFORMATION SYSTEM.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Coates and Cole, Vice Chairs, for the Committee on Transportation:

S.B. 955 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT BICYCLES HAVE VISIBLE LIGHTS ON THE FRONT AND REAR OF THE BICYCLE WHEN OPERATED DURING THE PERIOD FROM SUNSET TO SUNRISE ON A STREET, HIGHWAY, OR PUBLIC VEHICULAR AREA, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the Senate committee substitute bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Judiciary I.

The House committee substitute bill is re-referred to the Committee on Judiciary I. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representative Dickson, Chair, for the Committee on Commerce, Small Business, and Entrepreneurship:

S.B. 69 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY FROM REGULATING THE FEE AMOUNT CHARGED BY A WRECKER SERVICE THAT PARTICIPATES IN THE ROTATION WRECKER SYSTEM FOR THE STATE HIGHWAY PATROL FOR TOWING, REMOVAL, RECOVERY, AND STORAGE, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the Senate committee substitute bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Finance.

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

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By Representative Bryant, Chair, for the Committee on Energy and Energy Efficiency:

H.B. 282, A BILL TO BE ENTITLED AN ACT TO BROADEN THE SCOPE OF THE SUSTAINABLE ENERGY-EFFICIENT BUILDINGS PROGRAM TO INCLUDE PUBLIC SCHOOL BUILDINGS, TO REQUIRE THE STATE ENERGY OFFICE TO DEVELOP AND MAINTAIN SUSTAINABLE SCHOOL DESIGN PROTOCOL STANDARDS, TO CREATE AND APPROPRIATE FUNDS TO THE GREEN SCHOOL CONSTRUCTION LOAN FUND, AND TO MAKE CONFORMING CHANGES, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

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

By Representative Sutton, Chair, for the Committee on Judiciary III:

S.B. 258 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF EMERGENCY MANAGEMENT TO ESTABLISH A VOLUNTARY MODEL REGISTRY FOR USE BY COUNTIES AND MUNICIPALITIES IN IDENTIFYING FUNCTIONALLY AND MEDICALLY FRAGILE PERSONS IN NEED OF ASSISTANCE DURING A DISASTER; AND TO AUTHORIZE COUNTIES AND MUNICIPALITIES TO OPERATE SIMILAR REGISTRIES, AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON EMERGENCY PREPAREDNESS AND DISASTER MANAGEMENT RECOVERY, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 22.

S.B. 304 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE AMOUNT THE STATE MAY FINANCE UNDER GUARANTEED ENERGY SAVINGS CONTRACTS AND TO MODIFY THE REPORTING REQUIREMENTS, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

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

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

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S.B. 68 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE LOCATION OF A NEW ABC LICENSED ESTABLISHMENT WITHIN ONE THOUSAND FEET OF A CHURCH, PUBLIC SCHOOL, OR A NONPUBLIC SCHOOL, AS DEFINED IN PART 1 OR PART 2 OF ARTICLE 39 OF CHAPTER 115C OF THE GENERAL STATUTES, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the Senate committee substitute bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Alcoholic Beverage Control.

The House committee substitute bill is re-referred to the Committee on Alcoholic Beverage Control. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representative Faison, Chair, for the Committee on Ways and Means/Broadband Connectivity:

S.B. 11 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A DISTRICT ATTORNEY OR ASSISTANT DISTRICT ATTORNEY WHO HAS A CONCEALED HANDGUN PERMIT MAY CARRY OR POSSESS A CONCEALED HANDGUN WHILE IN A COURTHOUSE TO DISCHARGE OFFICIAL DUTIES, with a favorable report and recommendation that the bill be re-referred to the Committee on Judiciary II.

The bill is re-referred to the Committee on Judiciary II.

S.B. 357 (Committee Substitute), A BILL TO BE ENTITLED AN ACT REQUIRING MUNICIPALITIES AND MEMBERSHIP CORPORATIONS ORGANIZED UNDER CHAPTER 117 OF THE GENERAL STATUTES TO PERMIT COMMUNICATIONS SERVICE PROVIDERS TO USE THEIR POLES, DUCTS, AND CONDUITS FOR ATTACHMENTS AND RELATED USES, AND AUTHORIZING THE NORTH CAROLINA BUSINESS COURT TO CONSIDER AND RESOLVE DISPUTES CONCERNING THE RATES, TERMS, AND CONDITIONS ASSOCIATED WITH THE USE, with a favorable report as to the House committee substitute bill, unfavorable as to the Senate committee substitute bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Public Utilities.

The House committee substitute bill is re-referred to the Committee on Public Utilities. The Senate committee substitute bill is placed on the Unfavorable Calendar.

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S.B. 900 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW REGISTERS OF DEEDS TO REMOVE PERSONAL IDENTIFYING INFORMATION FROM IMAGES OR COPIES OF RECORDS PLACED ON THE INTERNET, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the Senate committee substitute bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Judiciary I.

The House committee substitute bill is re-referred to the Committee on Judiciary I. The Senate committee substitute bill is placed on the Unfavorable Calendar.

S.B. 1089 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PROBATION OFFICERS TO TRANSFER LOW-RISK MISDEMEANANTS WITH NO SPECIAL CONDITIONS TO UNSUPERVISED PROBATION, with a favorable report and recommendation that the bill be re-referred to the Committee on Judiciary III.

The bill is re-referred to the Committee on Judiciary III.

S.B. 1091, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING TRAFFICKING IN METHAMPHETAMINE AND AMPHETAMINE TO CLARIFY THAT THE CHARGE OF TRAFFICKING IS BASED ON THE WEIGHT OF THE ENTIRE POWDER OR LIQUID MIXTURE RATHER THAN THE WEIGHT OF THE ACTUAL AMOUNT OF THE CONTROLLED SUBSTANCE IN THE POWDER OR LIQUID MIXTURE, with a favorable report and recommendation that the bill be re-referred to the Committee on Judiciary III.

The bill is re-referred to the Committee on Judiciary III.

By Representatives Glazier, Love, and Weiss, Vice Chairs, for the Committee on Judiciary II:

S.B. 481 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW A TRUSTEE TO APPOINT TRUST PROPERTY TO ANOTHER TRUST FOR THE SAME BENEFICIARY, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 22.

S.B. 482 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT A PERMISSIBLE APPOINTEE UNDER A POWER OF APPOINTMENT IS NOT A TRUST BENEFICIARY, AND

June 18, 2009

TO CLARIFY THAT A LOAN OR PLEDGE BY A TRUSTEE MAY BE MADE IN CONNECTION WITH A LOAN OF THE TRUSTEE'S OWN FUNDS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 22.

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

THE APPOINTMENT OF ROSA U. GILL

2009-2010

BY THE GOVERNOR OF THE STATE OF NORTH CAROLINA

A PROCLAMATION

WHEREAS, the Honorable Dan Blue, elected Representative from the Thirty-third House District 2009-2010 General Assembly, has resigned; and

WHEREAS, the provisions of General Statute § 163-11 require that the vacancy created by the resignation of the Honorable Dan Blue be filled by appointment of the person recommended by the Wake County Democratic Party Executive Committee for District Thirty-three State House of Representatives; and

WHEREAS, the Wake County Democratic Party Executive Committee for District Thirty-three State House of Representatives has notified me of its recommendation of Rosa U. Gill of Wake County, North Carolina, to fill the unexpired term,

I do by these presents appoint

ROSA U. GILL

as a member of the

HOUSE OF REPRESENTATIVES

2009-2010 General Assembly

June 18, 2009

IN WITNESS WHEREOF, I have hereunto signed my name and affixed the Great Seal of the State of North Carolina at the Capitol in the City of Raleigh, this seventeenth day of June in the year of our Lord two thousand and nine, and of the Independence of the United States of America the two hundred and thirty-third.

S/ Bev Perdue
Governor

ATTEST:

S/ Elaine F. Marshall
Secretary of State
by and through Rodney S. Maddox,
Chief Deputy Secretary of State of
North Carolina

The Chair appoints Representatives Holliman, Stam, Martin, Weiss, Dollar, Ross, Jackson, Avila, Harrell, and Jones to escort the Member to the podium for the administration of the oath.

The following oath of office is administered to Rosa U. Gill by Speaker Hackney, pursuant to G.S. 120-5.

**OATH FOR MEMBERS OF THE
HOUSE OF REPRESENTATIVES
2009 SESSION**

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

"I, ROSA U. GILL, do swear (or affirm) that I will well and truly execute the duties of the office of a member of the House of Representatives according to the best of my skill and ability, according to law; so help me, God."

Representative Jones escorts Representative Gill to Seat 79.

June 18, 2009

THE APPOINTMENT OF FRANK ILER**2009-2010****BY THE GOVERNOR OF THE STATE OF NORTH CAROLINA****A PROCLAMATION**

WHEREAS, the Honorable Bonner L. Stiller, elected Representative from the Seventeenth House District 2009-2010 General Assembly, has resigned; and

WHEREAS, the provisions of General Statute § 163-11 require that the vacancy created by the resignation of the Honorable Bonner L. Stiller be filled by appointment of the person recommended by the Brunswick County Republican Party Executive Committee for District Seventeen State House of Representatives; and

WHEREAS, the Brunswick County Republican Party Executive Committee for District Seventeen State House of Representatives has notified me of its recommendation of Frank Iler of Brunswick County, North Carolina, to fill the unexpired term,

I do by these presents appoint

FRANK ILER

as a member of the

HOUSE OF REPRESENTATIVES

2009-2010 General Assembly

IN WITNESS WHEREOF, I have hereunto signed my name and affixed the Great Seal of the State of North Carolina at the Capitol in the City of Raleigh, this seventeenth day of June in the year of our Lord two thousand and nine, and of the Independence of the United States of America the two hundred and thirty-third.

S/ Bev Perdue
Governor

June 18, 2009

ATTEST:

S/ Elaine F. Marshall
Secretary of State
by and through Rodney S. Maddox,
Chief Deputy Secretary of State of
North Carolina

The Chair appoints Representatives Holliman, Stam, McComas, Hill, Hughes, and Justice to escort the Member to the podium for the administration of the oath.

The following oath of office is administered to Frank Iler by Speaker Hackney, pursuant to G.S. 120-5.

**OATH FOR MEMBERS OF THE
HOUSE OF REPRESENTATIVES
2009 SESSION**

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

"I, FRANK ILER, do swear (or affirm) that I will well and truly execute the duties of the office of a member of the House of Representatives according to the best of my skill and ability, according to law; so help me, God."

Representative Justice escorts Representative Iler to Seat 15.

The Speaker orders a Special Message sent to the Senate informing that Honorable Body of the seating of Representatives Ingle, Gill, and Iler as Members of the 2009 House of Representatives.

SPECIAL MESSAGE FROM THE SENATE

**2009 GENERAL ASSEMBLY
FIRST SESSION**

Senate Chamber
June 17, 2009

June 18, 2009

Mr. Speaker:

Pursuant to your message received today, June 17, 2009, that the House of Representatives fails to concur in the Senate Committee Substitute to **H.B. 1508**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE TWO-THIRDS BONDS ACT OF 2008, and requests conferees, the President *Pro Tempore* appoints:

Senator Garrou, Chair
Senator Albertson
Senator Dannelly
Senator Hoyle
Senator Rand
Senator Swindell

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

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

The following Special Message is received from the Senate:

H.B. 239 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR IMPROVEMENTS IN THE MANAGEMENT OF THE JORDAN WATERSHED IN ORDER TO RESTORE WATER QUALITY IN THE JORDAN RESERVOIR, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of June 22.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for **H.B. 682** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADJUST THE EXEMPTION LIMITS FOR SMALL LOCAL GOVERNMENTS IN THE PUBLIC CONTRACTING STATUTES TO ACCOUNT FOR INFLATION SINCE LAST ADJUSTED SEVEN YEARS AGO, TO ALLOW AUTOMATIC ADJUSTMENTS TO

June 18, 2009

ACCOUNT FOR FUTURE CHANGES IN THE CONSUMER PRICE INDEX, AND TO PROVIDE A UNIFORM PROCEDURE FOR INFLATION INDEXING THAT OTHER PROVISIONS MAY INCORPORATE BY REFERENCE, is returned for concurrence in Senate committee substitute bill and referred to the Committee on Judiciary I.

Upon concurrence the Senate committee substitute bill changes the title.

Senate Committee Substitute for **H.B. 780** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE NORTH CAROLINA BUILDING CODE EXEMPTION FOR FARM BUILDINGS TO INCLUDE EQUINE ARENAS USED FOR LESSONS OFFERED TO THE GENERAL PUBLIC, AND OTHER EQUINE ACTIVITIES, BUT NOT FOR SPECTATOR EVENTS, is returned for concurrence in Senate committee substitute bill and referred to the Committee on State Government/State Personnel.

Upon concurrence the Senate committee substitute bill changes the title.

H.B. 799 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT INTERESTS IN A JOINT TENANCY WITH A RIGHT OF SURVIVORSHIP MAY BE HELD IN UNEQUAL SHARES, is returned for concurrence in Senate committee substitute bill and referred to the Committee on Judiciary II.

H.B. 1079 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF ADMINISTRATION TO GIVE PREFERENCE TO NEW PASSENGER MOTOR VEHICLES THAT HAVE A FUEL ECONOMY THAT IS IN THE TOP FIFTEEN PERCENT OF THAT CLASS OF COMPARABLE AUTOMOBILES FOR PASSENGER MOTOR VEHICLES PURCHASED BY THE STATE, is returned for concurrence in one Senate amendment.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 22.

CALENDAR

Action is taken on the following:

Senate Committee Substitute for **H.B. 464** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE PERMANENT AN ACT EXEMPTING THE CITY OF RALEIGH FROM COMPETITIVE BIDDING REQUIREMENTS WHEN LETTING CONTRACTS FOR USE AS PART OF ANY PILOT PROGRAM AUTHORIZED BY THE CITY

June 18, 2009

COUNCIL TO TEST THE EFFICIENCY AND EFFECTIVENESS OF LIGHT-EMITTING DIODE TECHNOLOGIES, TO EXPAND THE ACT TO ALL RALEIGH PILOT PROGRAMS AIMED AT INCREASING ENERGY EFFICIENCY, AND TO AUTHORIZE A LEASE FOR THE SITING AND OPERATION OF A RENEWABLE ENERGY FACILITY FOR TWENTY YEARS WITHOUT TREATING IT AS A SALE AND WITHOUT GIVING NOTICE BY PUBLICATION.

On motion of Representative Martin, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (114-3), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 808** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE THE CONSTRUCTION PROCESS FOR COMMUNITY COLLEGE FACILITIES MORE EFFICIENT.

On motion of Representative Dockham, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (117-0), and the bill is ordered enrolled and presented to the Governor.

H.B. 1032 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT MODIFYING THE HISTORY AND GEOGRAPHY CURRICULA IN THE PUBLIC SCHOOLS.

On motion of Representative Jeffus, the House concurs in the Senate committee substitute bill, by electronic vote (109-9), and the bill is ordered enrolled and presented to the Governor.

H.B. 1180 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT ESTABLISHING THE CONSUMER CHOICE AND INVESTMENT ACT OF 2009.

On motion of Representative Tolson, the House concurs in the Senate committee substitute bill, by electronic vote (112-6), and the bill is ordered enrolled and presented to the Governor.

Senate Committee Substitute for **H.B. 1530** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COUNTIES TO RESCIND AN ADVANCED GENERAL REAPPRAISAL OF PROPERTY.

On motion of Representative Cole, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (117-1), and the bill is ordered enrolled and presented to the Governor by Special Message.

June 18, 2009

S.B. 173 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF WILMINGTON TO EXERCISE EXTRATERRITORIAL PLANNING AND ZONING WITHIN NEW HANOVER COUNTY.

On motion of Representative Hughes and without objection, the bill is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 60, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF WHITE LAKE, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Avila, Barnhart, Bell, Blackwell, Blackwood, Blust, Boles, Bordsen, Braxton, Brisson, Brown, Brubaker, Bryant, Burr, Burris-Floyd, Carney, Cleveland, Coates, Cole, Cotham, Crawford, Current, Daughtry, Dickson, Dockham, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Folwell, Frye, Gibson, Gill, Gillespie, Glazier, Goforth, Goodwin, Grady, Guice, Gulley, Haire, Hall, Harrell, Harrison, Hill, Hilton, Holliman, Holloway, Howard, Hughes, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Killian, Langdon, Lewis, Love, Lucas, Luebke, Mackey, Martin, McComas, McCormick, McElraft, McGee, McLawhorn, Michaux, Mills, Mobley, Moore, Neumann, Owens, Parmon, Pierce, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Setzer, Spear, Stam, Starnes, Steen, Stevens, Stewart, Sutton, Tarleton, Tillis, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 119.

Voting in the negative: None.

Excused absences: None.

S.B. 91, A BILL TO BE ENTITLED AN ACT TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF PINE KNOLL SHORES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Avila, Barnhart, Bell, Blackwell, Blackwood, Blust, Boles, Bordsen, Braxton, Brisson, Brown, Brubaker, Bryant, Burr, Burris-Floyd, Carney, Cleveland, Coates, Cole, Cotham, Crawford, Current, Daughtry, Dickson, Dockham, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Folwell, Frye, Gibson, Gill, Gillespie, Glazier, Goforth, Goodwin, Grady, Guice, Gulley, Haire, Hall, Harrell, Harrison,

June 18, 2009

Hill, Hilton, Holliman, Holloway, Howard, Hughes, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Killian, Langdon, Lewis, Love, Lucas, Luebke, Mackey, Martin, McComas, McCormick, McElraft, McGee, McLawhorn, Michaux, Mills, Mobley, Moore, Neumann, Owens, Parmon, Pierce, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Setzer, Spear, Stam, Starnes, Steen, Stevens, Stewart, Sutton, Tarleton, Tillis, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 119.

Voting in the negative: None.

Excused absences: None.

S.B. 364 (Committee Substitute), A BILL TO BE ENTITLED AN ACT RELATING TO ILLEGALLY PARKED VEHICLES IN THE TOWN OF APEX TO ALLOW USE OF WHEEL LOCKS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Avila, Barnhart, Bell, Blackwell, Blackwood, Blust, Boles, Bordsen, Braxton, Brisson, Brown, Brubaker, Bryant, Burr, Burris-Floyd, Carney, Cleveland, Coates, Cole, Cotham, Crawford, Current, Dickson, Dockham, Dollar, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Frye, Gibson, Gill, Gillespie, Glazier, Goforth, Goodwin, Grady, Guice, Gulley, Haire, Hall, Harrell, Harrison, Hill, Holliman, Holloway, Howard, Hughes, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Killian, Langdon, Lewis, Love, Lucas, Luebke, Mackey, Martin, McComas, McCormick, McElraft, McGee, McLawhorn, Michaux, Mills, Mobley, Neumann, Owens, Parmon, Pierce, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Setzer, Spear, Stam, Starnes, Steen, Stevens, Stewart, Sutton, Tarleton, Tillis, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 114.

Voting in the negative: Representatives Earle, Folwell, Hilton, and Moore - 4.

Excused absences: None.

S.B. 432 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ANNEX THE MIDWAY COMMUNITY TO THE TOWN OF ABERDEEN, passes its second reading, by the following vote, and remains on the Calendar.

June 18, 2009

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Avila, Barnhart, Bell, Blackwell, Blackwood, Blust, Boles, Bordsen, Braxton, Brisson, Brown, Brubaker, Bryant, Burr, Burris-Floyd, Carney, Cleveland, Coates, Cole, Cotham, Crawford, Current, Daughtry, Dickson, Dockham, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Folwell, Frye, Gibson, Gill, Gillespie, Glazier, Goforth, Goodwin, Grady, Guice, Gulley, Haire, Hall, Harrell, Harrison, Hill, Hilton, Holliman, Holloway, Howard, Hughes, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Killian, Langdon, Lewis, Love, Lucas, Luebke, Mackey, Martin, McComas, McCormick, McElraft, McGee, McLawhorn, Mills, Mobley, Moore, Neumann, Owens, Parmon, Pierce, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Setzer, Spear, Stam, Starnes, Steen, Stevens, Stewart, Sutton, Tarleton, Tillis, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 118.

Voting in the negative: None.

Excused absences: None.

S.B. 453 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF RALEIGH AND THE TOWN OF CHAPEL HILL TO ALLOW ACTIVATION OF PARKING METERS BY CREDIT CARD OR OTHER ELECTRONIC MEANS AND TO USE PROCEEDS COLLECTED FROM PARKING METERS FOR PARKING PROGRAMS AND PROVIDING PARKING FACILITIES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Avila, Barnhart, Bell, Blackwell, Blackwood, Blust, Boles, Bordsen, Braxton, Brisson, Brown, Brubaker, Bryant, Burris-Floyd, Carney, Cleveland, Coates, Cole, Cotham, Crawford, Daughtry, Dickson, Dockham, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Folwell, Frye, Gibson, Gill, Gillespie, Glazier, Goforth, Goodwin, Grady, Guice, Gulley, Haire, Hall, Harrell, Harrison, Hill, Hilton, Holliman, Holloway, Howard, Hughes, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Killian, Langdon, Lewis, Love, Lucas, Luebke, Mackey, Martin, McComas, McCormick, McElraft, McGee, McLawhorn, Michaux, Mills, Mobley, Moore, Neumann, Owens, Parmon, Pierce, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Setzer, Spear, Stam, Starnes, Steen, Stevens, Stewart, Sutton, Tarleton, Tillis, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 117.

June 18, 2009

Voting in the negative: Representatives Burr and Current - 2.

Excused absences: None.

S.B. 543 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF DURHAM TO COLLECT A MUNICIPAL TAX FOR PUBLIC TRANSPORTATION OF TEN DOLLARS ON VEHICLES RESIDENT IN THE CITY, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Barnhart, Bell, Blackwell, Bordsen, Braxton, Brisson, Brubaker, Bryant, Carney, Coates, Cole, Cotham, Crawford, Current, Daughtry, Dickson, Dockham, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Gibson, Gill, Glazier, Goforth, Goodwin, Grady, Haire, Hall, Harrell, Harrison, Hill, Hilton, Holliman, Howard, Hughes, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Lewis, Love, Lucas, Luebke, Mackey, Martin, McComas, McElraft, McGee, McLawhorn, Michaux, Mobley, Owens, Parmon, Pierce, Rapp, Ross, Samuelson, Spear, Stam, Starnes, Steen, Stewart, Sutton, Tarleton, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, Whilden, Wilkins, Williams, Womble, Wray, and Yongue - 89.

Voting in the negative: Representatives Avila, Blackwood, Blust, Boles, Brown, Burr, Burris-Floyd, Cleveland, Dollar, Folwell, Frye, Gillespie, Guice, Gulley, Holloway, Hurley, Killian, Langdon, McCormick, Mills, Moore, Neumann, Randleman, Rhyne, Sager, Setzer, Stevens, Tillis, West, and Wiley - 30.

Excused absences: None.

Representative Hilton requests and is granted permission to change his vote from "aye" to "no". The adjusted vote total is (88-31).

S.B. 390 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF MIDLAND TO PARTICIPATE IN THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM WITHOUT PROVIDING PRIOR SERVICE CREDITS TO ITS EMPLOYEES, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

June 18, 2009

S.B. 498 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE EDGECOMBE COUNTY BOARD OF EDUCATION TO CONSTRUCT AND PROVIDE AFFORDABLE RENTAL HOUSING FOR TEACHERS AND OTHER SCHOOL SYSTEM EMPLOYEES, passes its second reading and there being no objection is read a third time.

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

S.B. 43 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPROVE BOATING SAFETY BY REQUIRING BOATING SAFETY EDUCATION PRIOR TO OPERATING A VESSEL WITH A MOTOR OF TEN HORSEPOWER OR GREATER, AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON MANDATORY BOATING SAFETY EDUCATION.

On motion of Representative Wray and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of June 24.

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

H.J.R. 1653, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF WILLIAM OLIVER SWOFFORD, AMERICAN POP SINGER AND NATIVE SON OF NORTH CAROLINA, passes its second reading, by electronic vote (119-0), and there being no objection is read a third time.

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

S.B. 457 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADD THE DEFINITION OF BIODIESEL TO THE ENERGY CREDIT BANKING AND SELLING PROGRAM FOR THE QUALITY AND SAFETY OF MOTORISTS AND TO MAKE A CONFORMING CHANGE TO THE ALTERNATIVE FUEL REVOLVING FUND, passes its second reading, by electronic vote (119-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

S.B. 648, A BILL TO BE ENTITLED AN ACT TO ALLOW THE DEPARTMENT OF TRANSPORTATION TO PARTNER WITH PRIVATE

June 18, 2009

DEVELOPERS ON TRANSPORTATION IMPROVEMENT PROJECTS AND PROVIDE FUNDING DIRECTLY TO THE PRIVATE DEVELOPER, passes its second reading, by electronic vote (119-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

S.B. 652 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE RETAIL SALE AND DISTRIBUTION OF NOVELTY LIGHTERS, AS RECOMMENDED BY THE CHILD FATALITY TASK FORCE, passes its second reading, by electronic vote (110-6), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House Committee Substitute Bill No. 2.

S.B. 763 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AUTHORIZATION FOR CERTAIN NONPROFIT CORPORATIONS TO RENDER LEGAL SERVICES, passes its second reading, by electronic vote (119-0), and there being no objection is read a third time.

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

S.B. 1018 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REDUCE PLASTIC AND NONRECYCLED PAPER BAG USE ON NORTH CAROLINA'S OUTER BANKS.

Representative Avila offers Amendment No. 1 which fails of adoption by electronic vote (41-78).

The bill passes its second reading, by electronic vote (78-41), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House Committee Substitute Bill No. 2.

ENROLLED BILLS

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

June 18, 2009

S.B. 448, AN ACT AMENDING THE LAWS REGULATING SELF-SERVICE STORAGE FACILITIES.

H.B. 1530, AN ACT TO VALIDATE THE SCHEDULE OF VALUES USED TO APPRAISE REAL PROPERTY FOR THE TAXABLE YEAR BEGINNING JULY 1, 2009, BY A COUNTY THAT ADOPTED A RESOLUTION TO POSTPONE A 2009 REAPPRAISAL BETWEEN JANUARY 1, 2009, AND JUNE 30, 2009.

H.B. 203, AN ACT TO INCREASE THE SIZE OF ESTATES THAT MAY BE ADMINISTERED UNDER THE SMALL ESTATES PROVISIONS OF THE GENERAL STATUTES.

H.B. 543, AN ACT TO REPEAL THE PENALTY FOR COMMUNITY COLLEGE AUDIT EXCEPTIONS.

H.B. 672, AN ACT RELATING TO LOCAL MANAGEMENT ENTITIES USE OF STATE FUNDS FOR MENTAL HEALTH, DEVELOPMENTAL DISABILITY, AND SUBSTANCE ABUSE SERVICES.

H.B. 1106, AN ACT AMENDING AND CLARIFYING VARIOUS PROVISIONS UNDER THE LAWS PERTAINING TO ADOPTION.

CALENDAR (continued)

S.J.R. 1101 (Committee Substitute), A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF THE APPOINTMENTS OF LORINZO JOYNER, BRYAN BEATTY, AND TONOLA D. BROWNBLAND TO THE UTILITIES COMMISSION, passes its second reading, by electronic vote (103-13), and there being no objection is read a third time.

The resolution passes its third reading and is ordered enrolled.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Sutton, Chair, for the Committee on Judiciary III:

S.B. 503 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF DURHAM TO GRANT THE CITY MANAGER THE AUTHORITY TO INCLUDE

June 18, 2009

THE CITY'S MINORITY OR WOMEN'S BUSINESS ENTERPRISE REQUIREMENTS IN THE SPECIFICATIONS FOR CITY CONTRACTS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 22.

S.B. 1010, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE WILDLIFE RESOURCES COMMISSION TO ADOPT SEASON STRUCTURES FOR MIGRATORY GAME BIRD SEASONS AND TO ALLOW THE USE OF UNPLUGGED SHOTGUNS AND ELECTRONIC CALLS, with a favorable report as to the House committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of June 22. The original bill is placed on the Unfavorable Calendar.

By Representatives Goforth and Wray, Chairs, for the Committee on Insurance:

S.B. 468 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COUNTIES TO PROVIDE HEALTH INSURANCE BENEFITS TO FORMER EMPLOYEES WHO ARE NOT RECEIVING RETIREMENT BENEFITS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 22.

By Representative Ross, Chair, for the Committee on Judiciary I:

H.B. 958, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF FONTANA DAM, reported without prejudice as to the committee substitute bill, unfavorable as to the original bill, and with recommendation that the committee substitute bill be re-referred to the Committee on Finance.

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

S.B. 268, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE REQUIREMENT OF AN ELECTED OFFICIAL RECOMMENDATION FOR NOTARY PUBLIC APPLICANTS IN COUNTIES WITH MORE THAN FIVE THOUSAND TWO HUNDRED AND FIFTY NOTARIES PUBLIC, with a favorable report.

June 18, 2009

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 22.

Representative Owens moves, seconded by Representative Steen, that the House adjourn, subject to the receipt of committee reports, the receipt of conference reports, and the ratification of bills, to reconvene Monday, June 22, 2009, at 7:00 p.m.

The motion carries.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Allen, Chair, for the Committee on Environment and Natural Resources:

H.B. 924 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT CONCERNING PUBLIC-PRIVATE REIMBURSEMENT AGREEMENTS FOR PARK INFRASTRUCTURE DEVELOPMENT BY MECKLENBURG COUNTY AND PUBLIC-PRIVATE REIMBURSEMENT AGREEMENTS FOR INFRASTRUCTURE DEVELOPMENT BY THE CITY OF CHARLOTTE, with recommendation that the House concur.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 22.

S.B. 755 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROMOTE THE USE OF COMPENSATORY MITIGATION BANKS FOR RIPARIAN BUFFER PROTECTION AND NUTRIENT OFFSET PAYMENTS AND TO MAKE CLARIFYING CHANGES TO THE STATUTES GOVERNING COMPENSATORY MITIGATION FOR WETLAND AND STREAM IMPACTS, with a favorable report as to the House committee substitute bill, unfavorable as to Senate Committee Substitute Bill No. 2, and recommendation that the House committee substitute bill be re-referred to the Committee on Finance.

The House committee substitute bill is re-referred to the Committee on Finance. Senate Committee Substitute Bill No. 2 is placed on the Unfavorable Calendar.

The House stands adjourned at 3:30 p.m.

June 18, 2009

EIGHTY-FOURTH DAY

HOUSE OF REPRESENTATIVES
Monday, June 22, 2009

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

The following prayer is offered by the Reverend Alan Wimbish, Pastor of Auburn Christian Church, Garner, North Carolina, and Officer of the General Assembly Police Department:

"Father God, we come to You tonight in the name of Your Son and ask Your blessings upon this place. Father, Your Word says in Romans 13 that government is ordained by God and its Members are servants of the Most High God. For that reason we ask not only Your blessings upon this place but that You would give Your servants in this place wisdom and boldness to do what is right in Your sight. Amen."

The Speaker leads the Body in the Pledge of Allegiance.

Representative Owens, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 18 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Hall and Samuelson for today.

ENROLLED BILLS

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

S.B. 457, AN ACT TO ADD THE DEFINITION OF BIODIESEL TO THE ENERGY CREDIT BANKING AND SELLING PROGRAM FOR THE QUALITY AND SAFETY OF MOTORISTS AND TO MAKE A CONFORMING CHANGE TO THE ALTERNATIVE FUEL REVOLVING FUND.

S.B. 648, AN ACT TO ALLOW THE DEPARTMENT OF TRANSPORTATION TO PARTNER WITH PRIVATE DEVELOPERS ON TRANSPORTATION IMPROVEMENT PROJECTS AND PROVIDE FUNDING DIRECTLY TO THE PRIVATE DEVELOPER.

June 22, 2009

H.B. 808, AN ACT TO MAKE THE CONSTRUCTION PROCESS FOR COMMUNITY COLLEGE FACILITIES MORE EFFICIENT.

H.B. 1032, AN ACT MODIFYING THE HISTORY AND GEOGRAPHY CURRICULA IN THE PUBLIC SCHOOLS.

H.B. 1180, AN ACT ESTABLISHING THE CONSUMER CHOICE AND INVESTMENT ACT OF 2009.

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

S.B. 390, AN ACT TO AUTHORIZE THE TOWN OF MIDLAND TO PARTICIPATE IN THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM WITHOUT PROVIDING PRIOR SERVICE CREDITS TO ITS EMPLOYEES.

H.B. 464, AN ACT TO MAKE PERMANENT AN ACT EXEMPTING THE CITY OF RALEIGH FROM COMPETITIVE BIDDING REQUIREMENTS WHEN LETTING CONTRACTS FOR USE AS PART OF ANY PILOT PROGRAM AUTHORIZED BY THE CITY COUNCIL TO TEST THE EFFICIENCY AND EFFECTIVENESS OF LIGHT-EMITTING DIODE TECHNOLOGIES, TO EXPAND THE ACT TO ALL RALEIGH PILOT PROGRAMS AIMED AT INCREASING ENERGY EFFICIENCY, AND TO AUTHORIZE THE CITIES OF RALEIGH AND WINSTON-SALEM TO ENTER INTO A LEASE FOR THE SITING AND OPERATION OF A RENEWABLE ENERGY FACILITY FOR TWENTY YEARS WITHOUT TREATING IT AS A SALE AND WITHOUT GIVING NOTICE BY PUBLICATION.

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

S.J.R. 1101, A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF THE APPOINTMENTS OF LORINZO JOYNER, BRYAN BEATTY, AND TONOLA D. BROWN-BLAND TO THE UTILITIES COMMISSION. (RESOLUTION 2009-22)

CHAPTERED BILLS

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

June 22, 2009

H.B. 103, AN ACT PROVIDING THAT ALEXANDER, ALLEGHANY, ANSON, BERTIE, CATAWBA, CHOWAN, STOKES, SURRY, AND TYRRELL COUNTIES MAY PROHIBIT THE ISSUANCE OF A BUILDING PERMIT TO A DELINQUENT TAXPAYER. (S.L. 2009-117)

H.B. 969, AN ACT TO AMEND THE LAW PROHIBITING THE DISCHARGE OF FIREARMS ON REGISTERED LAND IN GRANVILLE COUNTY BY ALLOWING THE TRACTS OF REGISTERED LAND TO BE RECORDED IN THE GEOGRAPHIC INFORMATION SYSTEM. (S.L. 2009-118)

H.B. 391, AN ACT AUTHORIZING COMMUNITY COLLEGES TO OFFER NONCREDIT COURSES IN SAFE DRIVING TO HIGH SCHOOL STUDENTS DURING THE SCHOOL YEAR. (S.L. 2009-119)

S.B. 1011, AN ACT TO AMEND THE LAW GOVERNING THE SIZES OF TRAPS FOR TAKING WILD ANIMALS. (S.L. 2009-120)

H.B. 1094, AN ACT TO REQUIRE THAT SPECIAL PLATES THAT ARE AVAILABLE TO MILITARY VETERANS ARE ISSUED ONLY TO APPROPRIATE APPLICANTS. (S.L. 2009-121)

H.B. 686, AN ACT TO MODERNIZE NOTICE REQUIREMENTS FOR PROTECTIONS FOR TELEPHONE SUBSCRIBERS WHO WISH TO STOP UNWANTED TELEPHONE SOLICITATIONS AND FOR CONSUMERS WHO ENTER INTO TELEMARKETING TRANSACTIONS. (S.L. 2009-122)

H.B. 1031, AN ACT TO PROVIDE THAT PUBLIC SCHOOLS SEEKING VOLUNTARY CHILD CARE FACILITY LICENSURE MAY USE THE SAME BUILDING STANDARDS FOR PREKINDERGARTEN CLASSROOMS AS FOR KINDERGARTEN CLASSROOMS MEETING CERTAIN REQUIREMENTS. (S.L. 2009-123)

S.B. 141, AN ACT TO REQUIRE THE COMMISSION FOR PUBLIC HEALTH TO ADOPT RULES CONCERNING WHEN TESTING FOR VOLATILE ORGANIC COMPOUNDS IN NEWLY CONSTRUCTED PRIVATE DRINKING WATER WELLS IS REQUIRED, AND TO LIMIT DRINKING WATER TESTING FOR THE PRESENCE OF VOLATILE ORGANIC COMPOUNDS IN ACCORDANCE WITH THOSE RULES. (S.L. 2009-124)

June 22, 2009

H.B. 221, AN ACT TO AUTHORIZE THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE TO REVIEW THE ACTIVITIES OF OCCUPATIONAL LICENSING BOARDS, TO REQUIRE THAT CERTAIN LICENSING BOARDS BE AUDITED ANNUALLY, TO SPECIFY A DATE FOR FILING OF REPORTS, TO ESTABLISH SANCTIONS FOR FAILURE TO FILE REPORTS, AND TO REQUIRE THAT BOARD MEMBERS RECEIVE TRAINING, AS RECOMMENDED BY THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE. (S.L. 2009-125)

H.B. 659, AN ACT AUTHORIZING THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE TO DIRECT THE PROGRAM EVALUATION DIVISION TO STUDY EXISTING PROGRAMS RELATING TO CHILDREN AND YOUTH IN NORTH CAROLINA, AS RECOMMENDED BY THE JOINT LEGISLATIVE STUDY COMMISSION ON CHILDREN AND YOUTH. (S.L. 2009-126)

H.B. 838, AN ACT TO CREATE AN EXEMPTION FOR SIZE AND WEIGHT RESTRICTIONS OF HAULERS OF SAGE. (S.L. 2009-127)

S.B. 1000, AN ACT TO RESTRICT THE OVERALL LENGTH OF A SINGLE VEHICLE WITH TWO OR MORE AXLES TO FORTY FEET, TO REQUIRE THAT VEHICLES TRANSPORTING EQUIPMENT OR POLES FOR EMERGENCY UTILITY REPAIR AT NIGHT HAVE TRAILERS THAT ARE NO LONGER THAN FIFTY-THREE FEET, TO INCREASE THE MAXIMUM LENGTH FOR A COMBINATION OF A HOUSE TRAILER USED AS A MOBILE HOME WITH ITS TOWING VEHICLE, AND TO REQUIRE CERTAIN FARM VEHICLES TO BE SELF-PROPELLED WHEN OPERATING ON A HIGHWAY. (S.L. 2009-128)

H.B. 1171, AN ACT TO PROVIDE THAT LAW STUDENT EXTERNS AT THE GENERAL ASSEMBLY ARE SUBJECT TO LEGISLATIVE CONFIDENTIALITY. (S.L. 2009-129)

H.B. 964, AN ACT TO EXPAND THE DISCRETIONARY POWERS OF THE INSURANCE GUARANTY ASSOCIATION TO ALLOW IT TO CONTRACT AS A SERVICING FACILITY FOR OTHER ENTITIES. (S.L. 2009-130)

S.B. 724, AN ACT TO ALLOW FOR CERTAIN PAYMENTS OF AN ESTATE WHILE A CAVEAT IS PENDING. (S.L. 2009-131)

H.B. 490, AN ACT TO GRANT ADDITIONAL PURCHASING FLEXIBILITY TO COMMUNITY COLLEGES. (S.L. 2009-132)

June 22, 2009

S.B. 356, AN ACT TO MAKE VARIOUS REVISIONS TO THE NURSING PRACTICE ACT. (S.L. 2009-133)

H.B. 1399, AN ACT TO PROVIDE THAT CIVIL PENALTIES OF UP TO ONE THOUSAND DOLLARS MAY BE ASSESSED FOR VIOLATION OF CAPACITY USE AREA LAWS. (S.L. 2009-134)

H.B. 9, AN ACT TO MAKE IT UNLAWFUL TO USE A MOBILE TELEPHONE FOR E-MAIL OR TEXT MESSAGING WHILE OPERATING A VEHICLE ON A PUBLIC STREET OR HIGHWAY OR PUBLIC VEHICULAR AREA. (S.L. 2009-135)

S.B. 484, AN ACT TO REMOVE THE STATE AUDITOR FROM CERTAIN EX OFFICIO DUTIES. (S.L. 2009-136)

S.B. 204, AN ACT TO ENABLE RETIREES OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM TO RETURN TO EMPLOYMENT AS NURSING INSTRUCTORS WITHOUT LOSING RETIREMENT BENEFITS. (S.L. 2009-137)

H.B. 18, AN ACT TO AMEND SPECIFIC EXPERIENCE HOURS OF THE FOUR HUNDRED CLOCK HOURS REQUIRED FOR PERMANENT LICENSURE AS A SPEECH AND LANGUAGE PATHOLOGIST. (S.L. 2009-138)

H.B. 22, AN ACT TO ENHANCE YOUTH EMPLOYMENT PROTECTIONS BY REQUIRING THE COMMISSIONER OF LABOR TO REPORT ON ENFORCEMENT ACTIVITIES. (S.L. 2009-139)

S.B. 754, AN ACT TO AMEND THE NORTH CAROLINA GENERAL STATUTES TO ALLOW THE STATE TO TAKE FULL ADVANTAGE OF THE EXPANSION OF EXISTING BOND PROGRAMS AND THE CREATION OF NEW BOND PROGRAMS UNDER THE AMERICAN RECOVERY AND REINVESTMENT TAX ACT OF 2009 (ARRTA). (S.L. 2009-140)

H.B. 96, AN ACT TO AUTHORIZE CITIES, COUNTIES, AND LOCAL BOARDS OF EDUCATION TO DONATE SURPLUS, OBSOLETE, OR UNUSED PERSONAL PROPERTY TO CHARTER SCHOOLS AND TO MAKE TECHNICAL CHANGES TO THAT AUTHORITY. (S.L. 2009-141)

H.B. 358, AN ACT TO CLARIFY APPOINTMENT TO CONSECUTIVE TERMS ON THE NORTH CAROLINA STUDY COMMISSION ON AGING AND THE LEGISLATIVE STUDY COMMISSION ON CHILDREN AND YOUTH. (S.L. 2009-142)

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H.B. 1129, AN ACT TO CLARIFY A SILVER ALERT MAY BE ISSUED FOR A PERSON OF ANY AGE WHO IS BELIEVED TO BE SUFFERING FROM DEMENTIA OR OTHER COGNITIVE IMPAIRMENT. (S.L. 2009-143)

H.B. 482, AN ACT RELATING TO THE REINSTATEMENT OF UNUSED SICK LEAVE FOR PUBLIC SCHOOL EMPLOYEES. (S.L. 2009-144)

H.B. 436, AN ACT TO EXEMPT FROM CERTIFICATE OF NEED REVIEW CERTAIN CAPITAL EXPENDITURES FOR NURSING HOMES, ADULT CARE HOMES, AND INTERMEDIATE CARE FACILITIES FOR THE MENTALLY RETARDED THAT ENTAIL INNOVATIVE RENOVATIONS AND EXPANSIONS TO IMPROVE QUALITY OF LIFE. (S.L. 2009-145)

S.B. 256, AN ACT TO CLARIFY THAT COUNTIES AND CITIES HAVE THE AUTHORITY TO ORDER EVACUATIONS IN CERTAIN SITUATIONS, AND THAT THE EMERGENCY MANAGEMENT IMMUNITY STATUTE APPLIES TO THEM, AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON EMERGENCY PREPAREDNESS AND DISASTER MANAGEMENT RECOVERY. (S.L. 2009-146)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

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

S.B. 661 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING LESSORS OF CONTIGUOUS PREMISES TO ALLOCATE THE COST FOR WATER AND SEWER SERVICE TO EACH TENANT USING EQUIPMENT THAT MEASURES HOT WATER USAGE, REQUIRING LANDLORDS TO IMPROVE THE HABITABILITY OF DWELLING UNITS BY REPAIRING CERTAIN UNSAFE CONDITIONS, STAYING THE EXECUTION OF A JUDGMENT FOR SUMMARY EJECTMENT WHILE A MOTION FOR MODIFICATION OF THE UNDERTAKING IS PENDING, ESTABLISHING FEES FOR ADMINISTRATIVE SERVICES IN RESIDENTIAL TENANCIES, AND ESTABLISHING THE CIRCUMSTANCES UNDER WHICH A CITY MAY ORDER A DWELLING TO BE VACATED AND CLOSED, with a favorable report as to House Committee Substitute Bill No. 2, unfavorable as to the House Committee Substitute Bill No. 1.

June 22, 2009

Pursuant to Rule 36(b), House Committee Substitute Bill No. 2 is placed on the Calendar of June 23. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representatives Cole, Dickson, and Rapp (Primary Sponsors); and Fisher:

H.J.R. 1654, A JOINT RESOLUTION SUPPORTING IMPLEMENTATION OF THE PASSENGER RAIL INVESTMENT AND IMPROVEMENT ACT OF 2008 AND THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Rapp, Tarleton, Haire, and Frye (Primary Sponsors); Blackwell, England, Fisher, Gillespie, Goforth, Guice, Hurley, Justus, Moore, Setzer, Starnes, Stevens, Underhill, West, and Whilden:

H.J.R. 1655, A JOINT RESOLUTION HONORING THE SEVENTY-FIFTH ANNIVERSARY OF THE BLUE RIDGE PARKWAY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Rhyne, Tillis, Stam, and Folwell (Primary Sponsors); Avila, Barnhart, Blackwell, Blackwood, Blust, Boles, Brown, Brubaker, Burr, Burris-Floyd, Cleveland, Current, Daughtry, Dockham, Dollar, Gillespie, Grady, Guice, Gulley, Holloway, Howard, Hurley, Iler, Ingle, Johnson, Justice, Justus, Killian, Langdon, Lewis, McComas, McCormick, McElraft, McGee, Mills, Moore, Neumann, Randleman, Sager, Samuelson, Setzer, Starnes, Steen, Stevens, West, and Wiley:

H.R. 1656, A HOUSE RESOLUTION INVITING GOVERNOR BEVERLY E. PERDUE TO REVISE AND UPDATE HER BUDGET PROPOSAL AND TO COMMENT ON THE PROVISIONS OF THE HOUSE AND SENATE BUDGET PLANS SUCH THAT THE GENERAL ASSEMBLY WILL BE INFORMED AS TO WHICH PROVISIONS SHE SUPPORTS AND WHICH PROVISIONS SHE OPPOSES, is referred to the Committee on Rules, Calendar, and Operations of the House.

June 22, 2009

SPECIAL MESSAGE FROM THE SENATE**2009 GENERAL ASSEMBLY
FIRST SESSION**

Senate Chamber
June 18, 2009

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in House Committee Substitute No. 2 to **S.B. 799**, A BILL TO BE ENTITLED AN ACT TO INCREASE TRANSPARENCY OF STATE FACILITIES THAT PROVIDE MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES BY REQUIRING THE DISCLOSURE OF CERTAIN INFORMATION ABOUT DEATH REPORTS, FACILITY POLICE REPORTS, AND INCIDENT REPORTS.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

MESSAGES FROM THE SENATE

The following are received from the Senate:

H.B. 1183 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES IN THE LAWS GOVERNING HEALTH INSURANCE AND MANAGED CARE; TO CHANGE CERTAIN HEALTH INSURANCE LAWS TO COMPORT WITH RECENT CONGRESSIONAL ENACTMENTS; TO MAKE A TECHNICAL CORRECTION IN A CREDIT INSURANCE LAW; TO CONFORM MOTOR VEHICLE INSPECTION COMPLIANCE REQUIREMENT WITH DISCONTINUATION OF STICKERS; AND TO REPEAL THE EXPIRATION DATE OF THE INTERSTATE INSURANCE PRODUCT REGULATION COMPACT ACT, is returned for concurrence in Senate committee substitute bill and referred to the Committee on Insurance.

H.B. 1314 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPROVE THE INSURANCE COMMISSIONER'S ABILITY TO MONITOR THE FINANCIAL CONDITION OF INSURERS, is returned for concurrence in Senate committee substitute bill and referred to the Committee on Insurance.

June 22, 2009

CONFERENCE REPORT

Representative Owens sends forth the Conference Report on Senate Committee Substitute for **H.B. 1508** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE TWO-THIRDS BONDS ACT OF 2008 AND TO PROVIDE FOR THE ISSUANCE OF GENERAL OBLIGATION BONDS TO FINANCE THE COSTS OF THE BIOMEDICAL RESEARCH IMAGING CENTER. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of June 23.

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

CALENDAR

Action is taken on the following:

S.B. 468 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COUNTIES TO PROVIDE HEALTH INSURANCE BENEFITS TO FORMER EMPLOYEES WHO ARE NOT RECEIVING RETIREMENT BENEFITS.

On motion of Representative Luebke and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of June 29.

H.B. 924 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT CONCERNING PUBLIC-PRIVATE REIMBURSEMENT AGREEMENTS FOR PARK INFRASTRUCTURE DEVELOPMENT BY MECKLENBURG COUNTY AND PUBLIC-PRIVATE REIMBURSEMENT AGREEMENTS FOR INFRASTRUCTURE DEVELOPMENT BY THE CITY OF CHARLOTTE.

On motion of Representative Owens and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of June 23.

H.B. 239 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR IMPROVEMENTS IN THE MANAGEMENT OF THE JORDAN WATERSHED IN ORDER TO RESTORE WATER QUALITY IN THE JORDAN RESERVOIR.

On motion of Representative Allen, the House concurs in the Senate committee substitute bill, by electronic vote (108-9), and the bill is ordered enrolled and presented to the Governor.

June 22, 2009

H.B. 1079 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF ADMINISTRATION TO GIVE PREFERENCE TO NEW PASSENGER MOTOR VEHICLES THAT HAVE A FUEL ECONOMY THAT IS IN THE TOP FIFTEEN PERCENT OF THAT CLASS OF COMPARABLE AUTOMOBILES FOR PASSENGER MOTOR VEHICLES PURCHASED BY THE STATE.

On motion of Representative Harrison, the House concurs in the Senate amendment, by electronic vote (94-22), and the bill is ordered enrolled and presented to the Governor.

S.B. 60, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF WHITE LAKE, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Avila, Barnhart, Bell, Blackwell, Blackwood, Blust, Boles, Bordsen, Braxton, Brisson, Brown, Brubaker, Burr, Burris-Floyd, Carney, Cleveland, Coates, Cole, Cotham, Crawford, Current, Daughtry, Dickson, Dockham, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Folwell, Frye, Gibson, Gill, Gillespie, Glazier, Goforth, Goodwin, Grady, Guice, Gulley, Haire, Harrell, Harrison, Hill, Hilton, Holliman, Holloway, Howard, Hughes, Hurley, Iler, Ingle, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Killian, Langdon, Lewis, Love, Lucas, Luebke, Mackey, Martin, McComas, McCormick, McElraft, McGee, McLawhorn, Michaux, Mills, Mobley, Moore, Neumann, Owens, Parmon, Pierce, Randleman, Rapp, Rhyne, Ross, Sager, Setzer, Spear, Stam, Starnes, Steen, Stevens, Stewart, Sutton, Tarleton, Tillis, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 115.

Voting in the negative: None.

Excused absences: Representatives Hall and Samuelson - 2.

Representatives Bryant and Insko state that their voting equipment malfunctioned and they request to be recorded as voting "aye". These requests are granted. The adjusted vote total is (117-0).

S.B. 91, A BILL TO BE ENTITLED AN ACT TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF PINE KNOLL SHORES, passes its third reading, by the following vote, and is ordered enrolled.

June 22, 2009

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Avila, Barnhart, Bell, Blackwell, Blackwood, Blust, Boles, Bordsen, Braxton, Brown, Brubaker, Bryant, Burr, Burris-Floyd, Carney, Cleveland, Coates, Cole, Cotham, Crawford, Current, Daughtry, Dickson, Dockham, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, Folwell, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Grady, Guice, Gulley, Haire, Harrell, Harrison, Hill, Hilton, Holliman, Holloway, Howard, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Killian, Langdon, Lewis, Love, Lucas, Luebke, Mackey, Martin, McComas, McCormick, McElraft, McGee, McLawhorn, Michaux, Mills, Mobley, Moore, Neumann, Owens, Parmon, Pierce, Rapp, Rhyne, Ross, Sager, Setzer, Spear, Stam, Starnes, Steen, Stevens, Stewart, Sutton, Tarleton, Tillis, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 112.

Voting in the negative: Representative Randleman.

Excused absences: Representatives Hall and Samuelson - 2.

Representatives E. Floyd and Hughes state that their voting equipment malfunctioned and they request to be recorded as voting "aye". These requests are granted. The adjusted vote total is (114-1).

S.B. 364 (Committee Substitute), A BILL TO BE ENTITLED AN ACT RELATING TO ILLEGALLY PARKED VEHICLES IN THE TOWN OF APEX TO ALLOW USE OF WHEEL LOCKS, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Avila, Barnhart, Bell, Blackwell, Blackwood, Blust, Boles, Bordsen, Braxton, Brisson, Brown, Brubaker, Bryant, Burr, Burris-Floyd, Carney, Cleveland, Coates, Cole, Cotham, Crawford, Current, Daughtry, Dickson, Dockham, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Frye, Gibson, Gill, Gillespie, Glazier, Goforth, Goodwin, Grady, Guice, Gulley, Haire, Harrell, Harrison, Hill, Holliman, Holloway, Howard, Hughes, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Killian, Langdon, Lewis, Love, Lucas, Luebke, Mackey, Martin, McComas, McCormick, McElraft, McGee, McLawhorn, Michaux, Mills, Mobley, Neumann, Owens, Parmon, Pierce, Randleman, Rapp, Rhyne, Ross, Sager, Setzer, Spear, Stam, Starnes, Stevens, Stewart, Sutton, Tarleton, Tillis, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 113.

June 22, 2009

Voting in the negative: Representatives Folwell, Hilton, Moore, and Steen - 4.

Excused absences: Representatives Hall and Samuelson - 2.

S.B. 432 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ANNEX THE MIDWAY COMMUNITY TO THE TOWN OF ABERDEEN, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Avila, Barnhart, Bell, Blackwell, Blackwood, Blust, Boles, Bordsen, Braxton, Brisson, Brown, Brubaker, Bryant, Burr, Burris-Floyd, Carney, Cleveland, Coates, Cole, Cotham, Crawford, Current, Daughtry, Dickson, Dockham, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Folwell, Frye, Gibson, Gill, Gillespie, Glazier, Goforth, Goodwin, Grady, Guice, Gulley, Haire, Harrell, Harrison, Hill, Hilton, Holliman, Holloway, Howard, Hughes, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Killian, Langdon, Lewis, Love, Lucas, Luebke, Mackey, Martin, McComas, McElraft, McGee, McLawhorn, Michaux, Mills, Mobley, Moore, Neumann, Owens, Parmon, Pierce, Rapp, Rhyne, Ross, Sager, Setzer, Spear, Stam, Starnes, Steen, Stevens, Stewart, Sutton, Tarleton, Tillis, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 115.

Voting in the negative: Representative Randleman.

Excused absences: Representatives Hall and Samuelson - 2.

Representative McCormick states that his voting equipment malfunctioned and he requests to be recorded as voting "no". This request is granted. The adjusted vote total is (115-2).

S.B. 453 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF RALEIGH AND THE TOWN OF CHAPEL HILL TO ALLOW ACTIVATION OF PARKING METERS BY CREDIT CARD OR OTHER ELECTRONIC MEANS AND TO USE PROCEEDS COLLECTED FROM PARKING METERS FOR PARKING PROGRAMS AND PROVIDING PARKING FACILITIES, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in the House committee substitute bill by Special Message.

June 22, 2009

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Avila, Barnhart, Bell, Blackwell, Blackwood, Blust, Boles, Bordsen, Braxton, Brisson, Brown, Brubaker, Bryant, Burris-Floyd, Carney, Cleveland, Coates, Cole, Cotham, Crawford, Current, Daughtry, Dickson, Dockham, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Frye, Gibson, Gill, Gillespie, Glazier, Goforth, Goodwin, Grady, Guice, Gulley, Haire, Harrell, Harrison, Hill, Hilton, Holliman, Holloway, Howard, Hughes, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Killian, Langdon, Lewis, Love, Lucas, Luebke, Mackey, Martin, McComas, McElraft, McGee, McLawhorn, Michaux, Mills, Mobley, Moore, Owens, Parmon, Pierce, Rapp, Rhyne, Ross, Sager, Setzer, Spear, Stam, Starnes, Steen, Stevens, Stewart, Sutton, Tarleton, Tillis, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 112.

Voting in the negative: Representatives Burr, Folwell, McCormick, Neumann, and Randleman - 5.

Excused absences: Representatives Hall and Samuelson - 2.

S.B. 543 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF DURHAM TO COLLECT A MUNICIPAL TAX FOR PUBLIC TRANSPORTATION OF TEN DOLLARS ON VEHICLES RESIDENT IN THE CITY, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in the House committee substitute bill by Special Message.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Barnhart, Bell, Blackwell, Blust, Bordsen, Braxton, Brisson, Bryant, Carney, Coates, Cole, Cotham, Crawford, Current, Daughtry, Dickson, Dockham, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Gibson, Gill, Glazier, Goforth, Goodwin, Grady, Haire, Harrell, Harrison, Hill, Holliman, Howard, Hughes, Iler, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Lewis, Love, Lucas, Luebke, Mackey, Martin, McComas, McElraft, McGee, McLawhorn, Michaux, Mobley, Owens, Parmon, Pierce, Rapp, Rhyne, Ross, Spear, Stam, Starnes, Stewart, Tarleton, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, Whilden, Wilkins, Williams, Womble, Wray, and Yongue - 84.

Voting in the negative: Representatives Avila, Blackwood, Boles, Brown, Brubaker, Burr, Burris-Floyd, Cleveland, Dollar, Folwell, Frye, Gillespie, Guice, Gulley, Hilton, Holloway, Hurley, Ingle, Killian, Langdon, McCormick, Mills, Moore, Neumann, Randleman, Sager, Setzer, Steen, Stevens, Tillis, West, and Wiley - 32.

June 22, 2009

Excused absences: Representatives Hall and Samuelson - 2.

S.B. 503 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF DURHAM TO GRANT THE CITY MANAGER THE AUTHORITY TO INCLUDE THE CITY'S MINORITY OR WOMEN'S BUSINESS ENTERPRISE REQUIREMENTS IN THE SPECIFICATIONS FOR CITY CONTRACTS, passes its second reading, by electronic vote (84-32), and there being no objection is read a third time.

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

S.B. 258 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF EMERGENCY MANAGEMENT TO ESTABLISH A VOLUNTARY MODEL REGISTRY FOR USE BY COUNTIES AND MUNICIPALITIES IN IDENTIFYING FUNCTIONALLY AND MEDICALLY FRAGILE PERSONS IN NEED OF ASSISTANCE DURING A DISASTER; AND TO AUTHORIZE COUNTIES AND MUNICIPALITIES TO OPERATE SIMILAR REGISTRIES, AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON EMERGENCY PREPAREDNESS AND DISASTER MANAGEMENT RECOVERY, passes its second reading, by electronic vote (116-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

S.B. 268, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE REQUIREMENT OF AN ELECTED OFFICIAL RECOMMENDATION FOR NOTARY PUBLIC APPLICANTS IN COUNTIES WITH MORE THAN FIVE THOUSAND TWO HUNDRED AND FIFTY NOTARIES PUBLIC, passes its second reading, by electronic vote (110-7), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

S.B. 481 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW A TRUSTEE TO APPOINT TRUST PROPERTY TO ANOTHER TRUST FOR THE SAME BENEFICIARY.

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

June 22, 2009

S.B. 482 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT A PERMISSIBLE APPOINTEE UNDER A POWER OF APPOINTMENT IS NOT A TRUST BENEFICIARY, AND TO CLARIFY THAT A LOAN OR PLEDGE BY A TRUSTEE MAY BE MADE IN CONNECTION WITH A LOAN OF THE TRUSTEE'S OWN FUNDS, passes its second reading, by electronic vote (116-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

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

S.B. 526 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE SCHOOL VIOLENCE PREVENTION ACT AND TO DEFINE BULLYING OR HARASSING BEHAVIOR AS USED IN THE ACT AS ANY PATTERN OF GESTURES OR WRITTEN, ELECTRONIC, OR VERBAL COMMUNICATIONS, OR ANY PHYSICAL ACT OR ANY THREATENING COMMUNICATION, THAT TAKES PLACE ON SCHOOL PROPERTY, AT ANY SCHOOL-SPONSORED FUNCTION, OR ON A SCHOOL BUS, AND THAT PLACES A STUDENT OR SCHOOL EMPLOYEE IN ACTUAL AND REASONABLE FEAR OF HARM TO HIS OR HER PERSON OR DAMAGE TO HIS OR HER PROPERTY; OR CREATES OR IS CERTAIN TO CREATE A HOSTILE ENVIRONMENT BY SUBSTANTIALLY INTERFERING WITH OR IMPAIRING A STUDENT'S EDUCATIONAL PERFORMANCE, OPPORTUNITIES, OR BENEFITS; TO DEFINE HOSTILE ENVIRONMENT AS USED IN THE ACT AS MEANING THE VICTIM SUBJECTIVELY VIEWS THE CONDUCT AS BULLYING OR HARASSING BEHAVIOR AND THE CONDUCT IS OBJECTIVELY SEVERE OR PERVASIVE ENOUGH THAT A REASONABLE PERSON WOULD AGREE THAT IT IS BULLYING OR HARASSING BEHAVIOR; TO PROVIDE THAT BULLYING OR HARASSING BEHAVIOR INCLUDES, BUT IS NOT LIMITED TO, ACTS REASONABLY PERCEIVED AS BEING MOTIVATED BY ANY ACTUAL OR PERCEIVED DIFFERENTIATING CHARACTERISTIC, SUCH AS RACE, COLOR, RELIGION, ANCESTRY, NATIONAL ORIGIN, GENDER, SOCIOECONOMIC STATUS, ACADEMIC STATUS, GENDER IDENTITY, PHYSICAL APPEARANCE, SEXUAL ORIENTATION, OR MENTAL, PHYSICAL, DEVELOPMENTAL, OR SENSORY DISABILITY, OR BY ASSOCIATION WITH A PERSON WHO HAS OR IS PERCEIVED TO HAVE ONE OR MORE OF THESE CHARACTERISTICS; AND TO REQUIRE ALL LOCAL SCHOOL ADMINISTRATIVE UNITS TO ADOPT A POLICY PROHIBITING BULLYING AND HARASSING BEHAVIOR AS REQUIRED BY THE ACT.

June 22, 2009

Representative Rhyne moves that the bill be withdrawn from the Calendar and re-referred to the Committee on Education. The motion fails by electronic vote (57-59).

The bill passes its second reading by electronic vote (59-57).

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

COMMITTEE ASSIGNMENTS

The Speaker assigns Representative Gill to the following committees: Appropriations, Appropriations Subcommittee on Transportation, Education, Education Subcommittee on Pre-School, Elementary and Secondary Education, Election Law and Campaign Finance Reform, Judiciary II, and State Government/State Personnel.

The Speaker assigns Representative Iler to the following committees: Appropriations, Appropriations Subcommittee on Transportation, Education, Education Subcommittee on Community Colleges, Marine Resources and Aquaculture, Transportation, and Wildlife Resources.

The Speaker assigns Representative Ingle to the following additional committees: Judiciary I and Wildlife Resources.

SPECIAL MESSAGES FROM THE SENATE

The following Special Messages are received from the Senate:

H.B. 394 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF RALEIGH TO INCREASE ITS GENERAL MOTOR VEHICLE TAX BY UP TO FIVE DOLLARS EACH YEAR, is returned for concurrence in one Senate amendment.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 23.

Upon concurrence the Senate amendment changes the title.

Senate Committee Substitute for **H.B. 1186** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COUNTY DEPARTMENTS OF SOCIAL SERVICES TO CONDUCT FOLLOW-UP MONITORING OF ADULT CARE HOMES TO ENSURE COMPLIANCE

June 22, 2009

WITH STATE AND FEDERAL LAW, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of June 23.

Upon concurrence the Senate committee substitute bill changes the title.

SPECIAL MESSAGE FROM THE SENATE

**2009 GENERAL ASSEMBLY
FIRST SESSION**

Senate Chamber
June 22, 2009

Mr. Speaker:

Pursuant to your message received on June 16, 2009, that the House of Representatives fails to concur in the Senate Committee Substitute to **H.B. 406** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF JUSTICE AND THE WILDLIFE RESOURCES COMMISSION TO DEVELOP JOINTLY A PLAN FOR CONSTRUCTION OF A FIRING RANGE FOR USE BY CRIMINAL JUSTICE OFFICERS ATTENDING THE WESTERN JUSTICE ACADEMY, LAW ENFORCEMENT OFFICERS OF THE WILDLIFE RESOURCES COMMISSION AND OTHERS AND FOR A FIRING AND ARCHERY RANGE OPEN AND ACCESSIBLE FOR PUBLIC USE; AND TO PROVIDE THAT ANY FIRING RANGE CONSTRUCTED ON THE GROUNDS OF THE LARRY T. JUSTUS WESTERN JUSTICE ACADEMY SHALL BE AN INDOOR FACILITY, and requests conferees, the President *Pro Tempore* appoints:

Senator Apodaca, Chair
Senator East
Senator Snow
Senator Weinstein

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

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

June 22, 2009

SPECIAL MESSAGE FROM THE SENATE**2009 GENERAL ASSEMBLY
FIRST SESSION**

Senate Chamber
June 22, 2009

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in House Amendment No. 1 to **S.B. 863** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE PURCHASE OF CREDITABLE SERVICE BY MEMBERS OF THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM FOR CERTAIN PERIODS OF NONQUALIFIED EMPLOYMENT, and requests conferees. The President *Pro Tempore* appoints:

Senator Berger of Rockingham, Chair
Senator Apodaca
Senator Rand
Senator Vaughan

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

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

The Speaker appoints Representatives Cole, McGee, and Tucker as conferees on the part of the House and the Senate is so notified by Special Message.

BILLS PLACED ON CALENDAR

On motion of Representative Owens and without objection, **H.B. 631** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO FACILITATE THE WEARING OF MILITARY MEDALS BY PUBLIC SAFETY PERSONNEL, is withdrawn from the Committee on Judiciary I and pursuant to Rule 36(b), is placed on the Calendar of June 23.

June 22, 2009

On motion of Representative Owens and without objection, **H.B. 682** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADJUST THE EXEMPTION LIMITS FOR SMALL LOCAL GOVERNMENTS IN THE PUBLIC CONTRACTING STATUTES TO ACCOUNT FOR INFLATION SINCE LAST ADJUSTED SEVEN YEARS AGO, is withdrawn from the Committee on Judiciary I and, pursuant to Rule 36(b), is placed on the Calendar of June 23.

On motion of Representative Owens and without objection, **S.B. 468** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COUNTIES TO PROVIDE HEALTH INSURANCE BENEFITS TO FORMER EMPLOYEES WHO ARE NOT RECEIVING RETIREMENT BENEFITS, is withdrawn from the Calendar of June 29 and placed on the Calendar of June 23.

On motion of Representative Owens, seconded by Representative Ross, the House adjourns at 9:18 p.m. to reconvene June 23 at 3:00 p.m.

EIGHTY-FIFTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, June 23, 2009

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

The following prayer is offered by the Reverend James Moore, Keyville AME Zion Church, Washington, North Carolina:

"Gracious Heavenly Father:

I thank You for allowing us all to meet here at this General Assembly meeting today. And I ask You for Your blessing as we proceed on. Touch the hearts and the minds of the Representatives that have been chosen and elected to make difficult decisions in our State for the betterment of its people. Help us all to understand the importance of being of one accord so the Session can begin and end smoothly. We trust and believe in Your will and Your way. And we look to You for guidance as we move forward. This is my prayer in Jesus name. Amen."

June 23, 2009

Representative Owens, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 22 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Barnhart, Brisson, Hall, and R. Warren for today.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Bell and Lucas, Chairs, for the Committee on Education:

S.B. 962 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE HEARING PROCESS APPLICABLE TO PROBATIONARY TEACHERS, with a favorable report as to the House committee substitute bill, unfavorable as to the Senate committee substitute bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Judiciary I.

The House committee substitute bill is re-referred to the Committee on Judiciary I. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representative Sutton, Chair, for the Committee on Judiciary III:

S.B. 138 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE OFFENSE OF UNLAWFUL MANUFACTURE, SALE, DELIVERY, OR POSSESSION OF SALVIA DIVINORUM, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

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

By Representatives Goforth and Wray, Chairs, for the Committee on Insurance:

S.B. 981 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO GIVE THE COMMISSIONER OF INSURANCE DISCRETION TO WAIVE THE MINIMUM POLICYHOLDERS POSITION REQUIREMENT UNDER CERTAIN CIRCUMSTANCES FOR MORTGAGE GUARANTY INSURERS, with a favorable report.

June 23, 2009

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 24.

INTRODUCTION OF PAGES

Pages for the week of June 22 are introduced to the membership. They are: Robert Barnes of Nash; Haley Beaman of Greene; Catherine Coleman of Sampson; Samantha Creasy of Forsyth; Hillary Davis of Wake; Binh Duong of Mecklenburg; Samantha Gregg of Edgecombe; Kendall Hamm of Catawba; Luke Hancox of Cumberland; Mary George Harper of Greene; Catherine Hedgepeth of Nash; Alexandra Hergeth of Wake; Cari Hobson of Lee; Alyssa Jackson of Wake; Ian MacDonald of Forsyth; Adam McCoy of Transylvania; Bradley McVicker of Orange; Jennifer Nguyen of Mecklenburg; Madison Pleasant of Wake; Elisebeth Post of Lee; Chelsea Rush of Rutherford; Alex Steiner of Orange; James Stephens of Wake; and Dena Turnage of Greene.

MESSAGES FROM THE SENATE

The following are received from the Senate:

H.B. 316 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING CHARTER SCHOOLS TO GIVE PRIORITY FOR ADMISSION TO MULTIPLE BIRTH SIBLINGS, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of June 24.

Senate Committee Substitute for **H.B. 703** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DISAPPROVE RULES ADOPTED BY THE NORTH CAROLINA MEDICAL BOARD AND APPROVED BY THE RULES REVIEW COMMISSION AND TO REQUIRE THE NORTH CAROLINA BOARD OF MEDICINE TO PUBLISH CERTAIN JUDGMENTS, AWARDS, PAYMENTS, AND SETTLEMENTS, is returned for concurrence in Senate committee substitute bill and referred to the Committee on Judiciary I.

Upon concurrence the Senate committee substitute bill changes the title.

H.B. 1446 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW RELATING TO SCHOOL IMPROVEMENT PLANS, is returned for concurrence in the Senate committee substitute bill.

June 23, 2009

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of June 24.

H.B. 1523 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REWRITE THE NORTH CAROLINA MORTGAGE LENDING ACT IN ORDER TO CONFORM TO THE REQUIREMENTS OF FEDERAL LAW, is returned for concurrence in Senate committee substitute bill and referred to the Committee on Financial Institutions.

CALENDAR

Action is taken on the following:

CONFERENCE REPORT

Representative Owens moves the adoption of the following Conference Report.

Senate Committee Substitute for H.B. 1508

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 1508, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE TWO-THIRDS BONDS ACT OF 2008 AND TO PROVIDE FOR THE ISSUANCE OF GENERAL OBLIGATION BONDS TO FINANCE THE COSTS OF THE BIOMEDICAL RESEARCH IMAGING CENTER, Senate Finance Committee Substitute Adopted 5/21/09, submit the following report:

The House and Senate agree to the following amendment to the Senate Finance Committee Substitute Adopted 5/21/09, and the House concurs in the Senate Committee Substitute as amended:

Delete the entire Senate Finance Committee Substitute and substitute the attached proposed Conference Committee Substitute H1508-PCCS30414-MDx-3.

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

Date conferees approved report: Monday, June 22, 2009.

June 23, 2009

*Conferees for the
Senate*

S/ Linda Garrou, Chair
 S/ Charles W. Albertson
 S/ Charlie S. Dannelly
 S/ David Hoyle
 S/ Tony Rand
 S/ A. B. Swindell

*Conferees for the
House of Representatives*

S/ Bill Owens, Chair
 S/ Bruce Goforth
 S/ Larry Womble
 S/ Henry M. Michaux, Jr.
 S/ James W. Crawford, Jr.
 S/ W. Robert Grady
 S/ Deborah K. Ross

The material Conference Report, which changes the title, is adopted on its second roll call reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Bell, Blackwood, Blust, Boles, Bordsen, Braxton, Brown, Brubaker, Bryant, Burris-Floyd, Carney, Coates, Cole, Cotham, Crawford, Current, Daughtry, Dickson, Dockham, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Frye, Gibson, Gill, Gillespie, Glazier, Goforth, Goodwin, Grady, Guice, Gulley, Haire, Harrell, Harrison, Hill, Hilton, Holliman, Holloway, Howard, Hughes, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Killian, Langdon, Lewis, Love, Lucas, Luebke, Mackey, Martin, McComas, McGee, McLawhorn, Michaux, Mills, Mobley, Moore, Neumann, Owens, Parmon, Pierce, Randleman, Rapp, Ross, Sager, Samuelson, Setzer, Spear, Stam, Starnes, Steen, Stevens, Stewart, Sutton, Tarleton, Tillis, Tolson, Tucker, Underhill, Wainwright, E. Warren, Weiss, West, Whilden, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 107.

Voting in the negative: Representatives Avila, Blackwell, Burr, Cleveland, Folwell, McCormick, and McElraft - 7.

Excused absences: Representatives Barnhart, Brisson, Hall, and R. Warren - 4.

H.B. 394 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF RALEIGH TO INCREASE ITS GENERAL MOTOR VEHICLE TAX BY UP TO FIVE DOLLARS EACH YEAR.

On motion of Representative Ross, the House concurs in the Senate amendment, which changes the title, by electronic vote (84-30), and the bill is ordered enrolled.

June 23, 2009

Senate Committee Substitute for **H.B. 924**, A BILL TO BE ENTITLED AN ACT CONCERNING PUBLIC-PRIVATE REIMBURSEMENT AGREEMENTS FOR PARK INFRASTRUCTURE DEVELOPMENT BY MECKLENBURG COUNTY.

On motion of Representative Samuelson, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (114-0), and the bill is ordered enrolled.

H.B. 631 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO FACILITATE THE WEARING OF MILITARY MEDALS BY PUBLIC SAFETY PERSONNEL.

On motion of Representative Martin, the House concurs in the Senate amendment, by electronic vote (113-0), and the bill is ordered enrolled and presented to the Governor.

Senate Committee Substitute for **H.B. 682** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADJUST THE EXEMPTION LIMITS FOR SMALL LOCAL GOVERNMENTS IN THE PUBLIC CONTRACTING STATUTES TO ACCOUNT FOR INFLATION SINCE LAST ADJUSTED SEVEN YEARS AGO, TO ALLOW AUTOMATIC ADJUSTMENTS TO ACCOUNT FOR FUTURE CHANGES IN THE CONSUMER PRICE INDEX, AND TO PROVIDE A UNIFORM PROCEDURE FOR INFLATION INDEXING THAT OTHER PROVISIONS MAY INCORPORATE BY REFERENCE.

On motion of Representative Guice, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (113-0), and the bill is ordered enrolled and presented to the Governor.

S.B. 649 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PREVENT SPEED LIMITS IN AREAS NEWLY ANNEXED BY A MUNICIPALITY FROM AUTOMATICALLY BECOMING THIRTY-FIVE MILE-PER-HOUR SPEED ZONES AND TO ALLOW FLEXIBILITY IN THE DESIGNATION OF SEGMENTS OF WORK ZONES SUBJECT TO ADDITIONAL PENALTIES, passes its second reading, by electronic vote (114-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House Committee Substitute Bill No. 2.

June 23, 2009

S.B. 1010 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE WILDLIFE RESOURCES COMMISSION TO ADOPT SEASON STRUCTURES FOR MIGRATORY GAME BIRD SEASONS AND TO ALLOW THE USE OF UNPLUGGED SHOTGUNS AND ELECTRONIC CALLS, passes its second reading, by electronic vote (115-0), and there being no objection is read a third time.

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

ENROLLED BILLS

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

S.B. 258, AN ACT TO AUTHORIZE THE DIVISION OF EMERGENCY MANAGEMENT TO ESTABLISH A VOLUNTARY MODEL REGISTRY FOR USE BY COUNTIES AND MUNICIPALITIES IN IDENTIFYING FUNCTIONALLY AND MEDICALLY FRAGILE PERSONS IN NEED OF ASSISTANCE DURING A DISASTER; AND TO AUTHORIZE COUNTIES AND MUNICIPALITIES TO OPERATE SIMILAR REGISTRIES, AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON EMERGENCY PREPAREDNESS AND DISASTER MANAGEMENT RECOVERY.

S.B. 268, AN ACT TO ELIMINATE THE REQUIREMENT OF AN ELECTED OFFICIAL RECOMMENDATION FOR NOTARY PUBLIC APPLICANTS IN COUNTIES WITH MORE THAN FIVE THOUSAND TWO HUNDRED AND FIFTY NOTARIES PUBLIC.

S.B. 482, AN ACT TO CLARIFY THAT A PERMISSIBLE APPOINTEE UNDER A POWER OF APPOINTMENT IS NOT A TRUST BENEFICIARY, AND TO CLARIFY THAT A LOAN OR PLEDGE BY A TRUSTEE MAY BE MADE IN CONNECTION WITH A LOAN OF THE TRUSTEE'S OWN FUNDS.

S.B. 1018, AN ACT TO REDUCE PLASTIC AND NONRECYCLED PAPER BAG USE ON NORTH CAROLINA'S OUTER BANKS.

S.B. 1030, AN ACT CLARIFYING THE MEANING OF PUBLIC SCHOOL BUILDINGS AS RELATED TO AFTER-SCHOOL CHILD CARE PROGRAMS AND ESTABLISHING PROCEDURES FOR APPROVING EDUCATION CRITERIA FOR AFTER-SCHOOL CHILD CARE PROGRAM COORDINATORS AND GROUP LEADERS.

June 23, 2009

H.B. 239, AN ACT TO PROVIDE FOR IMPROVEMENTS IN THE MANAGEMENT OF THE JORDAN WATERSHED IN ORDER TO RESTORE WATER QUALITY IN THE JORDAN RESERVOIR.

H.B. 630, AN ACT PROVIDING THAT THE TRIAL IN A SUMMARY EJECTION PROCEEDING MAY COMMENCE NOT SOONER THAN TWO BUSINESS DAYS AFTER SERVICE OF THE COMPLAINT AND SUMMONS ON THE DEFENDANT.

H.B. 1079, AN ACT TO REQUIRE THE DEPARTMENT OF ADMINISTRATION TO GIVE PREFERENCE TO NEW PASSENGER MOTOR VEHICLES THAT HAVE A FUEL ECONOMY THAT IS IN THE TOP FIFTEEN PERCENT OF THAT CLASS OF COMPARABLE AUTOMOBILES FOR PASSENGER MOTOR VEHICLES PURCHASED BY THE STATE.

H.B. 1091, AN ACT TO CLARIFY LAWS PERTAINING TO CIVIL ACTIONS ON BEHALF OF AN INCOMPETENT SPOUSE AS RELATED TO DIVORCE PROCEEDINGS.

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

S.B. 60, AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF WHITE LAKE.

S.B. 91, AN ACT TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF PINE KNOLL SHORES.

S.B. 364, AN ACT RELATING TO ILLEGALLY PARKED VEHICLES IN THE TOWN OF APEX TO ALLOW USE OF WHEEL LOCKS.

S.B. 432, AN ACT TO ANNEX THE MIDWAY COMMUNITY TO THE TOWN OF ABERDEEN.

H.B. 206, AN ACT TO AUTHORIZE THE CITY OF BREVARD, THE TOWN OF ROSMAN, TRANSYLVANIA COUNTY, AND THE TRANSYLVANIA COUNTY BOARD OF EDUCATION TO CONSTRUCT AND PROVIDE AFFORDABLE HOUSING FOR CITY AND COUNTY EMPLOYEES AND FOR PUBLIC SCHOOLTEACHERS.

H.B. 384, AN ACT AUTHORIZING THE TOWN OF FUQUAY-VARINA TO USE THE PROCEDURE AND AUTHORITY OF CHAPTER 136 OF THE GENERAL STATUTES IN CONDEMNATION PROCEEDINGS CONCERNING PUBLIC STREETS AND ROADS.

June 23, 2009

H.B. 646, AN ACT TO REMOVE THE CAP ON SATELLITE ANNEXATIONS FOR THE TOWN OF BRIDGETON.

H.B. 854, AN ACT TO MODIFY THE FORSYTH COUNTY ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX.

H.B. 986, AN ACT AMENDING THE DESCRIPTION OF A RIGHT-OF-WAY THAT THE TOWN OF SPENCER WAS PREVIOUSLY AUTHORIZED TO ANNEX BY ORDINANCE.

H.B. 992, AN ACT TO REPEAL THE ANNEXATION OF CERTAIN PROPERTY BY THE TOWN OF LANDIS.

CHAPTERED BILLS

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

H.B. 440, AN ACT TO PROVIDE FOR THE USE OF AUTOMATED CAMERA OR VIDEO RECORDING SYSTEMS TO DETECT AND PROSECUTE INDIVIDUALS WHO PASS STOPPED SCHOOL BUSES, AS RECOMMENDED BY THE CHILD FATALITY TASK FORCE, AND TO INCREASE THE PENALTY FOR STRIKING AND CAUSING THE DEATH OF A PERSON WHEN PASSING A STOPPED SCHOOL BUS. (S.L. 2009-147)

S.B. 390, AN ACT TO AUTHORIZE THE TOWN OF MIDLAND TO PARTICIPATE IN THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM WITHOUT PROVIDING PRIOR SERVICE CREDITS TO ITS EMPLOYEES. (S.L. 2009-148)

H.B. 464, AN ACT TO MAKE PERMANENT AN ACT EXEMPTING THE CITY OF RALEIGH FROM COMPETITIVE BIDDING REQUIREMENTS WHEN LETTING CONTRACTS FOR USE AS PART OF ANY PILOT PROGRAM AUTHORIZED BY THE CITY COUNCIL TO TEST THE EFFICIENCY AND EFFECTIVENESS OF LIGHT-EMITTING DIODE TECHNOLOGIES, TO EXPAND THE ACT TO ALL RALEIGH PILOT PROGRAMS AIMED AT INCREASING ENERGY EFFICIENCY, AND TO AUTHORIZE THE CITIES OF RALEIGH AND WINSTON-SALEM TO ENTER INTO A LEASE FOR THE SITING AND OPERATION OF A RENEWABLE ENERGY FACILITY FOR TWENTY YEARS WITHOUT TREATING IT AS A SALE AND WITHOUT GIVING NOTICE BY PUBLICATION. (S.L. 2009-149)

June 23, 2009

CALENDAR (continued)

S.B. 526 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE SCHOOL VIOLENCE PREVENTION ACT AND TO DEFINE BULLYING OR HARASSING BEHAVIOR AS USED IN THE ACT AS ANY PATTERN OF GESTURES OR WRITTEN, ELECTRONIC, OR VERBAL COMMUNICATIONS, OR ANY PHYSICAL ACT OR ANY THREATENING COMMUNICATION, THAT TAKES PLACE ON SCHOOL PROPERTY, AT ANY SCHOOL-SPONSORED FUNCTION, OR ON A SCHOOL BUS, AND THAT PLACES A STUDENT OR SCHOOL EMPLOYEE IN ACTUAL AND REASONABLE FEAR OF HARM TO HIS OR HER PERSON OR DAMAGE TO HIS OR HER PROPERTY; OR CREATES OR IS CERTAIN TO CREATE A HOSTILE ENVIRONMENT BY SUBSTANTIALLY INTERFERING WITH OR IMPAIRING A STUDENT'S EDUCATIONAL PERFORMANCE, OPPORTUNITIES, OR BENEFITS; TO DEFINE HOSTILE ENVIRONMENT AS USED IN THE ACT AS MEANING THE VICTIM SUBJECTIVELY VIEWS THE CONDUCT AS BULLYING OR HARASSING BEHAVIOR AND THE CONDUCT IS OBJECTIVELY SEVERE OR PERVASIVE ENOUGH THAT A REASONABLE PERSON WOULD AGREE THAT IT IS BULLYING OR HARASSING BEHAVIOR; TO PROVIDE THAT BULLYING OR HARASSING BEHAVIOR INCLUDES, BUT IS NOT LIMITED TO, ACTS REASONABLY PERCEIVED AS BEING MOTIVATED BY ANY ACTUAL OR PERCEIVED DIFFERENTIATING CHARACTERISTIC, SUCH AS RACE, COLOR, RELIGION, ANCESTRY, NATIONAL ORIGIN, GENDER, SOCIOECONOMIC STATUS, ACADEMIC STATUS, GENDER IDENTITY, PHYSICAL APPEARANCE, SEXUAL ORIENTATION, OR MENTAL, PHYSICAL, DEVELOPMENTAL, OR SENSORY DISABILITY, OR BY ASSOCIATION WITH A PERSON WHO HAS OR IS PERCEIVED TO HAVE ONE OR MORE OF THESE CHARACTERISTICS; AND TO REQUIRE ALL LOCAL SCHOOL ADMINISTRATIVE UNITS TO ADOPT A POLICY PROHIBITING BULLYING AND HARASSING BEHAVIOR AS REQUIRED BY THE ACT.

Representative Stam moves that Rule 43 be suspended in order that he might offer an amendment, which is not in compliance with the Rules. The motion fails by electronic vote (52-63).

Representative Blust offers Amendment No. 1 which fails of adoption by electronic vote (50-65).

Representative Blackwell offers Amendment No. 2 which fails of adoption by electronic vote (54-61).

June 23, 2009

Representative Wiley offers Amendment No. 3.

Representative Glazier inquires of the Chair if the amendment, which changes the title, is out of order.

The Speaker rules that the amendment is not in compliance with the Rules.

Representative Wiley moves that Rule 36.1 be suspended in order that Amendment No. 3, which is not in compliance with the Rules, be considered. The motion fails by electronic vote (50-63).

Representative Owens calls the previous question on the passage of the bill and the call is sustained by electronic vote (74-37).

Representative Hurley requests and is granted permission to be recorded as voting "aye". This request is granted. The adjusted vote total is (75-37).

The bill passes its third reading, by electronic vote (58-57), and is ordered enrolled and presented to the Governor by Special Message.

Having voted with the prevailing side, Representative Owens moves that the vote by which the bill passed its third reading be reconsidered, and that that motion do lie upon the table.

Representative Luebke seconds the motion.

Representative Stam moves that the House recess. The motion fails by electronic vote (51-63).

Representative Owens' motion to table the motion to reconsider the vote by which the bill passed its third reading, carries by electronic vote (63-51).

S.B. 661 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT AUTHORIZING LESSORS OF CONTIGUOUS PREMISES TO ALLOCATE THE COST FOR WATER AND SEWER SERVICE TO EACH TENANT USING EQUIPMENT THAT MEASURES HOT WATER USAGE, REQUIRING LANDLORDS TO IMPROVE THE HABITABILITY OF DWELLING UNITS BY REPAIRING CERTAIN UNSAFE CONDITIONS, STAYING THE EXECUTION OF A JUDGMENT FOR SUMMARY EJECTMENT WHILE A MOTION FOR MODIFICATION OF THE UNDERTAKING IS PENDING, ESTABLISHING FEES FOR ADMINISTRATIVE SERVICES IN RESIDENTIAL TENANCIES, AND ESTABLISHING THE CIRCUMSTANCES UNDER WHICH A CITY MAY ORDER A DWELLING TO BE VACATED AND CLOSED.

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On motion of Representative Gibson and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of June 24.

S.B. 468 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COUNTIES TO PROVIDE HEALTH INSURANCE BENEFITS TO FORMER EMPLOYEES WHO ARE NOT RECEIVING RETIREMENT BENEFITS, passes its second reading, by electronic vote (109-5), and there being no objection is read a third time.

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

Senate Committee Substitute for **H.B. 1186** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COUNTY DEPARTMENTS OF SOCIAL SERVICES TO CONDUCT FOLLOW-UP MONITORING OF ADULT CARE HOMES TO ENSURE COMPLIANCE WITH STATE AND FEDERAL LAW.

On motion of Representative Earle, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (115-0), and the bill is ordered enrolled and presented to the Governor.

ENROLLED BILLS

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

S.B. 526, AN ACT TO ENACT THE SCHOOL VIOLENCE PREVENTION ACT AND TO DEFINE BULLYING OR HARASSING BEHAVIOR AS USED IN THE ACT AS ANY PATTERN OF GESTURES OR WRITTEN, ELECTRONIC, OR VERBAL COMMUNICATIONS, OR ANY PHYSICAL ACT OR ANY THREATENING COMMUNICATION, THAT TAKES PLACE ON SCHOOL PROPERTY, AT ANY SCHOOL-SPONSORED FUNCTION, OR ON A SCHOOL BUS, AND THAT PLACES A STUDENT OR SCHOOL EMPLOYEE IN ACTUAL AND REASONABLE FEAR OF HARM TO HIS OR HER PERSON OR DAMAGE TO HIS OR HER PROPERTY; OR CREATES OR IS CERTAIN TO CREATE A HOSTILE ENVIRONMENT BY SUBSTANTIALLY INTERFERING WITH OR IMPAIRING A STUDENT'S EDUCATIONAL PERFORMANCE, OPPORTUNITIES, OR BENEFITS; TO DEFINE HOSTILE ENVIRONMENT AS USED IN THE ACT AS MEANING THE VICTIM SUBJECTIVELY VIEWS THE CONDUCT AS BULLYING OR HARASSING BEHAVIOR AND THE CONDUCT IS OBJECTIVELY SEVERE OR PERVASIVE ENOUGH THAT A REASONABLE PERSON WOULD AGREE THAT IT IS BULLYING OR HARASSING BEHAVIOR;

June 23, 2009

TO PROVIDE THAT BULLYING OR HARASSING BEHAVIOR INCLUDES, BUT IS NOT LIMITED TO, ACTS REASONABLY PERCEIVED AS BEING MOTIVATED BY ANY ACTUAL OR PERCEIVED DIFFERENTIATING CHARACTERISTIC, SUCH AS RACE, COLOR, RELIGION, ANCESTRY, NATIONAL ORIGIN, GENDER, SOCIOECONOMIC STATUS, ACADEMIC STATUS, GENDER IDENTITY, PHYSICAL APPEARANCE, SEXUAL ORIENTATION, OR MENTAL, PHYSICAL, DEVELOPMENTAL, OR SENSORY DISABILITY, OR BY ASSOCIATION WITH A PERSON WHO HAS OR IS PERCEIVED TO HAVE ONE OR MORE OF THESE CHARACTERISTICS; AND TO REQUIRE ALL LOCAL SCHOOL ADMINISTRATIVE UNITS TO ADOPT A POLICY PROHIBITING BULLYING AND HARASSING BEHAVIOR AS REQUIRED BY THE ACT.

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

H.B. 394, AN ACT TO AUTHORIZE THE CITY OF RALEIGH TO INCREASE ITS GENERAL MOTOR VEHICLE TAX BY UP TO FIVE DOLLARS.

SPECIAL MESSAGES FROM THE SENATE

The following Special Messages are received from the Senate:

H.B. 533 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITIES OF HICKORY AND CONOVER TO LEVY AN ADDITIONAL ONE PERCENT ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX AND TO MAKE OTHER ADMINISTRATIVE CHANGES, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of June 24.

The Speaker rules the Senate committee substitute bill to be material, thus constituting its first reading.

H.B. 749 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE STATE BUILDING CODE TO PERMIT THE USE OF CISTERNS TO PROVIDE WATER FOR FLUSHING TOILETS AND FOR OUTDOOR IRRIGATION IN THE CONSTRUCTION OR RENOVATION OF RESIDENTIAL OR COMMERCIAL BUILDINGS OR STRUCTURES AND TO PROHIBIT ANY STATE, COUNTY,

June 23, 2009

OR LOCAL BUILDING CODE OR REGULATION FROM PROHIBITING THE USE OF CISTERNS FOR THESE USES, is returned for concurrence in one Senate amendment and referred to the Committee on Water Resources and Infrastructure.

Upon concurrence the Senate amendment changes the title.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

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

By Representative Wilkins, Chair, for the Committee on State Government/State Personnel:

H.B. 780 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE NORTH CAROLINA BUILDING CODE EXEMPTION FOR FARM BUILDINGS TO INCLUDE EQUINE ARENAS USED FOR LESSONS OFFERED TO THE GENERAL PUBLIC, AND OTHER EQUINE ACTIVITIES, BUT NOT FOR SPECTATOR EVENTS, AND TO PROVIDE THAT IN THE CASE OF A MANDATORY EVACUATION A TENANT SUBJECT TO A VACATION RENTAL AGREEMENT IS ENTITLED TO A REFUND OF THE PRORATED RENT, TAXES, AND OTHER PAYMENTS MADE BY THE TENANT FOR THE OCCUPATION OF THE VACATION RENTAL UNIT, with recommendation that the House do concur.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 24.

S.B. 514 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE CERTAIN MAGISTRATES WITH THE AUTHORITY TO PROVIDE FOR THE APPOINTMENT OF COUNSEL WHEN AUTHORIZED BY THE CHIEF DISTRICT JUDGE, with a favorable report and recommendation that the bill be re-referred to the Committee on Judiciary III.

The bill is re-referred to the Committee on Judiciary III.

By Representative Ross, Chair, for the Committee on Judiciary I:

S.B. 412 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES TO THE NORTH CAROLINA LIMITED LIABILITY COMPANY ACT, with a favorable report.

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Pursuant to Rule 36(b), the bill is placed on the Calendar of June 24.

S.B. 634 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE ADVERTISING AND CONDUCTING OF CERTAIN LIVE MUSICAL PERFORMANCES OR PRODUCTIONS, TO PROVIDE FOR ENFORCEMENT, AND TO IMPOSE A PENALTY, with a favorable report as to House Committee Substitute Bill No. 2, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(b), House Committee Substitute Bill No. 2 is placed on the Calendar of June 24. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representatives Glazier, McLawhorn, and Rapp, Chairs, for the Appropriations Subcommittee on Education, with approval of standing committee Chairs for report to be made directly to the floor of the House:

S.B. 1019 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A FINANCIAL LITERACY COUNCIL TO COORDINATE AND EXPAND THE STATEWIDE DELIVERY OF FINANCIAL EDUCATION FOR ALL NORTH CAROLINIANS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 24.

Representative Owens moves, seconded by Representative Glazier, that the House adjourn, subject to the ratification of bills, to reconvene June 24 at 3:00 p.m.

The motion carries.

Pursuant to Article II, Section 18 of the North Carolina Constitution, Representative Lewis submits the following protest:

PROTEST

23 June 2009

Ms. Denise Weeks
The Principal Clerk of House of Representatives
16 West Jones Street
Raleigh, North Carolina 27601

June 23, 2009

Madame Clerk,

Pursuant to Article II, Section 18 of the Constitution of the State of North Carolina which reads: "Any member of either house may dissent from and protest against any act or resolve which he may think injurious to the public or to any individual, and have the reasons of his dissent entered on the journal," I hereby enter protest against the actions of the House of Representatives to end debate on Senate Bill 526 while duly elected Members of the House sought recognition to debate the matter.

I, as Representative for the 53rd House District, sought to offer the following remarks which I believe would have had bearing on the vote tally:

"All children deserve the right to learn in a safe environment so they can maximize their potential.

Let me be clear, I concur with State School Board Chairman Howard Lee when he said recently 'Bullying is bullying. I don't care who it is against and under what circumstances.'

Frightening, hurting, intimidating, or in other way making any child feel inferior, anxious or fearful for any reason is wrong. All children deserve the very best education and educational experience we can possibly provide. All children deserve, and we have a responsibility to make sure that all children receive the education they need to live up to their absolute fullest potential.

Establishing any categories, no matter how well intentioned, implies that some bullying is worse or more harmful than other forms. It also forces our teachers and administrators to 'profile' students and determine what protected class they may fall into. Instead, they just need to stop the bullying, protect the bullied and punish the bully.

The law should be about protecting children. I simply think all children are worthy of such protection without classification."

I think the passage of this Bill is injurious to the public. Using parliamentary tactics to end debate is offensive and undemocratic. Using further parliamentary maneuvers to prevent reconsideration of the matter is also abuse of power.

Respectfully submitted,

David R. Lewis
Representative

No bills having been presented for ratification, the House stands adjourned at 5:30 p.m.

June 23, 2009

EIGHTY-SIXTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, June 24, 2009

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

The following prayer is offered by the Reverend John Franklin Howard, Ardmore United Methodist Church, Winston-Salem, North Carolina:

"God of the Universe and our Heavenly Father:

"You have blessed us all with the gift of this new day of life; with the beautiful planet on which we live; and with the gift to live our lives in the State of North Carolina.

"I am blessed to be here today in the presence of these leaders, elected by the people of our great State, who represent me, and all of the citizens of North Carolina, who live from the mountains to the coast.

"You have chosen them for this work, at this crucial time in our State's history. We the people of North Carolina, are counting on them. Help them to feel the weight of the responsibility entrusted to them. Let them know that they do not bear this weight alone. Assure them in their hearts that they are here to serve Your greater purposes, and that this day, and every day, they will have Your presence and power, to equip them, and guide them.

"Give them confidence, that together with You, they will lead the people of North Carolina through the challenging days ahead, and into a bright future. Amen."

Representative Owens, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 23 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Hall and Mobley for today.

**REPORTS OF STANDING COMMITTEES AND PERMANENT
SUBCOMMITTEES**

The following reports from standing committees are presented:

June 24, 2009

By Representative Dickson, Chair, for the Committee on Commerce, Small Business, and Entrepreneurship:

S.B. 893 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE NORTH CAROLINA SELF-INSURANCE SECURITY ASSOCIATION TO COLLECT GROUP SELF-INSURER ASSESSMENTS; TO EXCLUDE FROM PARTICIPATION IN THE ASSOCIATION AGGREGATE SECURITY SYSTEM INDIVIDUAL SELF-INSURERS THAT FAIL TO SUBMIT CERTAIN FINANCIAL INFORMATION; AND TO ADJUST DEPOSIT REQUIREMENTS FOR ALL INDIVIDUAL SELF-INSURERS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 25.

By Representative Braxton, Chair, for the Committee on Local Government II:

S.B. 475 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE TOWN OF CARRBORO TO AUTHORIZE THE BOARD OF ALDERMEN TO ADOPT ORDINANCES FOR THE ORDERLY INSTALLATION OF ENERGY-SAVING AND WATER-SAVING DEVICES, with a favorable report as to the House committee substitute bill, unfavorable as to the Senate committee substitute bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Energy and Energy Efficiency.

The House committee substitute bill is re-referred to the Committee on Energy and Energy Efficiency. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representative Goodwin, Chair, for the Committee on Election Law and Campaign Finance Reform:

S.B. 56 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW PROVIDING BALANCE AMONG THE COUNTIES IN THE RESIDENCY OF DISTRICT COURT JUDGES IN DISTRICT COURT DISTRICT 13, with a favorable report and recommendation that the bill be re-referred to the Committee on Judiciary I.

The bill is re-referred to the Committee on Judiciary I.

S.B. 540 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE TOWN OF PLEASANT GARDEN TO CHANGE THE STAGGERING OF TERMS OF THE TOWN COUNCIL, with a favorable report.

June 24, 2009

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 25.

By Representatives Luebke, Gibson, Wainwright, and Weiss, Chairs, for the Committee on Finance:

H.B. 852 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DEFER THE PROPERTY TAX DUE ON REAL PROPERTY HELD FOR SALE BY A BUILDER, with a favorable report as to Committee Substitute Bill No. 2, which changes the title, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(b), Committee Substitute Bill No. 2 is placed on the Calendar of June 25. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

S.B. 159 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO UPDATE AND CLARIFY THE SECOND AND THIRD CLASS PRIORITY EXPENSES AND THE GRAVESTONE AUTHORIZATION IN PROBATE PROCEEDINGS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 25.

S.B. 495 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE EXTENSION OF THE EXTRA-TERRITORIAL JURISDICTION OF THE TOWN OF OAK RIDGE, AND TO ALLOW FOR VOLUNTARY ANNEXATION OF ANY OF THAT PROPERTY UPON PETITION OF THE PROPERTY OWNER, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 25.

S.B. 691, A BILL TO BE ENTITLED AN ACT TO PERMIT DISCLOSURE OF CERTAIN TAX INFORMATION OF LOCAL GOVERNMENTS TO THE DEPARTMENT OF STATE TREASURER, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the original bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of June 25. The original bill is placed on the Unfavorable Calendar.

S.B. 1008, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A FEE FOR BONUS ANTLERLESS DEER TAGS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 25.

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S.B. 1009, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE WILDLIFE RESOURCES COMMISSION TO PROVIDE EXEMPTIONS FROM HUNTING LICENSE REQUIREMENTS FOR SPECIAL EVENTS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 25.

By Representative Tucker, Chair, for the Committee on Pensions and Retirement:

S.B. 389 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE HOUSING AUTHORITY OF THE CITY OF CHARLOTTE AND THE ROBESON COUNTY HOUSING AUTHORITY TO PARTICIPATE IN THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM WITHOUT PROVIDING PRIOR SERVICE CREDITS TO THEIR EMPLOYEES, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 25.

S.B. 658 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE MEMBERSHIP OF THE SUPPLEMENTAL RETIREMENT BOARD OF TRUSTEES, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of June 25. The Senate committee substitute bill is placed on the Unfavorable Calendar.

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

H.B. 502 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF ASHEVILLE TO DISPOSE OF PROPERTY AND LIMIT USE OF THE PROPERTY AFTER DISPOSITION AND TO AUTHORIZE BEAUFORT COUNTY COMMUNITY COLLEGE TO ENTER INTO A COLLABORATIVE AGREEMENT WITH BEAUFORT COUNTY, with recommendation that the House concur.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 25.

By Representative Wilkins, Chair, for the Committee on State Government/State Personnel:

June 24, 2009

S.B. 828 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE MAXIMUM AMOUNT AT WHICH PROJECTS MAY UNDERGO AN INFORMAL BIDDING PROCESS AND CLARIFY THE APPLICATION OF THIS PROCESS, TO CONTINUE THE DEPARTMENT OF TRANSPORTATION'S PROGRAM FOR PARTICIPATION OF DISADVANTAGED MINORITY-OWNED AND WOMEN-OWNED BUSINESSES, AND TO AMEND VARIOUS STATUTES IN CHAPTER 136 OF THE GENERAL STATUTES TO CONFORM WITH THE DEPARTMENT'S FOCUS ON ALL MODES OF TRANSPORTATION INFRASTRUCTURE, with a favorable report as to House Committee Substitute Bill No. 2, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(b), House Committee Substitute Bill No. 2 is placed on the Calendar of June 25. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representative Sutton, Chair, for the Committee on Judiciary III:

H.B. 1531, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE CLERK OF COURT SHALL DENY A NAME CHANGE APPLICATION FROM A CONVICTED FELON WHO IS SERVING AN ACTIVE SENTENCE UNLESS THE CLERK OF COURT FINDS THAT GOOD CAUSE EXISTS FOR CONSIDERATION OF THE NAME CHANGE AND TO INCREASE BY ONE DOLLAR THE FEE FOR PROCESSING AN APPLICATION TO CHANGE A PERSON'S NAME, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

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

SUBCOMMITTEE REFERRAL

Representatives Michaux, Adams, M. Alexander, Crawford, Haire, Jeffus, Tolson, and Yongue, Chairs, for the Committee on Appropriations refer, **S.B. 324**, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON AN ACT TO EXEMPT FROM PRIOR AUTHORIZATION REQUIREMENTS FOR PRESCRIPTION DRUGS UNDER THE MEDICAID PROGRAM ANTIHEMOPHILIC DRUGS PRESCRIBED FOR THE TREATMENT OF HEMOPHILIA AND BLOOD DISORDERS, to the Appropriations Subcommittee on Health and Human Services.

June 24, 2009

ENROLLED BILLS

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

S.B. 652, AN ACT TO PROHIBIT THE RETAIL SALE AND DISTRIBUTION OF NOVELTY LIGHTERS, AS RECOMMENDED BY THE CHILD FATALITY TASK FORCE.

S.B. 763, AN ACT TO CLARIFY THE AUTHORIZATION FOR CERTAIN NONPROFIT CORPORATIONS TO RENDER LEGAL SERVICES.

H.B. 511, AN ACT TO REENACT THE SALES TAX REFUND FOR CERTAIN VOLUNTEER EMERGENCY RESPONSE PERSONNEL.

H.B. 631, AN ACT TO FACILITATE THE WEARING OF MILITARY MEDALS BY PUBLIC SAFETY PERSONNEL.

H.B. 682, AN ACT TO ADJUST THE EXEMPTION LIMITS FOR SMALL LOCAL GOVERNMENTS IN THE PUBLIC CONTRACTING STATUTES TO ACCOUNT FOR INFLATION SINCE LAST ADJUSTED SEVEN YEARS AGO.

H.B. 1186, AN ACT TO AUTHORIZE COUNTY DEPARTMENTS OF SOCIAL SERVICES TO CONDUCT FOLLOW-UP MONITORING OF ADULT CARE HOMES.

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

S.B. 498, AN ACT TO AUTHORIZE THE EDGECOMBE COUNTY BOARD OF EDUCATION TO CONSTRUCT AND PROVIDE AFFORDABLE RENTAL HOUSING FOR TEACHERS AND OTHER SCHOOL SYSTEM EMPLOYEES.

H.B. 924, AN ACT CONCERNING PUBLIC-PRIVATE REIMBURSEMENT AGREEMENTS FOR PARK INFRASTRUCTURE DEVELOPMENT BY MECKLENBURG COUNTY AND PUBLIC-PRIVATE REIMBURSEMENT AGREEMENTS FOR INFRASTRUCTURE DEVELOPMENT BY THE CITY OF CHARLOTTE.

CHAPTERED BILLS

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

June 24, 2009

S.B. 60, AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF WHITE LAKE. (S.L. 2009-150)

S.B. 91, AN ACT TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF PINE KNOLL SHORES. (S.L. 2009-151)

S.B. 364, AN ACT RELATING TO ILLEGALLY PARKED VEHICLES IN THE TOWN OF APEX TO ALLOW USE OF WHEEL LOCKS. (S.L. 2009-152)

S.B. 432, AN ACT TO ANNEX THE MIDWAY COMMUNITY TO THE TOWN OF ABERDEEN. (S.L. 2009-153)

H.B. 206, AN ACT TO AUTHORIZE THE CITY OF BREVARD, THE TOWN OF ROSMAN, TRANSYLVANIA COUNTY, AND THE TRANSYLVANIA COUNTY BOARD OF EDUCATION TO CONSTRUCT AND PROVIDE AFFORDABLE HOUSING FOR CITY AND COUNTY EMPLOYEES AND FOR PUBLIC SCHOOLTEACHERS. (S.L. 2009-154)

H.B. 384, AN ACT AUTHORIZING THE TOWN OF FUQUAY-VARINA TO USE THE PROCEDURE AND AUTHORITY OF CHAPTER 136 OF THE GENERAL STATUTES IN CONDEMNATION PROCEEDINGS CONCERNING PUBLIC STREETS AND ROADS. (S.L. 2009-155)

H.B. 646, AN ACT TO REMOVE THE CAP ON SATELLITE ANNEXATIONS FOR THE TOWN OF BRIDGETON. (S.L. 2009-156)

H.B. 854, AN ACT TO MODIFY THE FORSYTH COUNTY ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX. (S.L. 2009-157)

H.B. 986, AN ACT AMENDING THE DESCRIPTION OF A RIGHT-OF-WAY THAT THE TOWN OF SPENCER WAS PREVIOUSLY AUTHORIZED TO ANNEX BY ORDINANCE. (S.L. 2009-158)

H.B. 992, AN ACT TO REPEAL THE ANNEXATION OF CERTAIN PROPERTY BY THE TOWN OF LANDIS. (S.L. 2009-159)

H.B. 394, AN ACT TO AUTHORIZE THE CITY OF RALEIGH TO INCREASE ITS GENERAL MOTOR VEHICLE TAX BY UP TO FIVE DOLLARS. (S.L. 2009-160)

June 24, 2009

SPECIAL MESSAGE FROM THE SENATE

The following Special Message is received from the Senate:

Senate Committee Substitute for **H.B. 88** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR ABSTINENCE UNTIL MARRIAGE AND COMPREHENSIVE SEXUALITY EDUCATION PROGRAMS IN GRADES SEVEN THROUGH NINE, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of June 25.

Upon concurrence the Senate committee substitute bill changes the title.

MESSAGE FROM THE SENATE

The following is received from the Senate:

Senate Committee Substitute for **H.B. 1112** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT AMENDING BIRTH REGISTRATION REQUIREMENTS TO ALLOW A CHILD'S PUTATIVE FATHER TO BE ENTERED ON THE BIRTH CERTIFICATE OF THE CHILD IF THE MOTHER HAS BEEN LIVING SEPARATE AND APART FROM HER HUSBAND AT THE TIME OF THE CHILD'S CONCEPTION OR BETWEEN CONCEPTION AND BIRTH, is returned for concurrence in Senate committee substitute bill and referred to the Committee on Judiciary II.

Upon concurrence the Senate committee substitute bill changes the title.

CALENDAR

Action is taken on the following:

CONFERENCE REPORT

The material Conference Report for **H.B. 1508** (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE TWO-THIRDS BONDS ACT OF 2008; TO PROVIDE FOR THE ISSUANCE OF ADDITIONAL GENERAL OBLIGATION BONDS TO FINANCE THE COSTS OF THE BIOMEDICAL RESEARCH IMAGING CENTER AND REPAIRS AND RENOVATIONS OF STATE FACILITIES; TO PROVIDE AUTHORITY FOR THE STATE TO SELECT THE APPROPRIATE FORM OF DEBT TO ISSUE IN

June 24, 2009

ORDER TO FINANCE VARIOUS PROJECTS; TO REDUCE THE SPECIAL INDEBTEDNESS AUTHORIZATIONS FOR VARIOUS PROJECTS IN ORDER TO GENERATE ADDITIONAL DEBT CAPACITY; AND TO REPEAL THE STATUTORY APPROPRIATION FOR THE BIOMEDICAL RESEARCH IMAGING CENTER, is adopted on its third roll call reading, by the following vote, and the Senate is so notified by Special Message. (The text of the Conference Committee Substitute may be found in its entirety in the 2009 Session Laws, Chapter 209.)

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Barnhart, Bell, Blackwood, Blust, Boles, Bordsen, Braxton, Brisson, Brubaker, Bryant, Burris-Floyd, Carney, Coates, Cole, Cotham, Crawford, Current, Daughtry, Dickson, Dockham, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Frye, Gibson, Gill, Gillespie, Glazier, Goforth, Goodwin, Grady, Guice, Gulley, Haire, Harrell, Harrison, Hill, Hilton, Holliman, Holloway, Howard, Hughes, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Killian, Langdon, Lewis, Love, Lucas, Luebke, Mackey, Martin, McComas, McGee, McLawhorn, Michaux, Mills, Moore, Neumann, Owens, Parmon, Pierce, Randleman, Rapp, Ross, Sager, Setzer, Spear, Stam, Steen, Stevens, Stewart, Sutton, Tarleton, Tillis, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wiley, Wilkins, Womble, Wray, and Yongue - 105.

Voting in the negative: Representatives Avila, Blackwell, Burr, Cleveland, Folwell, McCormick, McElraft, Samuelson, and Starnes - 9.

Excused absences: Representatives Hall and Mobley - 2.

Representative Brown requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (106-9).

Senate Committee Substitute for **H.B. 533** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITIES OF HICKORY AND CONOVER TO LEVY AN ADDITIONAL ONE PERCENT ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX AND TO MAKE OTHER ADMINISTRATIVE CHANGES.

On motion of Representative R. Warren, the House concurs in the material Senate committee substitute bill on its second roll call reading, which changes the title, by the following vote, and the bill remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Barnhart, Bell, Blackwell, Bordsen, Braxton, Brisson,

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Bryant, Burris-Floyd, Carney, Coates, Cole, Cotham, Crawford, Current, Daughtry, Dickson, Dockham, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Frye, Gibson, Gill, Glazier, Goforth, Goodwin, Grady, Guice, Haire, Harrell, Harrison, Hill, Holliman, Howard, Hughes, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Langdon, Lewis, Love, Lucas, Luebke, Mackey, Martin, McComas, McElraft, McGee, McLawhorn, Michaux, Neumann, Owens, Parmon, Pierce, Randleman, Rapp, Rhyne, Ross, Samuelson, Spear, Stam, Starnes, Steen, Stewart, Sutton, Tarleton, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wilkins, Williams, Womble, Wray, and Yongue - 93.

Voting in the negative: Representatives Avila, Blackwood, Blust, Boles, Brown, Brubaker, Burr, Cleveland, Dollar, Folwell, Gillespie, Gulley, Hilton, Holloway, Hurley, Killian, McCormick, Mills, Moore, Sager, Setzer, Stevens, Tillis, and Wiley - 24.

Excused absences: Representatives Hall and Mobley - 2.

H.B. 316 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING CHARTER SCHOOLS TO GIVE PRIORITY FOR ADMISSION TO MULTIPLE BIRTH SIBLINGS.

On motion of Representative Jeffus, the House concurs in the Senate committee substitute bill, by electronic vote (117-0), and the bill is ordered enrolled and presented to the Governor.

H.B. 1446 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW RELATING TO SCHOOL IMPROVEMENT PLANS.

On motion of Representative Glazier, the House concurs in the Senate committee substitute bill, by electronic vote (117-0), and the bill is ordered enrolled and presented to the Governor.

Senate Committee Substitute for **H.B. 780** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE NORTH CAROLINA BUILDING CODE EXEMPTION FOR FARM BUILDINGS TO INCLUDE EQUINE ARENAS USED FOR LESSONS OFFERED TO THE GENERAL PUBLIC, AND OTHER EQUINE ACTIVITIES, BUT NOT FOR SPECTATOR EVENTS.

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On motion of Representative Spear, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (117-0), and the bill is ordered enrolled and presented to the Governor.

S.B. 43 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPROVE BOATING SAFETY BY REQUIRING BOATING SAFETY EDUCATION PRIOR TO OPERATING A VESSEL WITH A MOTOR OF TEN HORSEPOWER OR GREATER, AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON MANDATORY BOATING SAFETY EDUCATION.

Representative Wray offers Amendment No. 2 which is adopted by electronic vote (114-3).

The bill, as amended, passes its third reading, by electronic vote (91-26), and is ordered sent to the Senate for concurrence in House Amendments No. 1 and 2.

S.B. 412 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES TO THE NORTH CAROLINA LIMITED LIABILITY COMPANY ACT, passes its second reading, by electronic vote (117-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

S.B. 634 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE ADVERTISING AND CONDUCTING OF CERTAIN LIVE MUSICAL PERFORMANCES OR PRODUCTIONS, TO PROVIDE FOR ENFORCEMENT, AND TO IMPOSE A PENALTY.

Representative Stam offers Amendment No. 1 which is adopted by electronic vote (117-0).

The bill, as amended, passes its second reading, by electronic vote (116-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate for concurrence in the House Committee Substitute Bill No. 2.

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S.B. 661 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT AUTHORIZING LESSORS OF CONTIGUOUS PREMISES TO ALLOCATE THE COST FOR WATER AND SEWER SERVICE TO EACH TENANT USING EQUIPMENT THAT MEASURES HOT WATER USAGE, REQUIRING LANDLORDS TO IMPROVE THE HABITABILITY OF DWELLING UNITS BY REPAIRING CERTAIN UNSAFE CONDITIONS, STAYING THE EXECUTION OF A JUDGMENT FOR SUMMARY EJECTMENT WHILE A MOTION FOR MODIFICATION OF THE UNDERTAKING IS PENDING, ESTABLISHING FEES FOR ADMINISTRATIVE SERVICES IN RESIDENTIAL TENANCIES, AND ESTABLISHING THE CIRCUMSTANCES UNDER WHICH A CITY MAY ORDER A DWELLING TO BE VACATED AND CLOSED, passes its second reading, by electronic vote (114-2).

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

S.B. 981 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO GIVE THE COMMISSIONER OF INSURANCE DISCRETION TO WAIVE THE MINIMUM POLICYHOLDERS POSITION REQUIREMENT UNDER CERTAIN CIRCUMSTANCES FOR MORTGAGE GUARANTY INSURERS.

Representative Dockham offers Amendment No. 1 which is adopted by electronic vote (117-0).

The bill, as amended, passes its second reading, by electronic vote (96-19).

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

S.B. 1019 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A FINANCIAL LITERACY COUNCIL TO COORDINATE AND EXPAND THE STATEWIDE DELIVERY OF FINANCIAL EDUCATION FOR ALL NORTH CAROLINIANS, passes its second reading, by electronic vote (116-1), and there being no objection is read a third time.

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

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SPECIAL MESSAGE FROM THE SENATE**2009 GENERAL ASSEMBLY
FIRST SESSION**

Senate Chamber
June 24, 2009

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees for **H.B. 1508** (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE TWO-THIRDS BONDS ACT OF 2008; TO PROVIDE FOR THE ISSUANCE OF ADDITIONAL GENERAL OBLIGATION BONDS TO FINANCE THE COSTS OF THE BIOMEDICAL RESEARCH IMAGING CENTER AND REPAIRS AND RENOVATIONS OF STATE FACILITIES; TO PROVIDE AUTHORITY FOR THE STATE TO SELECT THE APPROPRIATE FORM OF DEBT TO ISSUE IN ORDER TO FINANCE VARIOUS PROJECTS; TO REDUCE THE SPECIAL INDEBTEDNESS AUTHORIZATIONS FOR VARIOUS PROJECTS IN ORDER TO GENERATE ADDITIONAL DEBT CAPACITY; AND TO REPEAL THE STATUTORY APPROPRIATION FOR THE BIOMEDICAL RESEARCH IMAGING CENTER, to the end that when a similar action has been taken on the part of your Honorable Body, the Speaker may order the bill enrolled.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

The Speaker orders the bill enrolled and presented to the Governor.

Representative Owens moves, seconded by Representative England, that the House adjourn, subject to the receipt of Committee Reports, to reconvene June 25 at 1:00 p.m.

The motion carries.

**REPORTS OF STANDING COMMITTEES AND PERMANENT
SUBCOMMITTEES**

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

June 24, 2009

By Representative Goodwin, Chair, for the Committee on Election Law and Campaign Finance Reform:

S.B. 38 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CONTINUALLY APPLY THE SPECIAL RULES FOLLOWING A FEDERAL DECENNIAL CENSUS TO MUNICIPAL REDISTRICTING THAT CENSUS, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the Senate committee substitute bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Judiciary II.

The House committee substitute bill is re-referred to the Committee on Judiciary II. The Senate committee substitute bill is placed on the Unfavorable Calendar.

S.B. 248, A BILL TO BE ENTITLED AN ACT TO MAKE A TECHNICAL CORRECTION BY DELETING FROM A 1981 LAW RELATING TO FILLING VACANCIES IN COUNTY BOARDS OF EDUCATION ELECTED ON A PARTISAN BASIS COUNTY BOARDS OF EDUCATION THAT IN FACT ARE NOT ELECTED ON A PARTISAN BASIS, with a favorable report as to the House committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of June 25. The original bill is placed on the Unfavorable Calendar.

By Representative Tarleton, Chair, for the Committee on Water Resources and Infrastructure:

H.B. 749 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE STATE BUILDING CODE TO PERMIT THE USE OF CISTERNS TO PROVIDE WATER FOR FLUSHING TOILETS AND FOR OUTDOOR IRRIGATION IN THE CONSTRUCTION OR RENOVATION OF RESIDENTIAL OR COMMERCIAL BUILDINGS OR STRUCTURES AND TO PROHIBIT ANY STATE, COUNTY, OR LOCAL BUILDING CODE OR REGULATION FROM PROHIBITING THE USE OF CISTERNS FOR THESE USES, AND TO CLARIFY MINORITY BUSINESS PURPOSES FOR PUBLIC CONTRACTS, with recommendation that the House concur.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 25.

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By Representatives Earle, England, and Insko, Chairs, for the Appropriations Subcommittee on Health and Human Services, with approval of standing committee Chairs for report to be made directly to the floor of the House:

S.B. 324, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON AN ACT TO EXEMPT FROM PRIOR AUTHORIZATION REQUIREMENTS FOR PRESCRIPTION DRUGS UNDER THE MEDICAID PROGRAM ANTIHEMOPHILIC DRUGS PRESCRIBED FOR THE TREATMENT OF HEMOPHILIA AND BLOOD DISORDERS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 25.

The House stands adjourned at 4:55 p.m.

EIGHTY-SEVENTH DAY

HOUSE OF REPRESENTATIVES
Thursday, June 25, 2009

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

The following prayer is offered by the Reverend Lin Carter, First Baptist Church, Raleigh, North Carolina:

"Dear God:

"This week as I have worked daily with the children of our church I have been reminded of the basic desires of life-safety, happiness, friendship, laughter. God, You created the world in such a way that children often remind us of what is truly important. Their innocence and their honesty move us and inspire us, especially when accompanied by hugs and gifts and even compliments. As adults, we live in the world of business, power, and politics. We often become distracted from the fundamentals of life by the enormity of the tasks we perform. My prayer for these leaders today is that You would grant them perspective, vision, and child-likeness as they serve the people of our great State. Amen."

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

Leaves of absence are granted Representatives Hall, Mobley, Setzer, and Wainwright for today. Representatives Justice and Tucker are excused for a portion of the Session.

ENROLLED BILLS

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

S.B. 412, AN ACT TO MAKE VARIOUS CHANGES TO THE NORTH CAROLINA LIMITED LIABILITY COMPANY ACT.

H.B. 316, AN ACT AUTHORIZING CHARTER SCHOOLS TO GIVE PRIORITY FOR ADMISSION TO MULTIPLE BIRTH SIBLINGS.

H.B. 780, AN ACT TO CLARIFY THE NORTH CAROLINA BUILDING CODE EXEMPTION FOR FARM BUILDINGS TO INCLUDE EQUINE ARENAS USED FOR LESSONS OFFERED TO THE GENERAL PUBLIC, AND OTHER EQUINE ACTIVITIES, BUT NOT FOR SPECTATOR EVENTS, AND TO PROVIDE THAT IN THE CASE OF A MANDATORY EVACUATION A TENANT SUBJECT TO A VACATION RENTAL AGREEMENT IS ENTITLED TO A REFUND OF THE PRO-RATED RENT, TAXES, AND OTHER PAYMENTS MADE BY THE TENANT FOR THE OCCUPATION OF THE VACATION RENTAL UNIT.

H.B. 1419, AN ACT TO AUTHORIZE THE WILDLIFE RESOURCES COMMISSION TO DEVELOP A BAT EVICTION AND EXCLUSION CURRICULUM TO BE USED BY OTHER ASSOCIATIONS OR ORGANIZATIONS.

H.B. 1446, AN ACT TO AMEND THE LAW RELATING TO SCHOOL IMPROVEMENT PLANS.

H.B. 1508, AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE TWO-THIRDS BONDS ACT OF 2008; TO PROVIDE FOR THE ISSUANCE OF ADDITIONAL GENERAL OBLIGATION BONDS TO FINANCE THE COSTS OF THE BIOMEDICAL RESEARCH IMAGING CENTER AND REPAIRS AND RENOVATIONS OF STATE FACILITIES; TO PROVIDE AUTHORITY FOR THE STATE TO SELECT THE APPROPRIATE FORM OF DEBT TO ISSUE IN ORDER TO FINANCE VARIOUS PROJECTS; TO REDUCE THE SPECIAL INDEBTEDNESS

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AUTHORIZATIONS FOR VARIOUS PROJECTS IN ORDER TO GENERATE ADDITIONAL DEBT CAPACITY; AND TO REPEAL THE STATUTORY APPROPRIATION FOR THE BIOMEDICAL RESEARCH IMAGING CENTER.

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

S.B. 453, AN ACT TO ALLOW THE CITY OF RALEIGH AND THE TOWN OF CHAPEL HILL TO ALLOW ACTIVATION OF PARKING METERS BY CREDIT CARD OR OTHER ELECTRONIC MEANS AND TO USE PROCEEDS COLLECTED FROM PARKING METERS FOR PARKING PROGRAMS AND PROVIDING PARKING FACILITIES.

S.B. 503, AN ACT AMENDING THE CHARTER OF THE CITY OF DURHAM TO GRANT THE CITY MANAGER THE AUTHORITY TO INCLUDE THE CITY'S MINORITY OR WOMEN'S BUSINESS ENTERPRISE REQUIREMENTS IN THE SPECIFICATIONS FOR CITY CONTRACTS.

S.B. 543, AN ACT TO AUTHORIZE THE CITY OF DURHAM TO COLLECT A MUNICIPAL TAX FOR PUBLIC TRANSPORTATION OF TEN DOLLARS ON VEHICLES RESIDENT IN THE CITY.

CHAPTERED BILLS

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

S.B. 498, AN ACT TO AUTHORIZE THE EDGEcombe COUNTY BOARD OF EDUCATION TO CONSTRUCT AND PROVIDE AFFORDABLE RENTAL HOUSING FOR TEACHERS AND OTHER SCHOOL SYSTEM EMPLOYEES. (S.L. 2009-161)

H.B. 924, AN ACT CONCERNING PUBLIC-PRIVATE REIMBURSEMENT AGREEMENTS FOR PARK INFRASTRUCTURE DEVELOPMENT BY MECKLENBURG COUNTY AND PUBLIC-PRIVATE REIMBURSEMENT AGREEMENTS FOR INFRASTRUCTURE DEVELOPMENT BY THE CITY OF CHARLOTTE. (S.L. 2009-162)

S.B. 1018, AN ACT TO REDUCE PLASTIC AND NONRECYCLED PAPER BAG USE ON NORTH CAROLINA'S OUTER BANKS. (S.L. 2009-163)

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**REPORTS OF STANDING COMMITTEES AND PERMANENT
SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representative Faison, Chair, for the Committee on Ways and Means/Broadband Connectivity:

S.B. 513 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE SERVICE BY MAIL OF NOTICES OF HEARINGS ON VIOLATIONS OF UNSUPERVISED PROBATION, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 29.

S.B. 759 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE LAW ENFORCEMENT AGENCIES TO DESIGNATE PATTERNS IN WRITING FOR STOPPING VEHICLES AT CHECKING STATIONS, with a favorable report and recommendation that the bill be re-referred to the Committee on Judiciary I.

The bill is re-referred to the Committee on Judiciary I.

S.B. 859, A BILL TO BE ENTITLED AN ACT TO ALLOW CITIES WITH POPULATION GREATER THAN FIVE HUNDRED THOUSAND TO BE SUBJECT TO THE STATE TORT CLAIMS ACT WITH CERTAIN MODIFICATIONS, with a favorable report and recommendation that the bill be re-referred to the Committee on Judiciary I.

The bill is re-referred to the Committee on Judiciary I.

S.B. 1076 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CRIMINAL JUSTICE PARTNERSHIP PROGRAM TO ALLOW COMMUNITY-LEVEL OFFENDERS TO BE SERVED BY THE PROGRAM, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the Senate committee substitute bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Judiciary III.

The House committee substitute bill is re-referred to the Committee on Judiciary III. The Senate committee substitute bill is placed on the Unfavorable Calendar.

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S.B. 1078, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PROBATIONER WHO IS ARRESTED AND CHARGED WITH THE COMMISSION OF A FELONY SHALL BE TEMPORARILY DETAINED WITHOUT BOND UNTIL THE COURT HAS SUFFICIENT INFORMATION TO DETERMINE WHETHER THE PROBATIONER'S RELEASE POSES A DANGER TO THE PUBLIC, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the original bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Judiciary I.

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

By Representative Braxton, Chair, for the Committee on Local Government II:

S.B. 570, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF INDIAN TRAIL, with a favorable report as to the House committee substitute bill, unfavorable as to the original bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Finance.

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

S.B. 698 (Committee Substitute), A BILL TO BE ENTITLED AN ACT REQUIRING THAT CITIES, COUNTIES, AND SANITARY DISTRICTS GIVE ELECTRONIC NOTICE OF THE IMPOSITION OF CERTAIN NEW FEES AND INCREASES IN CERTAIN EXISTING FEES, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the Senate committee substitute bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Judiciary I.

The House committee substitute bill is re-referred to the Committee on Judiciary I. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representatives Coates and Cole, Vice Chairs, for the Committee on Transportation:

S.B. 913 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY MOTOR VEHICLE DEALERS AND MANUFACTURERS LICENSING LAWS, with a favorable report as to the House committee

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substitute bill, which changes the title, unfavorable as to the Senate committee substitute bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Judiciary III.

The House committee substitute bill is re-referred to the Committee on Judiciary III. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representative Bryant, Chair, for the Committee on Energy and Energy Efficiency:

H.B. 512, A BILL TO BE ENTITLED AN ACT TO CREATE INCENTIVES FOR HIGH-PERFORMANCE HOMES AND RENEWABLE ENERGY, TO REQUIRE REPORTING ON ENERGY USAGE BY PUBLIC SCHOOLS AND STATE INSTITUTIONS OF HIGHER LEARNING, AND TO ADD THE DESIGN PRINCIPLES OF THE NC HEALTHYBUILT HOMES PROGRAM TO THE CERTIFICATION OR RATING SYSTEMS THAT MAY QUALIFY FOR BUILDING PERMIT FEE REDUCTIONS OR PARTIAL REBATES ALLOWED BY COUNTIES AND CITIES IN ORDER TO ENCOURAGE CONSTRUCTION OF BUILDINGS USING SUSTAINABLE DESIGN TO ACHIEVE ENERGY EFFICIENCY, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

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

H.B. 905, A BILL TO BE ENTITLED AN ACT TO CREATE A TAX CREDIT FOR ALTERNATIVE FUEL INFRASTRUCTURE AND TO CREATE A TAX CREDIT FOR ALTERNATIVE FUEL AND ADVANCED TECHNOLOGY VEHICLES, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

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

By Representative Sutton, Chair, for the Committee on Judiciary III:

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S.B. 560 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY COUNCIL OF THE CITY OF GREENVILLE TO APPOINT SOME OF THE CITY'S HOUSING AUTHORITY COMMISSIONERS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 29.

S.B. 564 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ALL MUNICIPALITIES AND COUNTIES TO GIVE A SINGLE NOTICE TO CHRONIC VIOLATORS OF THEIR PUBLIC NUISANCE ORDINANCES, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 29.

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

S.B. 357 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT REQUIRING MUNICIPALITIES AND MEMBERSHIP CORPORATIONS ORGANIZED UNDER CHAPTER 117 OF THE GENERAL STATUTES TO PERMIT COMMUNICATIONS SERVICE PROVIDERS TO USE THEIR POLES, DUCTS, AND CONDUITS FOR ATTACHMENTS AND RELATED USES, AND AUTHORIZING THE NORTH CAROLINA BUSINESS COURT TO CONSIDER AND RESOLVE DISPUTES CONCERNING THE RATES, TERMS, AND CONDITIONS ASSOCIATED WITH THE USE, with a favorable report as to House Committee Substitute Bill No. 2, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(b), House Committee Substitute Bill No. 2 is placed on the Calendar of June 29. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representatives Pierce, Yongue, and Sutton (Primary Sponsors):

H.J.R. 1657, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF EUGENE BURNS TURNER, is referred to the Committee on Rules, Calendar, and Operations of the House.

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SPECIAL MESSAGE FROM THE SENATE**2009 GENERAL ASSEMBLY
FIRST SESSION**

Senate Chamber
June 24, 2009

Mr. Speaker:

Pursuant to the message from the Senate on June 18, 2009, informing the House of Representatives that the Senate fails to concur in House Committee Substitute No. 2 to **S.B. 799**, A BILL TO BE ENTITLED AN ACT TO INCREASE TRANSPARENCY OF STATE FACILITIES THAT PROVIDE MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES BY REQUIRING THE DISCLOSURE OF CERTAIN INFORMATION ABOUT DEATH REPORTS, FACILITY POLICE REPORTS, AND INCIDENT REPORTS, it is ordered that a message be sent your Honorable Body with the information that the Senate requests conferees. The President *Pro Tempore* appoints:

Senator Rand, Chair
Senator Purcell
Senator Apodaca

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

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

The Speaker appoints Representatives Glazier, Jackson, and Blackwell as conferees on the part of the House and the Senate is so notified by Special Message.

SPECIAL MESSAGE FROM THE SENATE**2009 GENERAL ASSEMBLY
FIRST SESSION**

Senate Chamber
June 24, 2009

June 25, 2009

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in the House Committee Substitute to **S.B. 780** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXPAND COVERAGE UNDER THE INSURANCE GUARANTY ASSOCIATION WITH RESPECT TO STRUCTURED SETTLEMENT ANNUITIES FOR MATTERS INVOLVING PERSONAL INJURY OR ILLNESS, and requests conferees. The President *Pro Tempore* appoints:

Senator Soles, Chair
Senator Berger of Franklin
Senator Hartsell

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

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

The Speaker appoints Representatives Faison, Haire, and Daughtry as conferees on the part of the House and the Senate is so notified by Special Message.

MESSAGES FROM THE SENATE

The following are received from the Senate:

H.B. 473 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A MAGISTRATE WHO HAS A CONCEALED HANDGUN PERMIT MAY CARRY OR POSSESS A CONCEALED HANDGUN WHILE IN A COURTHOUSE TO DISCHARGE OFFICIAL DUTIES, is returned for concurrence in Senate Committee Substitute Bill No. 2 and referred to the Committee on Judiciary III.

H.B. 629 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT PROVIDING THAT THE TRIAL OF A SMALL CLAIMS ACTION MAY COMMENCE NOT SOONER THAN FIVE DAYS AFTER SERVICE OF THE MAGISTRATE SUMMONS ON THE DEFENDANT, is returned for concurrence in Senate committee substitute bill and referred to the Committee on Judiciary III.

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S.B. 311 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE DIRECTOR OF THE BUDGET TO CONTINUE EXPENDITURES FOR THE OPERATION OF GOVERNMENT AT A PERCENTAGE OF THE LEVEL IN EFFECT ON JUNE 30, 2009, is read the first time and referred to the Committee on Appropriations.

CALENDAR

Action is taken on the following:

H.B. 533 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITIES OF HICKORY AND CONOVER TO LEVY AN ADDITIONAL ONE PERCENT ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX AND TO MAKE OTHER ADMINISTRATIVE CHANGES.

The House concurs in the material Senate committee substitute bill, on its third roll call reading, by the following vote, and the bill is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Barnhart, Bell, Blackwell, Bordsen, Braxton, Brisson, Brubaker, Bryant, Burris-Floyd, Carney, Coates, Cole, Cotham, Crawford, Current, Daughtry, Dickson, Dockham, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Gibson, Gill, Glazier, Goforth, Goodwin, Grady, Guice, Gulley, Haire, Harrell, Harrison, Hill, Holliman, Howard, Hughes, Iler, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Langdon, Lewis, Love, Lucas, Luebke, Mackey, Martin, McComas, McElraft, McGee, McLawhorn, Neumann, Owens, Parmon, Pierce, Randleman, Rapp, Rhyne, Ross, Spear, Stam, Starnes, Steen, Stewart, Sutton, Tarleton, Tolson, Tucker, Underhill, E. Warren, R. Warren, Weiss, West, Whilden, Wilkins, Williams, Womble, Wray, and Yongue - 90.

Voting in the negative: Representatives Avila, Blackwood, Blust, Boles, Brown, Burr, Cleveland, Dollar, Folwell, Frye, Gillespie, Hilton, Holloway, Hurley, Ingle, Killian, McCormick, Mills, Moore, Sager, Stevens, Tillis, and Wiley - 23.

Excused absences: Representatives Hall, Mobley, Setzer, and Wainwright - 4.

Senate Committee Substitute for **H.B. 502**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF ASHEVILLE TO DISPOSE OF PROPERTY AND LIMIT USE OF THE PROPERTY AFTER DISPOSITION.

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On motion of Representative Goforth, the House concurs in the Senate amendment, which changes the title, by electronic vote (114-1), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 88** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR ABSTINENCE UNTIL MARRIAGE AND COMPREHENSIVE SEXUALITY EDUCATION PROGRAMS IN GRADES SEVEN THROUGH NINE.

On motion of Representative England, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (60-55), and the bill is ordered enrolled and presented to the Governor.

Senate Committee Substitute for **H.B. 749** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE STATE BUILDING CODE TO PERMIT THE USE OF CISTERNS TO PROVIDE WATER FOR FLUSHING TOILETS AND FOR OUTDOOR IRRIGATION IN THE CONSTRUCTION OR RENOVATION OF RESIDENTIAL OR COMMERCIAL BUILDINGS OR STRUCTURES AND TO PROHIBIT ANY STATE, COUNTY, OR LOCAL BUILDING CODE OR REGULATION FROM PROHIBITING THE USE OF CISTERNS FOR THESE USES.

On motion of Representative K. Alexander the House concurs in the Senate amendment, which changes the title, by electronic vote (111-2), and the bill is ordered enrolled and presented to the Governor by Special Message.

S.B. 495 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE EXTENSION OF THE EXTRA-TERRITORIAL JURISDICTION OF THE TOWN OF OAK RIDGE, AND TO ALLOW FOR VOLUNTARY ANNEXATION OF ANY OF THAT PROPERTY UPON PETITION OF THE PROPERTY OWNER.

Representative Brown offers Amendment No. 1 which fails of adoption by electronic vote (44-71).

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

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Avila, Barnhart, Bell, Blackwell, Blust, Boles, Bordsen, Braxton, Brisson, Brown, Bryant, Burr, Burris-Floyd, Carney, Coates, Cole, Cotham, Crawford, Current, Daughtry, Dickson, Dockham, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Gibson, Gill, Glazier, Goforth, Goodwin, Grady, Guice, Gulley, Haire, Harrell,

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Harrison, Hill, Holliman, Holloway, Howard, Hughes, Iler, Insko, Jackson, Jeffus, Johnson, Jones, Justus, Killian, Lewis, Love, Lucas, Luebke, Mackey, Martin, McElraft, McGee, McLawhorn, Michaux, Mills, Moore, Neumann, Owens, Parmon, Pierce, Randleman, Rapp, Rhyne, Ross, Samuelson, Spear, Starnes, Stevens, Stewart, Sutton, Tarleton, Tillis, Tolson, Tucker, Underhill, E. Warren, R. Warren, Weiss, West, Whilden, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 99.

Voting in the negative: Representatives Blackwood, Brubaker, Cleveland, Folwell, Frye, Gillespie, Hilton, Hurley, Ingle, Justice, Langdon, McComas, McCormick, Sager, Stam, and Steen - 16.

Excused absences: Representatives Hall, Mobley, Setzer, and Wainwright - 4.

S.B. 324, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON AN ACT TO EXEMPT FROM PRIOR AUTHORIZATION REQUIREMENTS FOR PRESCRIPTION DRUGS UNDER THE MEDICAID PROGRAM ANTIHEMOPHILIC DRUGS PRESCRIBED FOR THE TREATMENT OF HEMOPHILIA AND BLOOD DISORDERS, passes its second reading, by electronic vote (113-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor by Special Message.

S.B. 893 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE NORTH CAROLINA SELF-INSURANCE SECURITY ASSOCIATION TO COLLECT GROUP SELF-INSURER ASSESSMENTS; TO EXCLUDE FROM PARTICIPATION IN THE ASSOCIATION AGGREGATE SECURITY SYSTEM INDIVIDUAL SELF-INSURERS THAT FAIL TO SUBMIT CERTAIN FINANCIAL INFORMATION; AND TO ADJUST DEPOSIT REQUIREMENTS FOR ALL INDIVIDUAL SELF-INSURERS, passes its second reading, by electronic vote (111-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor by Special Message.

S.B. 389 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE HOUSING AUTHORITY OF THE CITY OF CHARLOTTE AND THE ROBESON COUNTY HOUSING

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AUTHORITY TO PARTICIPATE IN THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM WITHOUT PROVIDING PRIOR SERVICE CREDITS TO THEIR EMPLOYEES, passes its second reading, by electronic vote (108-0), and there being no objection is read a third time.

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

S.B. 540 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE TOWN OF PLEASANT GARDEN TO CHANGE THE STAGGERING OF TERMS OF THE TOWN COUNCIL, passes its second reading, by electronic vote (115-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

H.B. 852 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO DEFER A PORTION OF THE PROPERTY TAX DUE ON REAL PROPERTY HELD FOR SALE BY A BUILDER.

Pursuant to Rule 24.1A, Representative Goforth requests that he be excused from voting on this bill. This request is granted.

The bill passes its second reading by electronic vote (106-8), and remains on the calendar.

S.B. 1008, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A FEE FOR BONUS ANTLERLESS DEER TAGS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Avila, Barnhart, Bell, Blackwell, Boles, Bordsen, Braxton, Brisson, Bryant, Burris-Floyd, Carney, Coates, Cole, Cotham, Crawford, Current, Daughtry, Dickson, Dockham, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Frye, Gibson, Gill, Glazier, Goforth, Goodwin, Grady, Guice, Gulley, Haire, Harrell, Harrison, Hill, Holliman, Howard, Hughes, Iler, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Lewis, Love, Lucas, Luebke, Mackey, Martin, McComas, McElraft, McGee, McLawhorn, Michaux, Moore, Neumann, Owens, Parmon, Pierce, Rapp, Rhyne, Ross, Samuelson, Spear, Stam, Starnes, Steen, Stevens, Stewart, Sutton, Tarleton, Tillis, Tolson, Tucker, Underhill, E. Warren, R. Warren, Weiss, West, Whilden, Wilkins, Williams, Womble, Wray, and Yongue - 96.

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Voting in the negative: Representatives Blackwood, Blust, Brown, Brubaker, Burr, Cleveland, Folwell, Gillespie, Hilton, Holloway, Hurley, Ingle, Killian, Langdon, McCormick, Mills, Randleman, Sager, and Wiley - 19.

Excused absences: Representatives Hall, Mobley, Setzer, and Wainwright - 4.

Representative Moore requests and is granted permission to change his vote from "aye" to "no". The adjusted vote total is (95-20).

S.B. 661 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT AUTHORIZING LESSORS OF CONTIGUOUS PREMISES TO ALLOCATE THE COST FOR WATER AND SEWER SERVICE TO EACH TENANT USING EQUIPMENT THAT MEASURES HOT WATER USAGE, REQUIRING LANDLORDS TO IMPROVE THE HABITABILITY OF DWELLING UNITS BY REPAIRING CERTAIN UNSAFE CONDITIONS, STAYING THE EXECUTION OF A JUDGMENT FOR SUMMARY EJECTMENT WHILE A MOTION FOR MODIFICATION OF THE UNDERTAKING IS PENDING, ESTABLISHING FEES FOR ADMINISTRATIVE SERVICES IN RESIDENTIAL TENANCIES, AND ESTABLISHING THE CIRCUMSTANCES UNDER WHICH A CITY MAY ORDER A DWELLING TO BE VACATED AND CLOSED.

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

The bill passes its third reading, by electronic vote (106-7), and is ordered sent to the Senate for concurrence in House Committee Substitute Bill No. 2.

On motion of the Speaker, the House recesses, subject to the ratification of bills, at 2:41 p.m.

RECESS

ENROLLED BILLS

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

S.B. 324, AN ACT TO REMOVE THE SUNSET ON AN ACT TO EXEMPT FROM PRIOR AUTHORIZATION REQUIREMENTS FOR PRESCRIPTION DRUGS UNDER THE MEDICAID PROGRAM ANTI-HEMOPHILIC DRUGS PRESCRIBED FOR THE TREATMENT OF HEMOPHILIA AND BLOOD DISORDERS.

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S.B. 649, AN ACT TO PREVENT SPEED LIMITS IN AREAS NEWLY ANNEXED BY A MUNICIPALITY FROM AUTOMATICALLY BECOMING THIRTY-FIVE MILE-PER-HOUR SPEED ZONES AND TO ALLOW FLEXIBILITY IN THE DESIGNATION OF SEGMENTS OF WORK ZONES SUBJECT TO ADDITIONAL PENALTIES.

S.B. 893, AN ACT TO ALLOW THE NORTH CAROLINA SELF-INSURANCE SECURITY ASSOCIATION TO COLLECT GROUP SELF-INSURER ASSESSMENTS; TO EXCLUDE FROM PARTICIPATION IN THE ASSOCIATION AGGREGATE SECURITY SYSTEM INDIVIDUAL SELF-INSURERS THAT FAIL TO SUBMIT CERTAIN FINANCIAL INFORMATION; AND TO ADJUST DEPOSIT REQUIREMENTS FOR ALL INDIVIDUAL SELF-INSURERS.

S.B. 1010, AN ACT TO AUTHORIZE THE WILDLIFE RESOURCES COMMISSION TO ADOPT SEASON STRUCTURES FOR MIGRATORY GAME BIRD SEASONS AND TO ALLOW THE USE OF UNPLUGGED SHOTGUNS AND ELECTRONIC CALLS.

H.B. 88, AN ACT TO DIRECT LOCAL SCHOOL ADMINISTRATIVE UNITS TO PROVIDE REPRODUCTIVE HEALTH AND SAFETY EDUCATION IN GRADES SEVEN THROUGH NINE.

H.B. 749, AN ACT TO AUTHORIZE THE STATE BUILDING CODE TO PERMIT THE USE OF CISTERNS TO PROVIDE WATER FOR FLUSHING TOILETS AND FOR OUTDOOR IRRIGATION IN THE CONSTRUCTION OR RENOVATION OF RESIDENTIAL OR COMMERCIAL BUILDINGS OR STRUCTURES AND TO PROHIBIT ANY STATE, COUNTY, OR LOCAL BUILDING CODE OR REGULATION FROM PROHIBITING THE USE OF CISTERNS FOR THESE USES, AND TO CLARIFY MINORITY BUSINESS PURPOSES FOR PUBLIC CONTRACTS.

H.B. 755, AN ACT TO AUTHORIZE THE USE OF SPECIAL REGISTRATION PLATE ACCOUNT FUNDS DESIGNATED FOR BEAUTIFICATION ON ALL HIGHWAYS.

H.B. 994, AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO ADVISE THE HOUSING AUTHORITY OF THE CITY OF WILSON ON THE REQUIREMENTS FOR REGISTRATION AS A MULTIUNIT ASSISTED HOUSING WITH SERVICES PROGRAM AND ON THE REQUIREMENTS FOR LICENSURE AS A HOME CARE AGENCY IN ORDER TO ASSIST THE HOUSING AUTHORITY WITH THEIR EFFORTS TO HELP INDIVIDUALS AGE IN PLACE.

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H.B. 1093, AN ACT TO AUTHORIZE CERTAIN HOUSING AUTHORITIES TO PROVIDE HOUSING FOR MODERATE-INCOME PERSONS.

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

S.B. 540, AN ACT AMENDING THE CHARTER OF THE TOWN OF PLEASANT GARDEN TO CHANGE THE STAGGERING OF TERMS OF THE TOWN COUNCIL.

H.B. 502, AN ACT TO ALLOW THE CITY OF ASHEVILLE TO DISPOSE OF PROPERTY AND LIMIT USE OF THE PROPERTY AFTER DISPOSITION AND TO AUTHORIZE BEAUFORT COUNTY COMMUNITY COLLEGE TO ENTER INTO A COLLABORATIVE AGREEMENT WITH BEAUFORT COUNTY.

H.B. 533, AN ACT TO AUTHORIZE THE CITIES OF HICKORY AND CONOVER TO LEVY AN ADDITIONAL ONE PERCENT ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX AND TO MAKE OTHER ADMINISTRATIVE CHANGES.

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

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Allen, Chair, for the Committee on Environment and Natural Resources:

S.B. 44 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW REGARDING APPEALS OF QUASI-JUDICIAL DECISIONS MADE UNDER ARTICLE 19 OF CHAPTER 160A AND ARTICLE 18 OF CHAPTER 153A OF THE GENERAL STATUTES, reported without prejudice and with recommendation that the bill be re-referred to the Committee on Judiciary I.

The bill is re-referred to the Committee on Judiciary I.

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S.B. 700 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO: (1) EXTEND SUNSET DATES APPLICABLE TO THE DRY-CLEANING SOLVENT CLEANUP ACT, THE DRY-CLEANING SOLVENT CLEANUP FUND, AND THE DRY-CLEANING SOLVENT TAX; (2) ALLOW THE USE OF STATE AND LOCAL LAND-USE CONTROLS AND DEED NOTICES IN LIEU OF LAND-USE RESTRICTIONS FOR PROPERTIES IN THE AREA OF CONTAMINATED DRY-CLEANING SITES, NOT INCLUDING PROPERTIES ON WHICH A DRY-CLEANING FACILITY IS OR WAS LOCATED WHICH IS THE SOURCE OF A SITE'S CONTAMINATION; (3) MODIFY NOTICE AND COMMENT REQUIREMENTS ASSOCIATED WITH A NOTICE OF INTENT TO REMEDIATE; AND (4) REMOVE THE LIMITATION ON DISBURSEMENT OF MONIES FROM THE DRY-CLEANING SOLVENT CLEANUP FUND FOR COSTS INCURRED TO ADDRESS DRY-CLEANING SOLVENT CONTAMINATION ON STATE-OWNED PROPERTY, with a favorable report as to the House committee substitute bill, unfavorable as to Senate Committee Substitute Bill No. 2, and recommendation that the House committee substitute bill be re-referred to the Committee on Judiciary III.

The House committee substitute bill is re-referred to the Committee on Judiciary III. Senate Committee Substitute Bill No. 2 is placed on the Unfavorable Calendar.

By Representative Ross, Chair, for the Committee on Judiciary I:

S.B. 467 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ASSIST OWNERS IN RECOVERING LOST PETS, RELIEVE OVERCROWDING AT ANIMAL SHELTERS, AND FACILITATE ADOPTIONS OF ANIMALS FROM SHELTERS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 29.

S.B. 586, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE FILING OF NOTICE OF PENDING LITIGATION FOR ACTIONS SEEKING INJUNCTIVE RELIEF REGARDING SEDIMENTATION AND EROSION CONTROL FOR ANY LAND-DISTURBING ACTIVITY THAT IS SUBJECT TO THE REQUIREMENTS OF ARTICLE 4 OF CHAPTER 113A OF THE GENERAL STATUTES, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 29.

S.B. 1021 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROTECT OWNERS OF ABANDONED PROPERTY BY

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REGULATING PROPERTY FINDERS, with a favorable report as to House Committee Substitute Bill No. 2, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(b), House Committee Substitute Bill No. 2 is placed on the Calendar of June 29. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representatives Goforth and Wray, Chairs, for the Committee on Insurance:

H.B. 1294 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE NORTH CAROLINA HEALTH INSURANCE RISK POOL TO PROVIDE PREMIUM SUBSIDIES IF FUNDS ARE AVAILABLE AND TO REQUIRE INSURERS TO NOTIFY APPLICANTS FOR HEALTH INSURANCE COVERAGE ABOUT THE EXISTENCE OF THE POOL, with recommendation that the House concur.

The Senate committee substitute is re-referred to the Committee on Judiciary II.

CALENDAR (continued)

S.B. 981 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO GIVE THE COMMISSIONER OF INSURANCE DISCRETION TO WAIVE THE MINIMUM POLICYHOLDERS POSITION REQUIREMENT UNDER CERTAIN CIRCUMSTANCES FOR MORTGAGE GUARANTY INSURERS.

Representative Dockham offers Amendment No. 2 which is adopted by electronic vote (74-39).

The bill, as amended, passes its third reading, by electronic vote (98-15), and is ordered engrossed and sent to the Senate for concurrence in the House committee substitute bill.

Representative Blackwood requests and is granted permission to change his vote from "aye" to "no". The adjusted vote total is (97-16).

S.B. 159 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO UPDATE AND CLARIFY THE SECOND AND THIRD CLASS PRIORITY EXPENSES AND THE GRAVESTONE AUTHORIZATION IN PROBATE PROCEEDINGS, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

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

S.B. 248 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE A TECHNICAL CORRECTION BY DELETING FROM A 1981 LAW RELATING TO FILLING VACANCIES IN COUNTY BOARDS OF EDUCATION ELECTED ON A PARTISAN BASIS COUNTY BOARDS OF EDUCATION THAT IN FACT ARE NOT ELECTED ON A PARTISAN BASIS, passes its second reading, by electronic vote (111-1), and there being no objection is read a third time.

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

S.B. 658 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE MEMBERSHIP OF THE SUPPLEMENTAL RETIREMENT BOARD OF TRUSTEES AND TO PROVIDE THAT THE FURLOUGH OF A MEMBER OF THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM SHALL NOT DIMINISH THE EMPLOYEE'S STATUS IN THE RETIREMENT SYSTEM, passes its second reading, by electronic vote (110-2), and there being no objection is read a third time.

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

H.B. 852 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO DEFER A PORTION OF THE PROPERTY TAX DUE ON REAL PROPERTY HELD FOR SALE BY A BUILDER, having previously passed its second reading, is ruled to be a non-roll call bill and without objection is read a third time.

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

S.B. 691 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT DISCLOSURE OF CERTAIN TAX INFORMATION OF LOCAL GOVERNMENTS TO THE DEPARTMENT OF STATE TREASURER AND TO ENACT THE TREASURER'S GOVERNANCE AND TRANSPARENCY ACT OF 2009, passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

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

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S.B. 828 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO INCREASE THE MAXIMUM AMOUNT AT WHICH PROJECTS MAY UNDERGO AN INFORMAL BIDDING PROCESS AND CLARIFY THE APPLICATION OF THIS PROCESS, TO CONTINUE THE DEPARTMENT OF TRANSPORTATION'S PROGRAM FOR PARTICIPATION OF DISADVANTAGED MINORITY-OWNED AND WOMEN-OWNED BUSINESSES, AND TO AMEND VARIOUS STATUTES IN CHAPTER 136 OF THE GENERAL STATUTES TO CONFORM WITH THE DEPARTMENT'S FOCUS ON ALL MODES OF TRANSPORTATION INFRASTRUCTURE.

Representative Cole offers Amendment No. 1 which is adopted by electronic vote (111-0).

The bill, as amended, passes its second reading, by electronic vote (108-4), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate for concurrence in House Committee Substitute Bill No. 2.

S.B. 1009, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE WILDLIFE RESOURCES COMMISSION TO PROVIDE EXEMPTIONS FROM HUNTING LICENSE REQUIREMENTS FOR SPECIAL EVENTS, passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

BILL WITHDRAWN FROM COMMITTEE

On motion of Representative Owens and without objection, **H.B. 799** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT INTERESTS IN A JOINT TENANCY WITH A RIGHT OF SURVIVORSHIP MAY BE HELD IN UNEQUAL SHARES, is withdrawn from the Committee on Judiciary II and pursuant to Rule 36(b), placed on the Calendar of June 29.

RE-REFERRALS

On motion of Representative Owens, pursuant to Rule 39.2 and without objection, **H.B. 1640**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE JOINT LEGISLATIVE COMMISSION ON THE ECONOMIC IMPACT

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OF ARTS AND CULTURE IN WESTERN NORTH CAROLINA, is withdrawn from the Committee on Environment and Natural Resources and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative Owens, pursuant to Rule 39.2 and without objection, **S.B. 974** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE CONSUMER ECONOMIC PROTECTION ACT OF 2009, is withdrawn from the Committee on Finance and re-referred to the Committee on Judiciary I.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following report from standing committee is presented:

By Representatives Michaux, Adams, M. Alexander, Crawford, Haire, Jeffus, Tolson, and Yongue, Chairs, for the Committee on Appropriations:

S.B. 311 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE DIRECTOR OF THE BUDGET TO CONTINUE EXPENDITURES FOR THE OPERATION OF GOVERNMENT AT A PERCENTAGE OF THE LEVEL IN EFFECT ON JUNE 30, 2009, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of June 29. The Senate committee substitute bill is placed on the Unfavorable Calendar.

SUBCOMMITTEE REFERRAL

Representatives Adams, M. Alexander, Crawford, Haire, Jeffus, Michaux, Tolson, and Yongue, Chairs for the Standing Committee on Appropriations, refer **S.B. 689**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE REPORTING REQUIREMENTS FOR THE DEPARTMENT OF PUBLIC INSTRUCTION AND THE STATE BOARD OF EDUCATION, to the Appropriations Subcommittee on Education.

On motion of Representative Owens, seconded by Representative Burr, the House adjourns, subject to the receipt of Committee Reports, to reconvene Monday, June 29, 2009, at 7:00 p.m.

The motion carries.

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**REPORTS OF STANDING COMMITTEES AND PERMANENT
SUBCOMMITTEES**

The following reports from standing committees are presented:

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

H.J.R. 1655, A JOINT RESOLUTION HONORING THE SEVENTY-FIFTH ANNIVERSARY OF THE BLUE RIDGE PARKWAY, with a favorable report.

Pursuant to Rule 36(b), the resolution is placed on the Calendar of June 29.

By Representative Ross, Chair, for the Committee on Judiciary I:

H.B. 1135 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DETER AND PUNISH PERSONS WHO MAKE FALSE OR FRAUDULENT CLAIMS FOR PAYMENT BY THE STATE AND TO PROVIDE REMEDIES IN THE FORM OF TREBLE DAMAGES AND CIVIL PENALTIES WHEN MONEY IS OBTAINED FROM THE STATE BY REASON OF SUCH CLAIMS, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(b), Committee Substitute Bill No. 2 is placed on the Calendar of June 29. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representatives England and Insko, Chairs, for the Committee on Health:

S.B. 208 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT PERTAINING TO STATUTORY AND ADMINISTRATIVE RULE REFERENCES TO PEOPLE WITH DISABILITIES, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 29.

S.B. 674 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND THE RABIES LAWS TO CONFORM WITH RECOMMENDATIONS FROM THE CENTERS FOR DISEASE CONTROL AND THE NATIONAL ASSOCIATION OF STATE PUBLIC HEALTH VETERINARIANS AND TO ALLOW STRAY OR FERAL ANIMALS

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TO BE EUTHANIZED AND TESTED FOR RABIES AFTER BITING A HUMAN, with a favorable report as to the House committee substitute bill, unfavorable as to the Senate Committee Substitute Bill No. 2, and recommendation that the House committee substitute bill be re-referred to the Committee on Finance.

The House committee substitute bill is re-referred to the Committee on Finance. The Senate Committee Substitute Bill No. 2 is placed on the Unfavorable Calendar.

S.B. 738 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE BOARDS OF DIRECTORS OF CHARTER SCHOOLS TO IMPLEMENT THE GUIDELINES ADOPTED BY THE STATE BOARD OF EDUCATION FOR THE DEVELOPMENT AND IMPLEMENTATION OF INDIVIDUAL DIABETES CARE PLANS AND TO REQUIRE LOCAL BOARDS OF EDUCATION AND BOARDS OF DIRECTORS OF CHARTER SCHOOLS TO REPORT ANNUALLY TO THE STATE BOARD OF EDUCATION ABOUT THEIR COMPLIANCE WITH THESE GUIDELINES, with a favorable report as to the House committee substitute bill, unfavorable as to the Senate committee substitute bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Education.

The House committee substitute bill is re-referred to the Committee on Education. The Senate committee substitute bill is placed on the Unfavorable Calendar.

S.B. 804 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE CERTIFICATE OF NEED LAW WITH RESPECT TO TIME LINES FOR ISSUANCE OF A CERTIFICATE OF NEED, with a favorable report as to the House committee substitute bill, unfavorable as to the Senate committee substitute bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Judiciary II.

The House committee substitute bill is re-referred to the Committee on Judiciary II. The Senate committee substitute bill is placed on the Unfavorable Calendar.

S.B. 1022 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE COMPARATIVE EFFECTIVENESS TASK FORCE TO IMPROVE HEALTH CARE QUALITY AND CONTAIN

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HEALTH CARE COSTS, with a favorable report as to the House committee substitute bill, unfavorable as to the Senate committee substitute bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Rules, Calendar, and Operations of the House.

The House committee substitute bill is re-referred to the Committee on Rules, Calendar, and Operations of the House. The Senate committee substitute bill is placed on the Unfavorable Calendar.

The House stands adjourned at 5:06 p.m.

EIGHTY-EIGHTH DAY

HOUSE OF REPRESENTATIVES
Monday June 29, 2009

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

The following prayer is offered by the Reverend Dr. Robert Sawyer, Senior Rector, Church of the Good Shepherd, Raleigh, North Carolina:

"As the House of Representatives gathers in Session this evening, Heavenly Father, we begin the week leading to the 233rd birthday of our country. On July 4, 1776, our forefathers adopted the Declaration of Independence containing those words that have become symbolic of the light of freedom for the world: 'We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness.' (From the Declaration of Independence)

"Tonight I give thanks for the gift of life. All of us in this Chamber have been nurtured by those who have loved us and enabled us to understand and use the special gifts that each of us has been given. Individually these gifts have helped us to become the unique men and women that we are today. Corporately these gifts enable us to live lives that are focused beyond ourselves. May we pledge ourselves this day to use our gifts not for personal gain and privilege but for the betterment of our beloved State and the lives of all of the people of North Carolina. This we ask in Your Holy Name. Amen."

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The Speaker leads the Body in the Pledge of Allegiance.

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

Leaves of absence are granted Representatives Hall, Holloway, and Jackson for today.

ENROLLED BILLS

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

S.B. 1009, AN ACT TO AUTHORIZE THE WILDLIFE RESOURCES COMMISSION TO PROVIDE EXEMPTIONS FROM HUNTING LICENSE REQUIREMENTS FOR SPECIAL EVENTS.

CHAPTERED BILLS

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

S.B. 453, AN ACT TO ALLOW THE CITY OF RALEIGH AND THE TOWN OF CHAPEL HILL TO ALLOW ACTIVATION OF PARKING METERS BY CREDIT CARD OR OTHER ELECTRONIC MEANS AND TO USE PROCEEDS COLLECTED FROM PARKING METERS FOR PARKING PROGRAMS AND PROVIDING PARKING FACILITIES. (S.L. 2009-164)

S.B. 503, AN ACT AMENDING THE CHARTER OF THE CITY OF DURHAM TO GRANT THE CITY MANAGER THE AUTHORITY TO INCLUDE THE CITY'S MINORITY OR WOMEN'S BUSINESS ENTERPRISE REQUIREMENTS IN THE SPECIFICATIONS FOR CITY CONTRACTS. (S.L. 2009-165)

S.B. 543, AN ACT TO AUTHORIZE THE CITY OF DURHAM TO COLLECT A MUNICIPAL TAX FOR PUBLIC TRANSPORTATION OF TEN DOLLARS ON VEHICLES RESIDENT IN THE CITY. (S.L. 2009-166)

S.B. 540, AN ACT AMENDING THE CHARTER OF THE TOWN OF PLEASANT GARDEN TO CHANGE THE STAGGERING OF TERMS OF THE TOWN COUNCIL. (S.L. 2009-167)

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H.B. 502, AN ACT TO ALLOW THE CITY OF ASHEVILLE TO DISPOSE OF PROPERTY AND LIMIT USE OF THE PROPERTY AFTER DISPOSITION AND TO AUTHORIZE BEAUFORT COUNTY COMMUNITY COLLEGE TO ENTER INTO A COLLABORATIVE AGREEMENT WITH BEAUFORT COUNTY. (S.L. 2009-168)

H.B. 533, AN ACT TO AUTHORIZE THE CITIES OF HICKORY AND CONOVER TO LEVY AN ADDITIONAL ONE PERCENT ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX AND TO MAKE OTHER ADMINISTRATIVE CHANGES. (S.L. 2009-169)

H.B. 896, AN ACT TO UPDATE THE CANCER COMPENDIA STATUTE TO REFLECT NEW COMPENDIA THAT ARE AVAILABLE. (S.L. 2009-170)

H.B. 1165, AN ACT TO CODIFY THE PROVISIONS SET FORTH IN THE PHOTOGRAPHIC VERSION OF THE STANDARD FIRE INSURANCE POLICY; MAKE CONFORMING AMENDMENTS; AND REPEAL THE STATUTE THAT CONTAINS THE PHOTOGRAPHIC VERSION OF THE STANDARD FIRE INSURANCE POLICY. (S.L. 2009-171)

H.B. 1161, AN ACT TO MAKE CHANGES IN THE LAWS RELATED TO THE FINANCIAL CONDITIONS OF INSURANCE COMPANIES, INCLUDING REINSURANCE INTERMEDIARIES, RECEIVERSHIP, THIRD-PARTY ADMINISTRATORS AND AUDITS OF WORKERS' COMPENSATION SELF-INSURERS, AND FOREIGN INSURERS. (S.L. 2009-172)

H.B. 1164, AN ACT REQUESTED BY THE COMMISSIONER OF INSURANCE TO ELIMINATE OBSOLETE DATA COLLECTION REQUIREMENTS FOR HEALTH MAINTENANCE ORGANIZATIONS. (S.L. 2009-173)

H.B. 615, AN ACT TO AMEND THE LAW GOVERNING BUSINESS TRUSTS. (S.L. 2009-174)

H.B. 203, AN ACT TO INCREASE THE SIZE OF ESTATES THAT MAY BE ADMINISTERED UNDER THE SMALL ESTATES PROVISIONS OF THE GENERAL STATUTES. (S.L. 2009-175)

H.B. 794, AN ACT TO AMEND THE LAW GOVERNING SUBSTITUTION OF TRUSTEES IN MORTGAGES AND DEEDS OF TRUST. (S.L. 2009-176)

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H.B. 723, AN ACT TO REQUIRE HOLDERS OF ABANDONED PROPERTY WITH FIFTY OR MORE PROPERTY OWNER RECORDS TO FILE ELECTRONICALLY WITH THE OFFICE OF THE STATE TREASURER, TO ALLOW HOLDERS WITH LESS THAN FIFTY PROPERTY OWNER RECORDS TO FILE ELECTRONICALLY, AND TO ALLOW HOLDERS REPORTING ELECTRONICALLY TO FILE AN ELECTRONIC AFFIDAVIT. (S.L. 2009-177)

S.B. 1027, AN ACT RELATING TO THE NOTIFICATION OF PROPERTY OWNERS UPON THE FILING OF AN APPLICATION FOR A ZONING MAP AMENDMENT. (S.L. 2009-178)

H.B. 315, AN ACT TO PROVIDE THAT REJECTION OF A PLEA ARRANGEMENT BY A JUDGE IN SUPERIOR COURT SHALL BE NOTED ON THE PLEA TRANSCRIPT AND BE MADE PART OF THE COURT RECORD. (S.L. 2009-179)

H.B. 1530, AN ACT TO VALIDATE THE SCHEDULE OF VALUES USED TO APPRAISE REAL PROPERTY FOR THE TAXABLE YEAR BEGINNING JULY 1, 2009, BY A COUNTY THAT ADOPTED A RESOLUTION TO POSTPONE A 2009 REAPPRAISAL BETWEEN JANUARY 1, 2009, AND JUNE 30, 2009. (S.L. 2009-180)

H.B. 1388, AN ACT TO EXPAND THE PUBLIC NOTICE REQUIREMENT REGARDING A PROSPECTIVE DEVELOPER'S INTENT TO REDEVELOP A BROWNFIELDS PROPERTY. (S.L. 2009-181)

H.B. 1390, AN ACT TO RENDER VOID ANY BEQUEST OR DEVISE IN A WILL TO THE ATTORNEY WHO DRAFTED THE WILL UNLESS THE ATTORNEY IS A RELATIVE OF THE TESTATOR, AND TO REQUIRE ATTORNEYS WHO DRAFT A WILL OR CODICIL TO STATE THEIR NAME ON THE DOCUMENT. (S.L. 2009-182)

H.B. 312, AN ACT TO INCREASE THE AMOUNT OF THE YEAR'S ALLOWANCE FOR A SURVIVING SPOUSE AND TO MAKE CONFORMING CHANGES TO RELATED PROVISIONS. (S.L. 2009-183)

H.B. 1088, AN ACT TO EXEMPT FROM THE PURCHASES AND CONTRACTS LAW PURCHASES BY CERTAIN MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES FACILITIES. (S.L. 2009-184)

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H.B. 1106, AN ACT AMENDING AND CLARIFYING VARIOUS PROVISIONS UNDER THE LAWS PERTAINING TO ADOPTION. (S.L. 2009-185)

H.B. 673, AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES, TO TAKE CERTAIN ACTIONS TO IMPROVE SUPPORTS FOR PERSONS WITH DEVELOPMENTAL DISABILITIES. (S.L. 2009-186)

H.B. 1046, AN ACT TO TRANSFER THE AUTHORITY TO ADOPT RULES ESTABLISHING STANDARDS APPLICABLE TO CHILD CARE CENTERS THAT PROVIDE DEVELOPMENTAL DAY PROGRAMS. (S.L. 2009-187)

H.B. 1271, AN ACT TO CLARIFY AUTHORITY OF THE SOCIAL SERVICES COMMISSION IN SETTING QUALIFICATIONS FOR STAFF OF RESIDENTIAL CHILD CARE AGENCIES, RESIDENTIAL MATERNITY CARE AGENCIES, AND CHILD PLACING AGENCIES. (S.L. 2009-188)

H.B. 576, AN ACT TO CLARIFY THAT A LOCAL MANAGEMENT ENTITY'S AUTHORITY INCLUDES THE RIGHT OF ACCESS TO A PROVIDER FOR MONITORING AND IN RESPONSE TO COMPLAINTS OR EMERGENCIES AND TO CLARIFY THAT A LOCAL MANAGEMENT ENTITY MAY REMOVE A PROVIDER'S ENDORSEMENT IF ACCESS FOR THESE PURPOSES IS DENIED. (S.L. 2009-189)

H.B. 1087, AN ACT TO APPLY CLIENT RIGHTS AND HUMAN RIGHTS COMMITTEE REQUIREMENTS FOR MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES FACILITIES, AND LOCAL MANAGEMENT ENTITIES, TO PROVIDER ENTITIES. (S.L. 2009-190)

H.B. 672, AN ACT RELATING TO LOCAL MANAGEMENT ENTITIES USE OF STATE FUNDS FOR MENTAL HEALTH, DEVELOPMENTAL DISABILITY, AND SUBSTANCE ABUSE SERVICES. (S.L. 2009-191)

H.B. 377, AN ACT TO AUTHORIZE THE DIVISION OF EMERGENCY MANAGEMENT TO ESTABLISH A VOLUNTARY EMERGENCY MANAGEMENT CERTIFICATION PROGRAM, AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON EMERGENCY PREPAREDNESS AND DISASTER MANAGEMENT RECOVERY. (S.L. 2009-192)

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H.B. 381, AN ACT TO EXPAND THE POWERS OF THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY, DIVISION OF EMERGENCY MANAGEMENT, AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON EMERGENCY PREPAREDNESS AND DISASTER MANAGEMENT RECOVERY. (S.L. 2009-193)

H.B. 379, AN ACT TO ALLOW MUTUAL AID AGREEMENTS BETWEEN THE STATE AND POLITICAL SUBDIVISIONS OF THE STATE, AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON EMERGENCY PREPAREDNESS AND DISASTER MANAGEMENT RECOVERY. (S.L. 2009-194)

H.B. 1210, AN ACT TO FACILITATE OBTAINING FEDERAL WAIVERS THAT ARE NECESSARY TO ENSURE ADEQUATE GASOLINE SUPPLIES THROUGHOUT THE STATE; TO ALLOW THE GOVERNOR TO ENABLE BUSINESSES THAT SELL ITEMS CONSUMED OR USED TO SUSTAIN LIFE, HEALTH, SAFETY, OR ECONOMIC WELL-BEING TO BE EXEMPT FROM LOCAL CURFEWS; AND TO MAKE VARIOUS OTHER CHANGES THAT WILL FACILITATE POPULACE ACCESS TO EMERGENCY SUPPLIES AND SERVICES. (S.L. 2009-195)

H.B. 380, AN ACT TO STRENGTHEN LOCAL EMERGENCY MANAGEMENT CAPABILITIES, AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON EMERGENCY PREPAREDNESS AND DISASTER MANAGEMENT RECOVERY. (S.L. 2009-196)

H.B. 1368, AN ACT TO AMEND THE FUTURE ADVANCES STATUTES BY DISTINGUISHING BETWEEN A FUTURE ADVANCE AND A FUTURE OBLIGATION AND BY MAKING VARIOUS OTHER CHANGES. (S.L. 2009-197)

H.B. 1021, AN ACT TO DESIGNATE A PORTION OF U.S. HIGHWAY 17 AND U.S. HIGHWAY 70 AS "THE U.S. MARINE CORPS HIGHWAY: HOME OF THE CAROLINA-BASED MARINES SINCE 1941." (S.L. 2009-198)

S.B. 625, AN ACT TO PROHIBIT DECEPTIVE ADVERTISING ABOUT GEOGRAPHICAL LOCATION BY BUSINESSES THAT SUPPLY PERISHABLE PRODUCTS. (S.L. 2009-199)

H.B. 323, AN ACT TO STRENGTHEN THE REQUIREMENTS REGARDING SECONDARY METALS RECYCLING OF REGULATED METALS PROPERTY IN ORDER TO PREVENT THE THEFT OF THIS PROPERTY. (S.L. 2009-200)

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S.B. 448, AN ACT AMENDING THE LAWS REGULATING SELF-SERVICE STORAGE FACILITIES. (S.L. 2009-201)

S.B. 889, AN ACT FURTHER AUTHORIZING THE UTILITIES COMMISSION TO DETERMINE THE UNIVERSAL SERVICE PROVIDER IN CERTAIN SUBDIVISIONS AND AREAS. (S.L. 2009-202)

H.B. 1190, AN ACT TO CLARIFY AND STRENGTHEN THE LAW REGARDING THE PRESERVATION OF DNA AND BIOLOGICAL EVIDENCE THAT IS RELATED TO A CRIMINAL OFFENSE AND A DEFENDANT'S ACCESS TO THAT EVIDENCE. (S.L. 2009-203)

H.B. 787, AN ACT TO INCREASE THE CRIMINAL PENALTY FOR ALTERING, DESTROYING, OR REMOVING THE PERMANENT SERIAL NUMBER OF A FIREARM AND FOR POSSESSING A FIREARM WITH THE SERIAL NUMBER REMOVED. (S.L. 2009-204)

H.B. 722, AN ACT TO PROVIDE FOR THE REGULATION OF CERTAIN DEVICES THAT MAY BE USED AS DRUG PARAPHERNALIA. (S.L. 2009-205)

H.B. 735, AN ACT TO CLARIFY THE LAW REGARDING BUILDING CODE STANDARDS FOR BUILDINGS USED BY HIGH SCHOOL STUDENTS ATTENDING CLASSES ON COMMUNITY COLLEGE CAMPUSES AND TO PROVIDE THAT A COUNTY MAY OBTAIN A PERMIT FOR THE CONSTRUCTION OF FACILITIES TO BE USED FOR ADMINISTRATIVE PURPOSES UNTIL AUGUST 1, 2009, UNDER THE 2006 NORTH CAROLINA STATE BUILDING CODE. (S.L. 2009-206)

H.B. 698, AN ACT TO AMEND THE UMSTEAD ACT TO PERMIT FAYETTEVILLE TECHNICAL COMMUNITY COLLEGE TO PROPERLY TAKE ADVANTAGE OF CERTAIN INNOVATIVE TECHNOLOGIES. (S.L. 2009-207)

H.B. 543, AN ACT TO REPEAL THE PENALTY FOR COMMUNITY COLLEGE AUDIT EXCEPTIONS. (S.L. 2009-208)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Sutton, Chair, for the Committee on Judiciary III:

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S.B. 660 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE AN ALTERNATIVE METHOD OF DETERMINING PROPERTY DAMAGES AS A PART OF MOTOR VEHICLE LIABILITY INSURANCE, with a favorable report as to the House committee substitute bill, unfavorable as to the Senate committee substitute bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Insurance.

The House committee substitute bill is re-referred to the Committee on Insurance. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representatives Glazier, Love, and Weiss, Vice Chairs, for the Committee on Judiciary II:

H.B. 524, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES TO THE ANNEXATION STATUTES, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

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

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for **H.B. 79** (Committee Substitute), A BILL TO BE ENTITLED AN ACT DIRECTING THE JOINT LEGISLATIVE STUDY COMMITTEE ON PUBLIC SCHOOL FUNDING FORMULAS TO EXTEND ITS REVIEW OF PUBLIC SCHOOL FUNDING, is returned for concurrence in Senate committee substitute bill and referred to the Committee on Rules, Calendar, and Operations of the House.

Upon concurrence the Senate committee substitute bill changes the title.

Senate Committee Substitute for **H.B. 98** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A MEMBER OF THE ARMED FORCES OR OF RESERVE COMPONENTS OF THE ARMED FORCES TO RENEW A DRIVERS LICENSE UPON RECEIPT OF DEPLOYMENT ORDERS AND TO ALLOW A THIRTY-DAY GRACE

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PERIOD FOR AN EXPIRED LICENSE UPON RELEASE FROM ACTIVE DUTY, is returned for concurrence in Senate committee substitute bill and referred to the Committee on Homeland Security, Military, and Veterans Affairs.

Upon concurrence the Senate committee substitute bill changes the title.

Senate Committee Substitute for **H.B. 1132**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT A PERSON MUST APPLY TO RENEW A CONCEALED HANDGUN PERMIT WITHIN THE THIRTY-DAY PERIOD PRIOR TO THE EXPIRATION DATE OF THE PERMIT, TO PROVIDE THAT A SHERIFF SHALL ISSUE OR DENY AN APPLICATION TO RENEW A CONCEALED HANDGUN PERMIT WITHIN THIRTY DAYS OF RECEIPT OF THE COMPLETED RENEWAL APPLICATION, AND TO PROVIDE THAT THE PERMIT OF A PERSON WHO COMPLIES WITH THE RENEWAL REQUIREMENTS REMAINS VALID BEYOND THE EXPIRATION DATE OF THE PERMIT UNTIL THE PERSON IS EITHER GRANTED OR DENIED A RENEWAL PERMIT BY THE SHERIFF, is returned for concurrence in Senate committee substitute bill and referred to the Committee on Judiciary I.

Upon concurrence the Senate committee substitute bill changes the title.

Senate Committee Substitute for **H.B. 1267**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING LIABILITY OF A COMMERCIAL SOCIAL NETWORKING SITE TO PROVIDE THAT THE WEB SITE SHALL NOT BE HELD CIVILLY LIABLE FOR DAMAGES ARISING OUT OF COMMUNICATIONS ON THE WEB SITE IF THE WEB SITE MAKES A GOOD FAITH ATTEMPT TO SCREEN OUT USERS WHO ARE IN THE STATEWIDE SEX OFFENDER REGISTRY, is returned for concurrence in Senate committee substitute bill and referred to the Committee on Judiciary II.

Upon concurrence the Senate committee substitute bill changes the title.

S.B. 943, A BILL TO BE ENTITLED AN ACT TO EXPAND THE CREDIT FOR QUALIFYING EXPENSES OF A PRODUCTION COMPANY, is read the first time and referred to the Committee on Commerce, Small Business, and Entrepreneurship and, if favorable, to the Committee on Finance.

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CALENDAR

Action is taken on the following:

H.J.R. 1655, A JOINT RESOLUTION HONORING THE SEVENTY-FIFTH ANNIVERSARY OF THE BLUE RIDGE PARKWAY, passes its second reading, by electronic vote (116-0), and there being no objection is read a third time.

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

H.B. 799 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT INTERESTS IN A JOINT TENANCY WITH A RIGHT OF SURVIVORSHIP MAY BE HELD IN UNEQUAL SHARES.

On motion of Representative Rhyne, the House concurs in the Senate committee substitute bill, by electronic vote (116-0), and the bill is ordered enrolled and presented to the Governor.

S.B. 495 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE EXTENSION OF THE EXTRA-TERRITORIAL JURISDICTION OF THE TOWN OF OAK RIDGE, AND TO ALLOW FOR VOLUNTARY ANNEXATION OF ANY OF THAT PROPERTY UPON PETITION OF THE PROPERTY OWNER, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in the House committee substitute bill.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Avila, Barnhart, Bell, Blust, Boles, Bordsen, Braxton, Brisson, Bryant, Burr, Burris-Floyd, Carney, Cole, Cotham, Crawford, Current, Daughtry, Dickson, Dockham, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Gill, Glazier, Goforth, Goodwin, Guice, Haire, Harrell, Harrison, Hill, Holliman, Howard, Hughes, Iler, Insko, Jeffus, Jones, Killian, Lewis, Love, Lucas, Luebke, Mackey, Martin, McLawhorn, Michaux, Mills, Mobley, Moore, Neumann, Owens, Parmon, Pierce, Rapp, Rhyne, Ross, Sager, Samuelson, Setzer, Spear, Starnes, Stevens, Stewart, Sutton, Tarleton, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, West, Whilden, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 87.

Voting in the negative: Representatives Blackwell, Blackwood, Brown, Brubaker, Cleveland, Coates, Dollar, Folwell, Frye, Gibson, Gillespie, Grady, Gulley, Hilton, Hurley, Ingle, Johnson, Justice, Justus, Langdon, McComas, McCormick, McElraft, McGee, Randleman, Stam, Steen, Tillis, and Weiss - 29.

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Excused absences: Representatives Hall, Holloway, and Jackson - 3.

S.B. 560 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY COUNCIL OF THE CITY OF GREENVILLE TO APPOINT SOME OF THE CITY'S HOUSING AUTHORITY COMMISSIONERS, passes its second reading, by electronic vote (115-0), and there being no objection is read a third time.

Representative Insko requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (116-0).

The bill passes its third reading and is ordered enrolled.

S.B. 1008, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A FEE FOR BONUS ANTLERLESS DEER TAGS, passes its third reading, by the following vote, and is ordered enrolled and presented to the Governor by Special Message.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Avila, Barnhart, Bell, Blackwell, Boles, Bordsen, Braxton, Brisson, Bryant, Burris-Floyd, Carney, Coates, Cole, Cotham, Crawford, Current, Daughtry, Dickson, Dockham, Dollar, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Gibson, Gill, Glazier, Goforth, Goodwin, Grady, Gulley, Haire, Harrell, Harrison, Hill, Holliman, Howard, Hughes, Iler, Insko, Jeffus, Johnson, Jones, Justice, Justus, Langdon, Lewis, Love, Lucas, Luebke, Mackey, Martin, McComas, McElraft, McGee, McLawhorn, Michaux, Mills, Mobley, Owens, Parmon, Pierce, Rapp, Ross, Sager, Samuelson, Spear, Stam, Starnes, Steen, Stevens, Stewart, Sutton, Tarleton, Tillis, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wilkins, Williams, Womble, Wray, and Yongue - 94.

Voting in the negative: Representatives Blackwood, Blust, Brown, Brubaker, Burr, Cleveland, Folwell, Frye, Gillespie, Hilton, Hurley, Ingle, Killian, McCormick, Moore, Neumann, Randleman, Rhyne, Setzer, and Wiley - 20.

Excused absences: Representatives Hall, Holloway, and Jackson - 3.

Representative Guice requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (95-20).

H.B. 1135 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO DETER AND PUNISH PERSONS WHO MAKE FALSE OR FRAUDULENT CLAIMS FOR PAYMENT BY THE STATE AND TO

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PROVIDE REMEDIES IN THE FORM OF TREBLE DAMAGES AND CIVIL PENALTIES WHEN MONEY IS OBTAINED FROM THE STATE BY REASON OF SUCH CLAIMS.

Representative Ross offers Amendment No. 1 which is adopted by electronic vote (116-0).

The bill, as amended, passes its second reading, by electronic vote (116-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

S.B. 208 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT PERTAINING TO STATUTORY AND ADMINISTRATIVE RULE REFERENCES TO PEOPLE WITH DISABILITIES, passes its second reading, by electronic vote (114-2), and there being no objection is read a third time.

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

S.B. 357 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT REQUIRING MUNICIPALITIES AND MEMBERSHIP CORPORATIONS ORGANIZED UNDER CHAPTER 117 OF THE GENERAL STATUTES TO PERMIT COMMUNICATIONS SERVICE PROVIDERS TO USE THEIR POLES, DUCTS, AND CONDUITS FOR ATTACHMENTS AND RELATED USES, AND AUTHORIZING THE NORTH CAROLINA BUSINESS COURT TO CONSIDER AND RESOLVE DISPUTES CONCERNING THE RATES, TERMS, AND CONDITIONS ASSOCIATED WITH THE USE.

Pursuant to Rule 24.1A, Representative Gibson requests that he be excused from voting on this bill. This request is granted.

The bill passes its second reading, by electronic vote (111-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House Committee Substitute Bill No. 2.

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S.B. 467 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ASSIST OWNERS IN RECOVERING LOST PETS, RELIEVE OVERCROWDING AT ANIMAL SHELTERS, AND FACILITATE ADOPTIONS OF ANIMALS FROM SHELTERS.

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

S.B. 513 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE SERVICE BY MAIL OF NOTICES OF HEARINGS ON VIOLATIONS OF UNSUPERVISED PROBATION.

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

On motion of Representative Samuelson the bill, as amended, is withdrawn from the Calendar and placed on the Calendar of June 30.

S.B. 564 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ALL MUNICIPALITIES AND COUNTIES TO GIVE A SINGLE NOTICE TO CHRONIC VIOLATORS OF THEIR PUBLIC NUISANCE ORDINANCES, passes its second reading, by electronic vote (115-1), and there being no objection is read a third time.

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

S.B. 586, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE FILING OF NOTICE OF PENDING LITIGATION FOR ACTIONS SEEKING INJUNCTIVE RELIEF REGARDING SEDIMENTATION AND EROSION CONTROL FOR ANY LAND-DISTURBING ACTIVITY THAT IS SUBJECT TO THE REQUIREMENTS OF ARTICLE 4 OF CHAPTER 113A OF THE GENERAL STATUTES.

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

S.B. 1021 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROTECT OWNERS OF ABANDONED PROPERTY BY REGULATING PROPERTY FINDERS, passes its second reading by electronic vote (116-0).

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

S.B. 311 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE DIRECTOR OF THE BUDGET TO CONTINUE EXPENDITURES FOR THE OPERATION OF GOVERNMENT AT A LEVEL NOT TO EXCEED EIGHTY-FIVE PERCENT OF THE LEVEL AT WHICH THOSE OPERATIONS WERE AUTHORIZED IN S.L. 2008-107, AS AMENDED, UNTIL JULY 15, 2009, AT 11:59 P.M.

Representative Michaux offers Amendment No. 1 which is ruled material.

Representative Faison offers Perfecting Amendment No. 2 to Amendment No. 1, which is adopted by electronic vote (115-0).

Amendment No. 1, as perfected by Amendment No. 2, is adopted by the following vote:

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Avila, Barnhart, Bell, Blackwood, Blust, Boles, Bordsen, Braxton, Brisson, Brown, Brubaker, Bryant, Burr, Burris-Floyd, Carney, Cleveland, Coates, Cole, Cotham, Crawford, Current, Daughtry, Dickson, Dockham, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Folwell, Frye, Gibson, Gill, Gillespie, Glazier, Goforth, Goodwin, Grady, Guice, Gulley, Haire, Harrell, Harrison, Hill, Holliman, Howard, Hughes, Hurley, Iler, Ingle, Insko, Jeffus, Johnson, Jones, Justice, Justus, Langdon, Lewis, Love, Lucas, Luebke, Mackey, Martin, McComas, McElraft, McGee, McLawhorn, Michaux, Mills, Mobley, Neumann, Owens, Parmon, Pierce, Rapp, Ross, Sager, Samuelson, Setzer, Spear, Stam, Starnes, Steen, Stevens, Stewart, Sutton, Tarleton, Tillis, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wiley, Wilkins, Williams, Womble, Wray and Yongue - 109.

Voting in the negative: Representatives Blackwell, Hilton, Killian, McCormick, Moore, Randleman and Rhyne - 7.

Excused absences: Representatives Hall, Holloway and Jackson - 3.

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

Without objection, the bill, having been materially amended, passes its second reading, by the following vote:

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Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Barnhart, Bell, Blackwood, Boles, Bordsen, Braxton, Brisson, Brubaker, Bryant, Burris-Floyd, Carney, Coates, Cole, Cotham, Crawford, Current, Daughtry, Dickson, Dockham, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Frye, Gibson, Gill, Gillespie, Glazier, Goforth, Goodwin, Gulley, Haire, Harrell, Harrison, Hill, Holliman, Hughes, Hurley, Iler, Ingle, Insko, Jeffus, Johnson, Jones, Justice, Justus, Langdon, Lewis, Love, Lucas, Luebke, Mackey, Martin, McComas, McElraft, McGee, McLawhorn, Michaux, Mills, Mobley, Neumann, Owens, Parmon, Pierce, Rapp, Ross, Samuelson, Spear, Stam, Steen, Stevens, Stewart, Sutton, Tarleton, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 95.

Voting in the negative: Representatives Avila, Blackwell, Blust, Brown, Burr, Cleveland, Dollar, Folwell, Grady, Guice, Hilton, Howard, Killian, McCormick, Moore, Randleman, Rhyne, Sager, Setzer, Starnes, and Tillis - 21.

Excused absences: Representatives Hall, Holloway, and Jackson - 3.

Without objection, the bill, having been materially amended, passes its third reading by the following vote, and is ordered engrossed and sent to the Senate for concurrence in the House committee substitute bill by Special Message.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Barnhart, Bell, Blackwood, Boles, Bordsen, Braxton, Brisson, Brubaker, Bryant, Burris-Floyd, Carney, Coates, Cole, Cotham, Crawford, Current, Daughtry, Dickson, Dockham, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Frye, Gibson, Gill, Gillespie, Glazier, Goforth, Goodwin, Gulley, Haire, Harrell, Harrison, Hill, Holliman, Hughes, Hurley, Iler, Insko, Jeffus, Johnson, Jones, Justice, Justus, Langdon, Lewis, Love, Lucas, Luebke, Mackey, Martin, McComas, McElraft, McGee, McLawhorn, Michaux, Mills, Mobley, Neumann, Owens, Parmon, Pierce, Rapp, Ross, Samuelson, Spear, Stam, Steen, Stevens, Stewart, Sutton, Tarleton, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wilkins, Williams, Womble, Wray, and Yongue - 93.

Voting in the negative: Representatives Avila, Blackwell, Blust, Brown, Burr, Cleveland, Dollar, Folwell, Grady, Guice, Hilton, Howard, Ingle, Killian, McCormick, Moore, Randleman, Rhyne, Sager, Setzer, Starnes, Tillis, and Wiley - 23.

Excused absences: Representatives Hall, Holloway, and Jackson - 3.

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INTRODUCTION OF PAGES

Pages for the week of June 29 are introduced to the membership. They are: Meredith Abernethy of Forsyth; Rebekah Blake of Catawba; Andrew Daniel of Guilford; Kaitlyn Deal of Catawba; Michelle Fogarty of Mecklenburg; Ty Hamby of Pitt; Tayloe Hill of Pitt; Claire Johnson of Johnston; Calline Kirkman of Randolph; Rebecca Lineberry of Wake; Jacob Little of Mecklenburg; Kimberly May of Halifax; Denzel Murdaugh of Cabarrus; Tara Odum of Onslow; Diamond Reid of Guilford; Steven Sauer of Guilford; Matthew Sedelmeyer of Person; Macy Smith of Davie; Sarah Thompson of Surry; Angela Vogler of Forsyth; Caroline Weller of Cabarrus; Abby Wilkerson of Vance; and Ellen Williams of Pitt.

RE-REFERRALS

On motion of Representative Owens, pursuant to Rule 39.2 and without objection, **H.B. 536** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE LEGISLATIVE TASK FORCE ON SPORTS INJURIES, is withdrawn from the Committee on Appropriations and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative Owens, pursuant to Rule 39.2 and without objection, **H.B. 1552**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE JOINT LEGISLATIVE COMMITTEE ON CONSOLIDATION OF STATE SCHOLARSHIPS AND TO ALLOCATE FUNDS APPROPRIATED TO THE GENERAL ASSEMBLY TO IMPLEMENT THE STUDY, is withdrawn from the Committee on Education and re-referred to the Committee on Rules, Calendar, and Operations of the House.

BILLS WITHDRAWN FROM COMMITTEE

On motion of Representative Owens and without objection, **H.B. 1112** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND BIRTH REGISTRATION REQUIREMENTS TO ALLOW A CHILD'S PUTATIVE FATHER TO BE ENTERED ON THE BIRTH CERTIFICATE OF THE CHILD UNDER CERTAIN CIRCUMSTANCES, is withdrawn from the Committee on Judiciary II and pursuant to Rule 36(b), is placed on the Calendar of June 30.

On motion of Representative Owens, and without objection, **H.B. 1294** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE NORTH CAROLINA HEALTH INSURANCE RISK POOL TO PROVIDE PREMIUM SUBSIDIES IF FUNDS ARE AVAILABLE

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AND TO REQUIRE INSURERS TO NOTIFY APPLICANTS FOR HEALTH INSURANCE COVERAGE ABOUT THE EXISTENCE OF THE POOL, is withdrawn from the Committee on Judiciary II and pursuant to Rule 36(b), is placed on the Calendar of June 30.

On motion of Representative Owens and without objection, **H.B. 1516** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CERTAIN MODIFICATIONS TO AND EXTEND THE SUNSET OF THE JOB DEVELOPMENT INVESTMENT GRANT PROGRAM, is withdrawn from the Committee on Appropriations and pursuant to Rule 36(b), is placed on the Calendar of June 30.

On motion of Representative Owens, and without objection, **H.B. 1617**, A BILL TO BE ENTITLED AN ACT TRANSFERRING THE FUNCTIONS AND FUNDS OF THE NORTH CAROLINA TURNPIKE AUTHORITY TO THE DEPARTMENT OF TRANSPORTATION TO CONSERVE EXPENDITURES AND IMPROVE EFFICIENCY, is withdrawn from the Committee on Appropriations and pursuant to Rule 36(b), placed on the Calendar of June 30.

On motion of Representative Owens, seconded by Representative Farmer-Butterfield, the House adjourns at 8:36 p.m. to reconvene June 30 at 3:00 p.m.

EIGHTY-NINTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, June 30, 2009

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

The following prayer is offered by the Reverend Dr. Robert Sawyer, Senior Rector, Church of the Good Shepherd, Raleigh, North Carolina:

"Eternal Father:

"This week as we gather in this House we are reminded each day of the 'unalienable rights' of 'life, liberty, and the pursuit of happiness' so eloquently proclaimed in the Declaration of Independence. In one of the great hymns of our Nation written by Samuel Francis Smith we sing, 'My country, tis of thee, sweet land of liberty, of thee I sing; land where my father died, land of the pilgrims pride, from every mountainside, let freedom ring.' (Hymn 717 from the Hymnal 1982 of the Episcopal Church)

June 30, 2009

"On this last day of June 2009 let us give thanks for our liberty and the opportunities that we have in our daily lives as free people living in the State of North Carolina. May the way that we live our lives be a manifestation of the true meaning of liberty which calls us to reach out in love and concern for others. And may each of the Representatives gathered here today know in their hearts and minds that in all that they do in the legislative process they serve as defenders of the liberty that we hold so dear.

"We ask Your special blessing upon all that takes place in this Chamber today and throughout this week. In Your Holy Name we pray. Amen."

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

Leaves of absence are granted Representatives Hall and Sutton for today.

ENROLLED BILLS

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

S.B. 43, AN ACT TO IMPROVE BOATING SAFETY BY REQUIRING BOATING SAFETY EDUCATION PRIOR TO OPERATING A VESSEL WITH A MOTOR OF TEN HORSEPOWER OR GREATER, AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON MANDATORY BOATING SAFETY EDUCATION.

S.B. 1008, AN ACT TO PROVIDE FOR A FEE FOR BONUS ANTLERLESS DEER TAGS.

S.B. 1019, AN ACT TO ESTABLISH A FINANCIAL LITERACY COUNCIL TO COORDINATE AND EXPAND THE STATEWIDE DELIVERY OF FINANCIAL EDUCATION FOR ALL NORTH CAROLINIANS.

H.B. 799, AN ACT TO CLARIFY THAT INTERESTS IN A JOINT TENANCY WITH A RIGHT OF SURVIVORSHIP MAY BE HELD IN UNEQUAL SHARES.

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

S.B. 560, AN ACT TO AUTHORIZE THE CITY COUNCIL OF THE CITY OF GREENVILLE TO APPOINT SOME OF THE CITY'S HOUSING AUTHORITY COMMISSIONERS.

June 30, 2009

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

H.J.R. 1655, A JOINT RESOLUTION HONORING THE SEVENTY-FIFTH ANNIVERSARY OF THE BLUE RIDGE PARKWAY. (RESOLUTION 2009-23)

CHAPTERED BILLS

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

H.B. 1508, AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE TWO-THIRDS BONDS ACT OF 2008; TO PROVIDE FOR THE ISSUANCE OF ADDITIONAL GENERAL OBLIGATION BONDS TO FINANCE THE COSTS OF THE BIOMEDICAL RESEARCH IMAGING CENTER AND REPAIRS AND RENOVATIONS OF STATE FACILITIES; TO PROVIDE AUTHORITY FOR THE STATE TO SELECT THE APPROPRIATE FORM OF DEBT TO ISSUE IN ORDER TO FINANCE VARIOUS PROJECTS; TO REDUCE THE SPECIAL INDEBTEDNESS AUTHORIZATIONS FOR VARIOUS PROJECTS IN ORDER TO GENERATE ADDITIONAL DEBT CAPACITY; AND TO REPEAL THE STATUTORY APPROPRIATION FOR THE BIOMEDICAL RESEARCH IMAGING CENTER. (S.L. 2009-209)

S.B. 324, AN ACT TO REMOVE THE SUNSET ON AN ACT TO EXEMPT FROM PRIOR AUTHORIZATION REQUIREMENTS FOR PRESCRIPTION DRUGS UNDER THE MEDICAID PROGRAM ANTI-HEMOPHILIC DRUGS PRESCRIBED FOR THE TREATMENT OF HEMOPHILIA AND BLOOD DISORDERS. (S.L. 2009-210)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

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

By Representative Ross, Chair, for the Committee on Judiciary I:

H.B. 703 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DISAPPROVE RULES ADOPTED BY THE NORTH CAROLINA MEDICAL BOARD AND APPROVED BY THE RULES REVIEW COMMISSION, TO REQUIRE THE NORTH CAROLINA BOARD OF MEDICINE TO PUBLISH CERTAIN JUDGMENTS, AWARDS, PAYMENTS, AND SETTLEMENTS, TO DISAPPROVE A RULE ADOPTED

June 30, 2009

BY THE DEPARTMENT OF LABOR AND TO AUTHORIZE THE ADOPTION OF A TEMPORARY RULE TO REPLACE THE DISAPPROVED RULE, with recommendation that the House concur.

Pursuant to Rule 36(b) and without objection, the bill is placed on today's Calendar.

S.B. 99, A BILL TO BE ENTITLED AN ACT TO EXTEND AND AMEND AN ACT TO PROTECT CUSTOMERS PURCHASING TICKETS VIA THE INTERNET, AND TO IMPOSE A PRIVILEGE LICENSE TAX ON GROSS RECEIPTS RECEIVED TO THE EXTENT THEY EXCEED FACE VALUE OF THE TICKET, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the original bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Finance.

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

S.B. 461 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT SEEKING OR IMPOSING THE DEATH PENALTY ON THE BASIS OF RACE; TO ESTABLISH A PROCESS BY WHICH RELEVANT EVIDENCE MAY BE USED TO ESTABLISH THAT RACE WAS A SIGNIFICANT FACTOR IN SEEKING OR IMPOSING THE DEATH PENALTY WITHIN THE COUNTY, THE PROSECUTORIAL DISTRICT, THE JUDICIAL DIVISION, OR THE STATE, TO IDENTIFY TYPES OF EVIDENCE THAT MAY BE CONSIDERED BY THE COURT WHEN CONSIDERING WHETHER RACE WAS A BASIS FOR SEEKING OR IMPOSING THE DEATH PENALTY, INCLUDING STATISTICAL EVIDENCE, AND TO AUTHORIZE THE DEFENDANT TO RAISE THIS CLAIM AT THE PRETRIAL CONFERENCE OR IN POSTCONVICTION PROCEEDINGS; TO PROVIDE THAT THE DEFENDANT HAS THE BURDEN OF PROVING THAT RACE WAS A SIGNIFICANT FACTOR IN SEEKING OR IMPOSING THE DEATH PENALTY AND TO PROVIDE THAT THE STATE MAY OFFER EVIDENCE TO REBUT THE CLAIMS OR EVIDENCE OF THE DEFENDANT AND IN DOING SO TO USE STATISTICAL EVIDENCE AS WELL AS ANY OTHER EVIDENCE THE COURT DEEMS RELEVANT AND MATERIAL; TO PROVIDE THAT IF RACE IS FOUND TO BE A SIGNIFICANT FACTOR IN THE IMPOSITION OF THE DEATH PENALTY, THE DEATH SENTENCE SHALL BE VACATED AND THE DEFENDANT RESENTENCED TO LIFE IMPRISONMENT WITHOUT THE POSSIBILITY OF PAROLE; TO PROVIDE THAT THIS ACT IS EFFECTIVE WHEN IT BECOMES LAW AND APPLIES RETROACTIVELY, THAT MOTIONS UNDER

June 30, 2009

THIS ACT FOR THOSE CURRENTLY UNDER A DEATH SENTENCE SHALL BE FILED WITHIN ONE YEAR OF THE EFFECTIVE DATE OF THIS ACT, AND THAT MOTIONS FOR THOSE WHOSE DEATH SENTENCE IS IMPOSED ON OR AFTER THE EFFECTIVE DATE OF THIS ACT SHALL BE FILED AS PROVIDED IN THIS ACT, with a favorable report as to House Committee Substitute Bill No. 2, unfavorable as to House Committee Substitute Bill No. 1, and recommendation that House Committee Substitute Bill No. 2 be re-referred to the Committee on Appropriations.

House Committee Substitute Bill No. 2 is re-referred to the Committee on Appropriations. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

S.B. 483, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT COURTS IN NORTH CAROLINA HAVE THE AUTHORITY TO CREATE TRUSTS BY JUDICIAL ORDER OR JUDGMENT IN CASES PROPERLY BEFORE THE COURT; AND TO SPECIFICALLY PROVIDE THAT NORTH CAROLINA COURTS HAVE THE RIGHT TO CREATE TRUSTS PURSUANT TO 42 U.S.C. § 1396P(D)(4)(A), with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of July 1.

By Representatives Bordsen and Mobley, Chairs, for the Committee on Juvenile Justice:

H.J.R. 1174, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE STANDARDS APPLIED IN DISPUTED CHILD CUSTODY CASES, with a favorable report and recommendation that the resolution be re-referred to the Committee on Rules, Calendar, and Operations of the House.

The resolution is re-referred to the Committee on Rules, Calendar, and Operations of the House.

H.B. 1279, A BILL TO BE ENTITLED AN ACT CREATING THE LEGISLATIVE STUDY COMMISSION ON YOUTH VIOLENCE AND APPROPRIATING FUNDS FOR THAT PURPOSE, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

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

June 30, 2009

By Representatives Glazier, Love, and Weiss, Vice Chairs, for the Committee on Judiciary II:

S.B. 437 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE FORCE ACCOUNT LIMIT FOR MECKLENBURG COUNTY, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of July 1.

S.B. 605 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE DEPOSIT OF MONEY OF A WARD'S ESTATE INTO ANY FINANCIAL INSTITUTION AND TO MAKE OTHER CLARIFYING CHANGES, with a favorable report.

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

S.B. 606 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PROCEDURE FOR PROVIDING NOTICE TO CREDITORS WITHOUT ESTATE ADMINISTRATION WHEN A DECEDENT DIES LEAVING NO PROPERTY SUBJECT TO PROBATE AND TO MAKE A TECHNICAL CORRECTION TO THE PROVISION PROVIDING FOR COSTS IN THE ADMINISTRATION OF ESTATES, with a favorable report as to the House committee substitute bill, unfavorable as to the Senate committee substitute bill.

Pursuant to Rule 38(b), the House committee substitute bill referred to the Committee on Finance. The Senate committee substitute bill is placed on the Unfavorable Calendar.

S.B. 694, A BILL TO BE ENTITLED AN ACT AMENDING THE LAWS PERTAINING TO THE PRACTICE OF DENTISTRY AS PERFORMED BY PERSONS PRACTICING DENTISTRY OUT OF STATE UNDER CERTAIN CIRCUMSTANCES, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of July 1.

By Representatives Glazier, McLawhorn, and Rapp, Chairs, for the Appropriations Subcommittee on Education, with approval of standing committee Chairs for report to be made directly to the floor of the House:

S.B. 689, A BILL TO BE ENTITLED AN ACT TO MODIFY THE REPORTING REQUIREMENTS FOR THE DEPARTMENT OF PUBLIC INSTRUCTION AND THE STATE BOARD OF EDUCATION, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the original bill.

June 30, 2009

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

By Representative Sutton, Chair, for the Committee on Judiciary III:

S.B. 64 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO SHORTEN THE DURATION AND AMEND THE REQUIREMENTS FOR A MOTORCYCLE LEARNER'S PERMIT, AND CLARIFY THE REQUIREMENTS FOR OBTAINING A MOTORCYCLE ENDORSEMENT, with a favorable report as to the House committee substitute bill, unfavorable as to the Senate committee substitute bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Finance.

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

S.B. 107 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE OYSTER AND HARD CLAM FISHERY MANAGEMENT PLAN, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

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

S.B. 504, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF DURHAM TO GRANT THE CITY MANAGER THE AUTHORITY TO INCLUDE THE CITY'S ANTI-SWEATSHOP REQUIREMENTS IN THE SPECIFICATIONS FOR CITY CONTRACTS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of July 1.

S.B. 1089, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PROBATION OFFICERS TO TRANSFER LOW-RISK MISDEMEANANTS WITH NO SPECIAL CONDITIONS TO UNSUPERVISED PROBATION, with a favorable report.

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

June 30, 2009

SUBCOMMITTEE REFERRAL

Representatives Michaux, Adams, M. Alexander, Crawford, Haire, Jeffus, Tolson, and Yongue, Chairs, for the Committee on Appropriations, refer **S.B. 817** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE CHILD SUPPORT COLLECTIONS BY PERMITTING GREATER SENTENCING FLEXIBILITY FOR A PERSON WHO COM- MITS CRIMINAL CONTEMPT BY FAILING TO COMPLY WITH AN ORDER TO PAY CHILD SUPPORT, to the Appropriations Subcommittee on Justice and Public Safety.

CONFERENCE REPORT

Representative Glazier sends forth the Conference Report on **S.B. 799** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO INCREASE TRANSPARENCY OF STATE FACILITIES THAT PRO- VIDE MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES BY REQUIRING THE DISCLOSURE OF CERTAIN INFORMATION ABOUT DEATH REPORTS, FACILITY POLICE REPORTS, AND INCIDENT REPORTS. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of July 1.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for **H.B. 632**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATELY RECOGNIZE THE NATIONAL GUARD AND TO CREATE UNIFORMITY IN THE SPELLING OF THE TERM "NATIONAL GUARD" WHEREVER IT APPEARS IN THE GENERAL STATUTES BY CAPITALIZING IT, AS RECOMMENDED BY THE JOINT STUDY COMMITTEE ON MILITARY AND VETERANS' AFFAIRS, is returned for concurrence in Senate committee substitute bill and referred to the Committee on Judiciary I.

Upon concurrence the Senate committee substitute bill changes the title.

H.B. 866 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW ALL MUNICIPALITIES THE AUTHORITY TO ADOPT AN ORDINANCE DECLARING RESIDENTIAL BUILDINGS IN COMMUNITY DEVELOPMENT TARGET AREAS TO BE UNSAFE AND TO REMOVE OR DEMOLISH THOSE BUILDINGS, is returned for concurrence in one Senate amendment.

June 30, 2009

Pursuant to Rule 36(b), the bill is placed on the Calendar of July 1.

H.B. 870, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE MEMBER OF THE BOARD OF COMMISSIONERS OF STANLY COUNTY WHO SERVES AS A MEMBER OF THE STANLY COUNTY AIRPORT AUTHORITY SERVES AT THE PLEASURE OF THE BOARD OF COMMISSIONERS, TO PROVIDE THE SAME FOR THE CHAIRMAN OF THE STANLY COUNTY ECONOMIC DEVELOPMENT COMMISSION, AND TO ALLOW THE STANLY COUNTY BOARD OF COMMISSIONERS TO DESIGNATE AN ALTERNATE FOR BOTH THOSE POSITIONS, is returned for concurrence in Senate Amendments No. 1 and No. 2.

Pursuant to Rule 36(b), the bill is placed on the Calendar of July 1.

Senate Committee Substitute for **H.B. 881** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCLUDE CITIES AND COUNTIES IN TRANSPORTATION CORRIDOR MAPPING, TO CONFORM STATUTES TO COUNTY AUTHORITY AUTHORIZED BY THE GENERAL ASSEMBLY, AND TO ALLOW THE DEPARTMENT OF TRANSPORTATION TO FURNISH ROAD MAINTENANCE MATERIALS TO MUNICIPALITIES ON A COST REIMBURSEMENT BASIS, is returned for concurrence in Senate committee substitute bill and referred to the Committee on Transportation.

Upon concurrence the Senate committee substitute bill changes the title.

Senate Committee Substitute for **H.B. 1409** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN SIMPLE WIRING ACTIVITIES AND APPLIANCE REPLACEMENT IN RESIDENCES FROM BUILDING PERMITTING REQUIREMENTS WHEN THE APPLIANCE IS OF THE SAME ELECTRICAL RATING AND REQUIRES NO CHANGE TO EXISTING ELECTRICAL CIRCUITS AND THE WORK IS PERFORMED BY A LICENSED ELECTRICIAN, is returned for concurrence in Senate committee substitute bill and referred to the Committee on Commerce, Small Business, and Entrepreneurship.

Upon concurrence the Senate committee substitute bill changes the title.

Senate Committee Substitute for **H.B. 1453** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW STATE MAINTENANCE VEHICLES TO PARK IN METERED PARKING SPACES ADJACENT TO THE CAPITOL GROUNDS AND TO PROHIBIT PARKING OF

June 30, 2009

MAINTENANCE VEHICLES ON THE STATE CAPITOL GROUNDS IN A MANNER THAT OBSTRUCTS THE VIEW OF OR ACCESS TO MONUMENTS, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of July 1.

Upon concurrence the Senate committee substitute bill changes the title.

CALENDAR

Action is taken on the following:

Senate Committee Substitute for **H.B. 1112** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT AMENDING BIRTH REGISTRATION REQUIREMENTS TO ALLOW A CHILD'S PUTATIVE FATHER TO BE ENTERED ON THE BIRTH CERTIFICATE OF THE CHILD IF THE MOTHER HAS BEEN LIVING SEPARATE AND APART FROM HER HUSBAND AT THE TIME OF THE CHILD'S CONCEPTION OR BETWEEN CONCEPTION AND BIRTH.

On motion of Representative Goodwin, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (116-0), and the bill is ordered enrolled and presented to the Governor.

H.B. 1294 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE NORTH CAROLINA HEALTH INSURANCE RISK POOL TO PROVIDE PREMIUM SUBSIDIES IF FUNDS ARE AVAILABLE AND TO REQUIRE INSURERS TO NOTIFY APPLICANTS FOR HEALTH INSURANCE COVERAGE ABOUT THE EXISTENCE OF THE POOL.

On motion of Representative Dockham, the House concurs in the Senate committee substitute bill, by electronic vote (117-0), and the bill is ordered enrolled and presented to the Governor.

S.B. 1021 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROTECT OWNERS OF ABANDONED PROPERTY BY REGULATING PROPERTY FINDERS.

Representative Stam offers Amendment No. 1 which fails of adoption by electronic vote (38-79).

June 30, 2009

The bill passes its third reading, by electronic vote (116-0), and is ordered sent to the Senate for concurrence in House Committee Substitute Bill No. 2.

H.B. 1516 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CERTAIN MODIFICATIONS TO AND EXTEND THE SUNSET OF THE JOB DEVELOPMENT INVESTMENT GRANT PROGRAM, passes its second reading, by electronic vote (96-21), and there being no objection is read a third time.

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

H.B. 1617, A BILL TO BE ENTITLED AN ACT TRANSFERRING THE FUNCTIONS AND FUNDS OF THE NORTH CAROLINA TURNPIKE AUTHORITY TO THE DEPARTMENT OF TRANSPORTATION TO CONSERVE EXPENDITURES AND IMPROVE EFFICIENCY, passes its second reading, by electronic vote (115-2), and there being no objection is read a third time.

Representative Crawford offers Amendment No. 1 which is adopted by electronic vote (117-0).

The bill, as amended, passes its third reading by electronic vote (113-4) and is ordered engrossed and sent to the Senate.

S.B. 467 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ASSIST OWNERS IN RECOVERING LOST PETS, RELIEVE OVERCROWDING AT ANIMAL SHELTERS, AND FACILITATE ADOPTIONS OF ANIMALS FROM SHELTERS.

Representative Gibson offers Amendment No. 1 which is adopted by electronic vote (116-1).

On motion of Representative Harrison and without objection, the bill, as amended, is temporarily displaced.

S.B. 513 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE SERVICE BY MAIL OF NOTICES OF HEARINGS ON VIOLATIONS OF UNSUPERVISED PROBATION.

Pursuant to Rule 36.1, Representative Michaux requests a fiscal note on the bill.

The bill is removed from the Calendar.

June 30, 2009

S.B. 586, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE FILING OF NOTICE OF PENDING LITIGATION FOR ACTIONS SEEKING INJUNCTIVE RELIEF REGARDING SEDIMENTATION AND EROSION CONTROL FOR ANY LAND-DISTURBING ACTIVITY THAT IS SUBJECT TO THE REQUIREMENTS OF ARTICLE 4 OF CHAPTER 113A OF THE GENERAL STATUTES, passes its second reading, by electronic vote (111-5), and there being no objection is read a third time.

Representative Harrell requests and is granted permission to change his vote from "no" to "aye". The adjusted vote total is (112-4).

The bill passes its third reading and is ordered enrolled and presented to the Governor.

Senate Committee Substitute for **H.B. 703** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DISAPPROVE RULES ADOPTED BY THE NORTH CAROLINA MEDICAL BOARD AND APPROVED BY THE RULES REVIEW COMMISSION AND TO REQUIRE THE NORTH CAROLINA BOARD OF MEDICINE TO PUBLISH CERTAIN JUDGMENTS, AWARDS, PAYMENTS, AND SETTLEMENTS.

On motion of Representative Allen, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (116-0), and the bill is ordered enrolled and presented to the Governor by Special Message.

Representative Williams requests and is granted permission to be recorded as voting "aye." This request is granted. The adjusted vote total is (117-0).

S.B. 467 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ASSIST OWNERS IN RECOVERING LOST PETS, RELIEVE OVERCROWDING AT ANIMAL SHELTERS, AND FACILITATE ADOPTIONS OF ANIMALS FROM SHELTERS, which was temporarily displaced, is before the Body.

The bill, as amended, passes its second reading, by electronic vote (114-2), and there being no objection is read a third time.

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

June 30, 2009

BILL WITHDRAWN FROM COMMITTEE

On motion of Representative Owens and without objection, **H.B. 1523** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REWRITE THE NORTH CAROLINA MORTGAGE LENDING ACT IN ORDER TO CONFORM TO THE REQUIREMENTS OF FEDERAL LAW, is withdrawn from the Committee on Financial Institutions and pursuant to Rule 36(b), is placed on the Calendar of July 1.

SPECIAL MESSAGE FROM THE SENATE**2009 GENERAL ASSEMBLY
FIRST SESSION**

Senate Chamber
June 30, 2009

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in the House Committee Substitute to **S.B. 658** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE MEMBERSHIP OF THE SUPPLEMENTAL RETIREMENT BOARD OF TRUSTEES, and requests conferees. The President *Pro Tempore* appoints:

Senator Atwater, Chair
Senator Foriest
Senator Rucho

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

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

ENROLLED BILLS

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

S.B. 311, AN ACT AUTHORIZING THE DIRECTOR OF THE BUDGET TO CONTINUE EXPENDITURES FOR THE OPERATION OF

June 30, 2009

GOVERNMENT AT A LEVEL NOT TO EXCEED EIGHTY-FIVE PERCENT OF THE LEVEL AT WHICH THOSE OPERATIONS WERE AUTHORIZED IN S.L. 2008-107, AS AMENDED, UNTIL JULY 15, 2009, AT 11:59 P.M.

H.B. 703, AN ACT TO DISAPPROVE RULES ADOPTED BY THE NORTH CAROLINA MEDICAL BOARD AND APPROVED BY THE RULES REVIEW COMMISSION, TO REQUIRE THE NORTH CAROLINA BOARD OF MEDICINE TO PUBLISH CERTAIN JUDGMENTS, AWARDS, PAYMENTS, AND SETTLEMENTS, TO DISAPPROVE A RULE ADOPTED BY THE DEPARTMENT OF LABOR AND TO AUTHORIZE THE ADOPTION OF A TEMPORARY RULE TO REPLACE THE DISAPPROVED RULE.

CHAPTERED BILLS

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

S.B. 560, AN ACT TO AUTHORIZE THE CITY COUNCIL OF THE CITY OF GREENVILLE TO APPOINT SOME OF THE CITY'S HOUSING AUTHORITY COMMISSIONERS. (S.L. 2009-211)

Representative Owens moves, seconded by Representative Hill, that the House adjourn, subject to the ratification of bills, to reconvene July 1 at 2:30 p.m.

The motion carries.

No bills having been presented for ratification, the House stands adjourned at 4:25 p.m.

NINETIETH DAY

HOUSE OF REPRESENTATIVES
Wednesday, July 1, 2009

The House meets at 2:30 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Dr. Robert Sawyer, Senior Rector, Church of the Good Shepherd, Raleigh, North Carolina:

July 1, 2009

"Dear Lord:

"Once again today we are reminded of those 'unalienable rights' of 'life, liberty, and the pursuit of happiness' that have fueled the light of Democracy in our country for 233 years. Our Founding Fathers saw God's Divine Providence at work in all that was taking place and in the rights we are remembering this week. The Psalmist of the Old Testament sums up how these rights are to be lived into when he proclaims, 'On this day the Lord has acted; we will rejoice and be glad in it.' (Psalm 118:24)

"Therefore, on this first day of July 2009 let us give thanks for the right of the Pursuit of Happiness. While each of us may have a different understanding of what these words mean for our own individual lives, let us hold fast to what they mean corporately for the State of North Carolina, that is, to be a State where all of our citizens have a sense of well-being and are empowered to live lives which bring a true sense of meaning to them.

"We ask that all we do in the legislative process may work toward the building up of our State in such a way that North Carolina will always be a place where people will desire to come and live and find a true and fulfilling sense of happiness throughout their lives. In Your Holy Name we pray. Amen."

Representative Owens, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 30 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Jackson, Lewis, and McGee for today. Representative Goforth is excused for a portion of the Session.

SPECIAL MESSAGE FROM THE SENATE

2009 GENERAL ASSEMBLY FIRST SESSION

Senate Chamber
June 30, 2009

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees for **S.B. 799** (Conference Report), A BILL TO BE ENTITLED AN ACT TO INCREASE TRANSPARENCY OF STATE FACILITIES THAT PROVIDE MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES BY REQUIRING THE DISCLOSURE OF

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CERTAIN INFORMATION ABOUT DEATH REPORTS, FACILITY POLICE REPORTS, AND INCIDENT REPORTS, and when a similar action has been taken on the part of your Honorable Body, the President will order the bill enrolled.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

MESSAGES FROM THE SENATE

The following are received from the Senate:

H.B. 243 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE FACILITY OF FIRST COMMITMENT EXAMINATION TO TERMINATE THE INPATIENT COMMITMENT PROCEEDINGS IN APPROPRIATE CIRCUMSTANCES WHEN A TWENTY-FOUR-HOUR FACILITY IS NOT AVAILABLE, is returned for concurrence in Senate committee substitute bill and referred to the Committee on Mental Health Reform.

H.B. 1009 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO END DEPARTMENT OF ADMINISTRATION SUPERVISION OF EMPLOYEES OF COUNTIES, CITIES, AND TOWNS THAT ARE ENGAGED IN VETERANS SERVICE, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of July 2.

H.B. 1187 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CHANGES TO THE HEALTH STATUTES PERTAINING TO HEALTH CARE PERSONNEL AND HEALTH CARE FACILITIES, is returned for concurrence in Senate committee substitute bill and referred to the Committee on Health.

H.B. 1330 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT PROHIBITING PUBLIC UTILITIES, ELECTRIC MEMBERSHIP CORPORATIONS, TELEPHONE MEMBERSHIP CORPORATIONS, AND CITIES AND COUNTIES THAT OPERATE PUBLIC ENTERPRISES FROM USING CERTAIN DEBT COLLECTION PRACTICES THAT RESULT IN A CUSTOMER BEING LIABLE FOR THE PAST DUE AND UNPAID DEBTS OF ANOTHER PERSON, is returned for concurrence in Senate committee substitute bill and referred to the Committee on Public Utilities.

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S.J.R. 1094, A JOINT RESOLUTION HONORING THE FOUNDERS OF THE TOWN OF WATHA ON THE OCCASION OF THE TOWN'S ONE HUNDREDTH ANNIVERSARY, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Wilkins, Chair, for the Committee on State Government/State Personnel:

H.B. 1633, A BILL TO BE ENTITLED AN ACT TO REQUIRE UPGRADED SECURITY AND EMERGENCY MEDICAL SERVICES AT THE STATE LEGISLATURE, STATE GOVERNMENT COMPLEX, THE EXECUTIVE MANSION, AND THE LIEUTENANT GOVERNOR'S MANSION AND TO PROVIDE FUNDING FOR THE UPGRADED SECURITY SERVICES, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

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

S.B. 986 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW REGARDING THE SPECIAL SEPARATION ALLOWANCE PROVIDED TO LAW ENFORCEMENT OFFICERS UNDER THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, with a favorable report as to the House committee substitute bill, unfavorable as to the Senate committee substitute bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Pensions and Retirement.

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

S.B. 36, A BILL TO BE ENTITLED AN ACT TO DESIGNATE THE IREDELL COUNTY CRIME LABORATORY AS AN ADDITIONAL CONTROLLED SUBSTANCE CHEMICAL ANALYSIS SITE, with a favorable report and recommendation that the bill be re-referred to the Committee on Judiciary III.

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The bill is re-referred to the Committee on Judiciary III.

By Representatives Goforth and Wray, Chairs, for the Committee on Insurance:

H.B. 1305, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE NORTH CAROLINA BEACH PLAN AS RECOMMENDED BY THE JOINT SELECT STUDY COMMITTEE ON THE POTENTIAL IMPACT OF MAJOR HURRICANES ON THE NORTH CAROLINA INSURANCE INDUSTRY, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

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

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

S.B. 346 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE A DESCRIBED AREA FROM THE CORPORATE LIMITS OF THE CITY OF KANNAPOLIS AND TO ASSIST CABARRUS COUNTY WITH THE EXPEDITING OF PUBLIC SCHOOL CONSTRUCTION, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

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

S.B. 359 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE VILLAGE OF SNEADS FERRY, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

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

S.B. 618, A BILL TO BE ENTITLED AN ACT TO ALLOW ALL MUNICIPALITIES TO PARTICIPATE IN URBAN AREA REVITALIZATION PROJECTS UNDER THE MUNICIPAL SERVICE DISTRICT ACT OF 1973, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

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

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By Representatives Luebke, Gibson, Wainwright, and Weiss, Chairs,
for the Committee on Finance:

S.B. 29, A BILL TO BE ENTITLED AN ACT MODIFYING THE STANDARDS FOR SATELLITE ANNEXATIONS FOR THE TOWN OF NORWOOD, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of July 2.

S.B. 332 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE PURCHASING AND CONTRACTING AUTHORITY BY THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES ON BEHALF OF THE NORTH CAROLINA ZOOLOGICAL PARK; TO EXPAND THE UMSTEAD EXEMPTION FOR THE PARK; TO IMPROVE THE ADMINISTRATION OF PARK OPERATIONS; TO REQUIRE A REPORTING OF THE PROGRESS AND IMPLEMENTATION OF THE MANDATES OF THIS ACT; TO ESTABLISH THE NORTH CAROLINA ZOOLOGICAL PARK FUNDING AND ORGANIZATION STUDY COMMITTEE AND TO ANNEX CERTAIN PROPERTY OWNED BY THE NC ZOOLOGICAL SOCIETY INTO THE CITY OF ASHEBORO, with a favorable report as to House Committee Substitute Bill No. 2, which changes the title, unfavorable as to House Committee Substitute Bill No. 1.

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

S.B. 570 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF INDIAN TRAIL, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of July 2.

S.B. 584 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND THE PRIVATE PROTECTIVE SERVICES ACT, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to Senate Committee Substitute Bill No. 2.

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

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S.B. 674 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE RABIES LAWS TO CONFORM WITH RECOMMENDATIONS FROM THE CENTERS FOR DISEASE CONTROL AND THE NATIONAL ASSOCIATION OF STATE PUBLIC HEALTH VETERINARIANS AND TO ALLOW STRAY OR FERAL ANIMALS TO BE EUTHANIZED AND TESTED FOR RABIES AFTER BITING A HUMAN, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of July 2.

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

H.J.R. 364 (Committee Substitute), A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF APPOINTMENTS BY THE GOVERNOR OF REGINALD KENAN, WAYNE MCDEVITT, AND PATRICIA WILLOUGHBY TO THE STATE BOARD OF EDUCATION, with a favorable report.

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

SUBCOMMITTEE REFERRAL

Representatives Michaux, Adams, M. Alexander, Crawford, Haire, Jeffus, Tolson, and Yongue, Chairs, for the Committee on Appropriations, refer **H.B. 1268** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO PROHIBIT CONDEMNATION OF PRIVATE PROPERTY TO CONVEY AN INTEREST IN THAT PROPERTY FOR ECONOMIC DEVELOPMENT AND TO PROVIDE FOR THE PAYMENT OF JUST COMPENSATION WITH RIGHT OF TRIAL BY JURY IN ALL CONDEMNATION CASES, to the Appropriations Subcommittee on Justice and Public Safety.

CALENDAR

Action is taken on the following:

CONFERENCE REPORT

Representative Glazier moves the adoption of the following Conference Report.

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House Committee Substitute No. 2 for S.B. 799

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 799, A BILL TO BE ENTITLED AN ACT TO INCREASE TRANSPARENCY OF STATE FACILITIES THAT PROVIDE MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES BY REQUIRING THE DISCLOSURE OF CERTAIN INFORMATION ABOUT DEATH REPORTS, FACILITY POLICE REPORTS, AND INCIDENT REPORTS, House Committee Substitute #2 Favorable 6/11/09, submit the following report:

The Senate and House agree to the following amendment and the Senate concurs in House Committee Substitute #2 Favorable 6/11/09, as amended:

On page 1, line 12, by deleting the phrase
"the death of any former client of a facility who dies within 21 days",
and substituting the phrase
"the death of any former client of a facility who dies within 14 days".

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

Date conferees approved report: June 30, 2009

*Conferees for the
Senate*

S/ Tony Rand, Chair
S/ Tom Apodaca
S/ William R. Purcell

*Conferees for the
House of Representatives*

S/ Rick Glazier, Chair
S/ Darren G. Jackson
S/ Hugh Blackwell

The Conference Report is adopted, by electronic vote (116-0), and the Senate is so notified by Special Message.

H.B. 870, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE MEMBER OF THE BOARD OF COMMISSIONERS OF STANLY COUNTY WHO SERVES AS A MEMBER OF THE STANLY COUNTY AIRPORT AUTHORITY SERVES AT THE PLEASURE OF THE BOARD OF COMMISSIONERS, TO PROVIDE THE SAME FOR THE CHAIRMAN OF THE STANLY COUNTY ECONOMIC DEVELOPMENT

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COMMISSION, AND TO ALLOW THE STANLY COUNTY BOARD OF COMMISSIONERS TO DESIGNATE AN ALTERNATE FOR BOTH THOSE POSITIONS.

On motion of Representative Burr, the House concurs in Senate Amendment No. 1 by electronic vote (116-0).

On motion of Representative Burr, the House concurs in Senate Amendment No. 2, by electronic vote (116-0), and the bill is ordered enrolled.

H.B. 866 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW ALL MUNICIPALITIES THE AUTHORITY TO ADOPT AN ORDINANCE DECLARING RESIDENTIAL BUILDINGS IN COMMUNITY DEVELOPMENT TARGET AREAS TO BE UNSAFE AND TO REMOVE OR DEMOLISH THOSE BUILDINGS.

On motion of Representative Wray, the House concurs in the Senate amendment, by electronic vote (111-3), and the bill is ordered enrolled and presented to the Governor by Special Message.

Senate Committee Substitute for **H.B. 1453** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW STATE MAINTENANCE VEHICLES TO PARK IN METERED PARKING SPACES ADJACENT TO THE CAPITOL GROUNDS AND TO PROHIBIT PARKING OF MAINTENANCE VEHICLES ON THE STATE CAPITOL GROUNDS IN A MANNER THAT OBSTRUCTS THE VIEW OF OR ACCESS TO MONUMENTS.

On motion of Representative Dollar, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (115-0), and the bill is ordered enrolled and presented to the Governor by Special Message.

H.B. 1523 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REWRITE THE NORTH CAROLINA MORTGAGE LENDING ACT IN ORDER TO CONFORM TO THE REQUIREMENTS OF FEDERAL LAW.

On motion of Representative Glazier and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of July 7.

S.B. 437 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE FORCE ACCOUNT LIMIT FOR MECKLENBURG COUNTY, passes its second reading, by electronic vote (116-0), and there being no objection is read a third time.

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The bill passes its third reading and is ordered enrolled.

ENROLLED BILLS

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

S.B. 159, AN ACT TO UPDATE AND CLARIFY THE SECOND AND THIRD CLASS PRIORITY EXPENSES AND THE GRAVESTONE AUTHORIZATION IN PROBATE PROCEEDINGS.

S.B. 248, AN ACT TO MAKE A TECHNICAL CORRECTION BY DELETING FROM A 1981 LAW RELATING TO FILLING VACANCIES IN COUNTY BOARDS OF EDUCATION ELECTED ON A PARTISAN BASIS COUNTY BOARDS OF EDUCATION THAT IN FACT ARE NOT ELECTED ON A PARTISAN BASIS.

S.B. 586, AN ACT TO REQUIRE THE FILING OF NOTICE OF PENDING LITIGATION FOR ACTIONS SEEKING INJUNCTIVE RELIEF REGARDING SEDIMENTATION AND EROSION CONTROL FOR ANY LAND-DISTURBING ACTIVITY THAT IS SUBJECT TO THE REQUIREMENTS OF ARTICLE 4 OF CHAPTER 113A OF THE GENERAL STATUTES.

S.B. 634, AN ACT TO PROHIBIT THE ADVERTISING AND CONDUCTING OF CERTAIN LIVE MUSICAL PERFORMANCES OR PRODUCTIONS, TO PROVIDE FOR ENFORCEMENT, AND TO IMPOSE A PENALTY.

S.B. 661, AN ACT AUTHORIZING LESSORS OF CONTIGUOUS PREMISES TO ALLOCATE THE COST FOR WATER AND SEWER SERVICE TO EACH TENANT USING EQUIPMENT THAT MEASURES HOT WATER USAGE, REQUIRING LANDLORDS TO IMPROVE THE HABITABILITY OF DWELLING UNITS BY REPAIRING CERTAIN UNSAFE CONDITIONS, STAYING THE EXECUTION OF A JUDGMENT FOR SUMMARY EJECTMENT WHILE A MOTION FOR MODIFICATION OF THE UNDERTAKING IS PENDING, ESTABLISHING FEES FOR ADMINISTRATIVE SERVICES IN RESIDENTIAL TENANCIES, AND ESTABLISHING THE CIRCUMSTANCES UNDER WHICH A CITY MAY ORDER A DWELLING TO BE VACATED AND CLOSED.

S.B. 691, AN ACT TO PERMIT DISCLOSURE OF CERTAIN TAX INFORMATION OF LOCAL GOVERNMENTS TO THE DEPARTMENT OF STATE TREASURER AND TO ENACT THE TREASURER'S GOVERNANCE AND TRANSPARENCY ACT OF 2009.

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S.B. 828, AN ACT TO INCREASE THE MAXIMUM AMOUNT AT WHICH PROJECTS MAY UNDERGO AN INFORMAL BIDDING PROCESS AND CLARIFY THE APPLICATION OF THIS PROCESS, TO CONTINUE THE DEPARTMENT OF TRANSPORTATION'S PROGRAM FOR PARTICIPATION OF DISADVANTAGED MINORITY-OWNED AND WOMEN-OWNED BUSINESSES, AND TO AMEND VARIOUS STATUTES IN CHAPTER 136 OF THE GENERAL STATUTES TO CONFORM WITH THE DEPARTMENT'S FOCUS ON ALL MODES OF TRANSPORTATION INFRASTRUCTURE.

S.B. 981, AN ACT TO GIVE THE COMMISSIONER OF INSURANCE DISCRETION TO WAIVE THE MINIMUM POLICYHOLDERS POSITION REQUIREMENT UNDER CERTAIN CIRCUMSTANCES FOR MORTGAGE GUARANTY INSURERS.

H.B. 1112, AN ACT TO AMEND BIRTH REGISTRATION REQUIREMENTS TO ALLOW A CHILD'S PUTATIVE FATHER TO BE ENTERED ON THE BIRTH CERTIFICATE OF THE CHILD UNDER CERTAIN CIRCUMSTANCES.

H.B. 1294, AN ACT TO AUTHORIZE THE NORTH CAROLINA HEALTH INSURANCE RISK POOL TO PROVIDE PREMIUM SUBSIDIES IF FUNDS ARE AVAILABLE AND TO REQUIRE INSURERS TO NOTIFY APPLICANTS FOR HEALTH INSURANCE COVERAGE ABOUT THE EXISTENCE OF THE POOL.

H.B. 1438, AN ACT TO PROVIDE FOR A PILOT PROGRAM TO DETERMINE THE EFFECTIVENESS OF USING VIDEOCONFERENCE TECHNOLOGY TO CONDUCT COURT PROCEEDINGS, OTHER THAN TRIALS, INVOLVING PERSONS IN THE CUSTODY OF THE DEPARTMENT OF CORRECTION AND IN LOCAL CONFINEMENT FACILITIES.

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

S.B. 389, AN ACT TO AUTHORIZE THE HOUSING AUTHORITY OF THE CITY OF CHARLOTTE AND THE ROBESON COUNTY HOUSING AUTHORITY TO PARTICIPATE IN THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM WITHOUT PROVIDING PRIOR SERVICE CREDITS TO THEIR EMPLOYEES.

CHAPTERED BILLS

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

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S.B. 526, AN ACT TO ENACT THE SCHOOL VIOLENCE PREVENTION ACT AND TO DEFINE BULLYING OR HARASSING BEHAVIOR AS USED IN THE ACT AS ANY PATTERN OF GESTURES OR WRITTEN, ELECTRONIC, OR VERBAL COMMUNICATIONS, OR ANY PHYSICAL ACT OR ANY THREATENING COMMUNICATION, THAT TAKES PLACE ON SCHOOL PROPERTY, AT ANY SCHOOL-SPONSORED FUNCTION, OR ON A SCHOOL BUS, AND THAT PLACES A STUDENT OR SCHOOL EMPLOYEE IN ACTUAL AND REASONABLE FEAR OF HARM TO HIS OR HER PERSON OR DAMAGE TO HIS OR HER PROPERTY; OR CREATES OR IS CERTAIN TO CREATE A HOSTILE ENVIRONMENT BY SUBSTANTIALLY INTERFERING WITH OR IMPAIRING A STUDENT'S EDUCATIONAL PERFORMANCE, OPPORTUNITIES, OR BENEFITS; TO DEFINE HOSTILE ENVIRONMENT AS USED IN THE ACT AS MEANING THE VICTIM SUBJECTIVELY VIEWS THE CONDUCT AS BULLYING OR HARASSING BEHAVIOR AND THE CONDUCT IS OBJECTIVELY SEVERE OR PERVASIVE ENOUGH THAT A REASONABLE PERSON WOULD AGREE THAT IT IS BULLYING OR HARASSING BEHAVIOR; TO PROVIDE THAT BULLYING OR HARASSING BEHAVIOR INCLUDES, BUT IS NOT LIMITED TO, ACTS REASONABLY PERCEIVED AS BEING MOTIVATED BY ANY ACTUAL OR PERCEIVED DIFFERENTIATING CHARACTERISTIC, SUCH AS RACE, COLOR, RELIGION, ANCESTRY, NATIONAL ORIGIN, GENDER, SOCIO-ECONOMIC STATUS, ACADEMIC STATUS, GENDER IDENTITY, PHYSICAL APPEARANCE, SEXUAL ORIENTATION, OR MENTAL, PHYSICAL, DEVELOPMENTAL, OR SENSORY DISABILITY, OR BY ASSOCIATION WITH A PERSON WHO HAS OR IS PERCEIVED TO HAVE ONE OR MORE OF THESE CHARACTERISTICS; AND TO REQUIRE ALL LOCAL SCHOOL ADMINISTRATIVE UNITS TO ADOPT A POLICY PROHIBITING BULLYING AND HARASSING BEHAVIOR AS REQUIRED BY THE ACT. (S.L. 2009-212)

H.B. 88, AN ACT TO DIRECT LOCAL SCHOOL ADMINISTRATIVE UNITS TO PROVIDE REPRODUCTIVE HEALTH AND SAFETY EDUCATION IN GRADES SEVEN THROUGH NINE. (S.L. 2009-213)

S.B. 1008, AN ACT TO PROVIDE FOR A FEE FOR BONUS ANTLERLESS DEER TAGS. (S.L. 2009-214)

S.B. 311, AN ACT AUTHORIZING THE DIRECTOR OF THE BUDGET TO CONTINUE EXPENDITURES FOR THE OPERATION OF GOVERNMENT AT A LEVEL NOT TO EXCEED EIGHTY-FIVE PERCENT OF THE LEVEL AT WHICH THOSE OPERATIONS WERE AUTHORIZED IN S.L. 2008-107, AS AMENDED, UNTIL JULY 15, 2009, AT 11:59 P.M. (S.L. 2009-215)

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H.B. 239, AN ACT TO PROVIDE FOR IMPROVEMENTS IN THE MANAGEMENT OF THE JORDAN WATERSHED IN ORDER TO RESTORE WATER QUALITY IN THE JORDAN RESERVOIR. (S.L. 2009-216)

H.B. 703, AN ACT TO DISAPPROVE RULES ADOPTED BY THE NORTH CAROLINA MEDICAL BOARD AND APPROVED BY THE RULES REVIEW COMMISSION, TO REQUIRE THE NORTH CAROLINA BOARD OF MEDICINE TO PUBLISH CERTAIN JUDGMENTS, AWARDS, PAYMENTS, AND SETTLEMENTS, TO DISAPPROVE A RULE ADOPTED BY THE DEPARTMENT OF LABOR AND TO AUTHORIZE THE ADOPTION OF A TEMPORARY RULE TO REPLACE THE DISAPPROVED RULE. (S.L. 2009-217)

H.B. 1093, AN ACT TO AUTHORIZE CERTAIN HOUSING AUTHORITIES TO PROVIDE HOUSING FOR MODERATE-INCOME PERSONS. (S.L. 2009-218)

H.B. 1419, AN ACT TO AUTHORIZE THE WILDLIFE RESOURCES COMMISSION TO DEVELOP A BAT EVICTION AND EXCLUSION CURRICULUM TO BE USED BY OTHER ASSOCIATIONS OR ORGANIZATIONS. (S.L. 2009-219)

H.B. 994, AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO ADVISE THE HOUSING AUTHORITY OF THE CITY OF WILSON ON THE REQUIREMENTS FOR REGISTRATION AS A MULTIUNIT ASSISTED HOUSING WITH SERVICES PROGRAM AND ON THE REQUIREMENTS FOR LICENSURE AS A HOME CARE AGENCY IN ORDER TO ASSIST THE HOUSING AUTHORITY WITH THEIR EFFORTS TO HELP INDIVIDUALS AGE IN PLACE. (S.L. 2009-220)

S.B. 1010, AN ACT TO AUTHORIZE THE WILDLIFE RESOURCES COMMISSION TO ADOPT SEASON STRUCTURES FOR MIGRATORY GAME BIRD SEASONS AND TO ALLOW THE USE OF UNPLUGGED SHOTGUNS AND ELECTRONIC CALLS. (S.L. 2009-221)

S.B. 482, AN ACT TO CLARIFY THAT A PERMISSIBLE APPOINTEE UNDER A POWER OF APPOINTMENT IS NOT A TRUST BENEFICIARY, AND TO CLARIFY THAT A LOAN OR PLEDGE BY A TRUSTEE MAY BE MADE IN CONNECTION WITH A LOAN OF THE TRUSTEE'S OWN FUNDS. (S.L. 2009-222)

H.B. 1446, AN ACT TO AMEND THE LAW RELATING TO SCHOOL IMPROVEMENT PLANS. (S.L. 2009-223)

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H.B. 1091, AN ACT TO CLARIFY LAWS PERTAINING TO CIVIL ACTIONS ON BEHALF OF AN INCOMPETENT SPOUSE AS RELATED TO DIVORCE PROCEEDINGS. (S.L. 2009-224)

S.B. 258, AN ACT TO AUTHORIZE THE DIVISION OF EMERGENCY MANAGEMENT TO ESTABLISH A VOLUNTARY MODEL REGISTRY FOR USE BY COUNTIES AND MUNICIPALITIES IN IDENTIFYING FUNCTIONALLY AND MEDICALLY FRAGILE PERSONS IN NEED OF ASSISTANCE DURING A DISASTER; AND TO AUTHORIZE COUNTIES AND MUNICIPALITIES TO OPERATE SIMILAR REGISTRIES, AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON EMERGENCY PREPAREDNESS AND DISASTER MANAGEMENT RECOVERY. (S.L. 2009-225)

H.B. 682, AN ACT TO ADJUST THE EXEMPTION LIMITS FOR SMALL LOCAL GOVERNMENTS IN THE PUBLIC CONTRACTING STATUTES TO ACCOUNT FOR INFLATION SINCE LAST ADJUSTED SEVEN YEARS AGO. (S.L. 2009-226)

S.B. 268, AN ACT TO ELIMINATE THE REQUIREMENT OF AN ELECTED OFFICIAL RECOMMENDATION FOR NOTARY PUBLIC APPLICANTS IN COUNTIES WITH MORE THAN FIVE THOUSAND TWO HUNDRED AND FIFTY NOTARIES PUBLIC. (S.L. 2009-227)

H.B. 755, AN ACT TO AUTHORIZE THE USE OF SPECIAL REGISTRATION PLATE ACCOUNT FUNDS DESIGNATED FOR BEAUTIFICATION ON ALL HIGHWAYS. (S.L. 2009-228)

H.B. 808, AN ACT TO MAKE THE CONSTRUCTION PROCESS FOR COMMUNITY COLLEGE FACILITIES MORE EFFICIENT. (S.L. 2009-229)

S.B. 652, AN ACT TO PROHIBIT THE RETAIL SALE AND DISTRIBUTION OF NOVELTY LIGHTERS, AS RECOMMENDED BY THE CHILD FATALITY TASK FORCE. (S.L. 2009-230)

S.B. 763, AN ACT TO CLARIFY THE AUTHORIZATION FOR CERTAIN NONPROFIT CORPORATIONS TO RENDER LEGAL SERVICES. (S.L. 2009-231)

H.B. 1186, AN ACT TO AUTHORIZE COUNTY DEPARTMENTS OF SOCIAL SERVICES TO CONDUCT FOLLOW-UP MONITORING OF ADULT CARE HOMES. (S.L. 2009-232)

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H.B. 511, AN ACT TO REENACT THE SALES TAX REFUND FOR CERTAIN VOLUNTEER EMERGENCY RESPONSE PERSONNEL. (S.L. 2009-233)

S.B. 649, AN ACT TO PREVENT SPEED LIMITS IN AREAS NEWLY ANNEXED BY A MUNICIPALITY FROM AUTOMATICALLY BECOMING THIRTY-FIVE MILE-PER-HOUR SPEED ZONES AND TO ALLOW FLEXIBILITY IN THE DESIGNATION OF SEGMENTS OF WORK ZONES SUBJECT TO ADDITIONAL PENALTIES. (S.L. 2009-234)

S.B. 648, AN ACT TO ALLOW THE DEPARTMENT OF TRANSPORTATION TO PARTNER WITH PRIVATE DEVELOPERS ON TRANSPORTATION IMPROVEMENT PROJECTS AND PROVIDE FUNDING DIRECTLY TO THE PRIVATE DEVELOPER. (S.L. 2009-235)

H.B. 1032, AN ACT MODIFYING THE HISTORY AND GEOGRAPHY CURRICULA IN THE PUBLIC SCHOOLS. (S.L. 2009-236)

S.B. 457, AN ACT TO ADD THE DEFINITION OF BIODIESEL TO THE ENERGY CREDIT BANKING AND SELLING PROGRAM FOR THE QUALITY AND SAFETY OF MOTORISTS AND TO MAKE A CONFORMING CHANGE TO THE ALTERNATIVE FUEL REVOLVING FUND. (S.L. 2009-237)

H.B. 1180, AN ACT ESTABLISHING THE CONSUMER CHOICE AND INVESTMENT ACT OF 2009. (S.L. 2009-238)

H.B. 316, AN ACT AUTHORIZING CHARTER SCHOOLS TO GIVE PRIORITY FOR ADMISSION TO MULTIPLE BIRTH SIBLINGS. (S.L. 2009-239)

H.B. 631, AN ACT TO FACILITATE THE WEARING OF MILITARY MEDALS BY PUBLIC SAFETY PERSONNEL. (S.L. 2009-240)

H.B. 1079, AN ACT TO REQUIRE THE DEPARTMENT OF ADMINISTRATION TO GIVE PREFERENCE TO NEW PASSENGER MOTOR VEHICLES THAT HAVE A FUEL ECONOMY THAT IS IN THE TOP FIFTEEN PERCENT OF THAT CLASS OF COMPARABLE AUTOMOBILES FOR PASSENGER MOTOR VEHICLES PURCHASED BY THE STATE. (S.L. 2009-241)

S.B. 893, AN ACT TO ALLOW THE NORTH CAROLINA SELF-INSURANCE SECURITY ASSOCIATION TO COLLECT GROUP SELF-INSURER ASSESSMENTS; TO EXCLUDE FROM PARTICIPATION

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IN THE ASSOCIATION AGGREGATE SECURITY SYSTEM INDIVIDUAL SELF-INSURERS THAT FAIL TO SUBMIT CERTAIN FINANCIAL INFORMATION; AND TO ADJUST DEPOSIT REQUIREMENTS FOR ALL INDIVIDUAL SELF-INSURERS. (S.L. 2009-242)

H.B. 749, AN ACT TO AUTHORIZE THE STATE BUILDING CODE TO PERMIT THE USE OF CISTERNS TO PROVIDE WATER FOR FLUSHING TOILETS AND FOR OUTDOOR IRRIGATION IN THE CONSTRUCTION OR RENOVATION OF RESIDENTIAL OR COMMERCIAL BUILDINGS OR STRUCTURES AND TO PROHIBIT ANY STATE, COUNTY, OR LOCAL BUILDING CODE OR REGULATION FROM PROHIBITING THE USE OF CISTERNS FOR THESE USES, AND TO CLARIFY MINORITY BUSINESS PURPOSES FOR PUBLIC CONTRACTS. (S.L. 2009-243)

S.B. 1030, AN ACT CLARIFYING THE MEANING OF PUBLIC SCHOOL BUILDINGS AS RELATED TO AFTER-SCHOOL CHILD CARE PROGRAMS AND ESTABLISHING PROCEDURES FOR APPROVING EDUCATION CRITERIA FOR AFTER-SCHOOL CHILD CARE PROGRAM COORDINATORS AND GROUP LEADERS. (S.L. 2009-244)

H.B. 780, AN ACT TO CLARIFY THE NORTH CAROLINA BUILDING CODE EXEMPTION FOR FARM BUILDINGS TO INCLUDE EQUINE ARENAS USED FOR LESSONS OFFERED TO THE GENERAL PUBLIC, AND OTHER EQUINE ACTIVITIES, BUT NOT FOR SPECTATOR EVENTS, AND TO PROVIDE THAT IN THE CASE OF A MANDATORY EVACUATION A TENANT SUBJECT TO A VACATION RENTAL AGREEMENT IS ENTITLED TO A REFUND OF THE PRORATED RENT, TAXES, AND OTHER PAYMENTS MADE BY THE TENANT FOR THE OCCUPATION OF THE VACATION RENTAL UNIT. (S.L. 2009-245)

H.B. 630, AN ACT PROVIDING THAT THE TRIAL IN A SUMMARY EJECTMENT PROCEEDING MAY COMMENCE NOT SOONER THAN TWO BUSINESS DAYS AFTER SERVICE OF THE COMPLAINT AND SUMMONS ON THE DEFENDANT. (S.L. 2009-246)

CALENDAR (continued)

S.B. 504, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF DURHAM TO GRANT THE CITY MANAGER THE AUTHORITY TO INCLUDE THE CITY'S ANTI-SWEATSHOP REQUIREMENTS IN THE SPECIFICATIONS FOR CITY CONTRACTS.

July 1, 2009

Pursuant to Rule 24.1A, Representative Wiley requests that she be excused from voting on this bill because her husband is the director of VF Corporation, an apparel company. This request is granted.

The bill passes its second reading by electronic vote (93-22) and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 483, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT COURTS IN NORTH CAROLINA HAVE THE AUTHORITY TO CREATE TRUSTS BY JUDICIAL ORDER OR JUDGMENT IN CASES PROPERLY BEFORE THE COURT; AND TO SPECIFICALLY PROVIDE THAT NORTH CAROLINA COURTS HAVE THE RIGHT TO CREATE TRUSTS PURSUANT TO 42 U.S.C. § 1396P(D)(4)(A), passes its second reading, by electronic vote (116-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor by Special Message.

S.B. 694, A BILL TO BE ENTITLED AN ACT AMENDING THE LAWS PERTAINING TO THE PRACTICE OF DENTISTRY AS PERFORMED BY PERSONS PRACTICING DENTISTRY OUT OF STATE UNDER CERTAIN CIRCUMSTANCES, passes its second reading, by electronic vote (115-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor by Special Message.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committee are presented:

By Representative Dickson, Chair, for the Committee on Commerce, Small Business, and Entrepreneurship:

H.B. 1227, A BILL TO BE ENTITLED AN ACT TO CONFORM CERTAIN NORTH CAROLINA TAX CREDITS TO THE FEDERAL NEW MARKETS TAX CREDIT, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

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

July 1, 2009

S.B. 465, A BILL TO BE ENTITLED AN ACT AMENDING THE STATE FAIR HOUSING ACT, with a favorable report and recommendation that the bill be re-referred to the Committee on Judiciary III.

The bill is re-referred to the Committee on Judiciary III.

S.B. 643, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PROSPECTIVE EMPLOYEE REQUIRED TO SUBMIT TO A CONTROLLED SUBSTANCE EXAMINATION WHOSE FIRST SCREENING TEST PRODUCES A POSITIVE RESULT MAY WAIVE A SECOND EXAMINATION THAT IS INTENDED TO CONFIRM THE RESULTS, with a favorable report and recommendation that the bill be re-referred to the Committee on Judiciary III.

The bill is re-referred to the Committee on Judiciary III.

BILLS WITHDRAWN FROM COMMITTEE

On motion of Representative Owens and without objection, Senate Committee Substitute for **H.B. 79** (Committee Substitute), A BILL TO BE ENTITLED AN ACT DIRECTING THE JOINT LEGISLATIVE STUDY COMMITTEE ON PUBLIC SCHOOL FUNDING FORMULAS TO EXTEND ITS REVIEW OF PUBLIC SCHOOL FUNDING, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and pursuant to Rule 36(b), is placed on the Calendar of July 2.

On motion of Representative Owens and without objection, Senate Committee Substitute for **H.B. H.B. 632**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATELY RECOGNIZE THE NATIONAL GUARD AND TO CREATE UNIFORMITY IN THE SPELLING OF THE TERM "NATIONAL GUARD" WHEREVER IT APPEARS IN THE GENERAL STATUTES BY CAPITALIZING IT, AS RECOMMENDED BY THE JOINT STUDY COMMITTEE ON MILITARY AND VETERANS' AFFAIRS, is withdrawn from the Committee on Judiciary I and pursuant to Rule 36(b), is placed on the Calendar of July 2.

On motion of Representative Owens, seconded by Representative Mackey, the House adjourns at 3:10 p.m. to reconvene July 2 at 1:00 p.m.

July 1, 2009

NINETY-FIRST DAY

HOUSE OF REPRESENTATIVES
Thursday, July 2, 2009

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

The following prayer is offered by the Reverend Dr. Robert Sawyer, Senior Rector, Church of the Good Shepherd, Raleigh, North Carolina:

"Eternal Father:

"As we prepare to end this week's work in the House we remember once more those 'unalienable rights' of 'life, liberty, and the pursuit of happiness,' and pray that we may never take them for granted. We give thanks to those who signed the Declaration of Independence, especially William Hooper, Joseph Hewes, and John Penn of North Carolina, men who willingly risked all that they had to make these rights available to all.

"Over the years outstanding young men and women have come from Murphy to Manteo, raised their right hand and promised to defend these rights that we hold so dear. They continue to come, some of our best and brightest, and on this July 4th weekend many of them now stand in Harm's Way. On this day we offer special prayers for them, praying, in the words of The Book of Common Prayer (page 823), that Lord You will, '... defend them day by day with Your heavenly grace; strengthen them in their trials and temptations; (and) give them courage to face the perils which beset them ...'. And on behalf of all of us who have worn the uniforms of the Armed Forces of our country I offer special thanks for each of them and wish them 'Fair Winds and Following Seas,' wherever they may be.

"Finally Lord, on a personal note, I give thanks for the privilege of offering prayers this week in this hallowed hall for these dedicated and faithful men and women elected to serve as Representatives in this House and for the staff of the House, for the Pages, and for the Sergeants-at-Arms. May Your blessing be upon each of them this day and forever more. In Your Holy Name we pray. Amen."

Representative Owens, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of July 1 has been examined and found correct. Upon his motion, the Journal is approved as written.

July 2, 2009

Leaves of absence are granted Representatives Avila, Parmon, Tucker, Wilkins, and Womble for today. Representative McGee is excused for a portion of the Session.

ENROLLED BILLS

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

S.B. 208, AN ACT PERTAINING TO STATUTORY AND ADMINISTRATIVE RULE REFERENCES TO PEOPLE WITH DISABILITIES.

S.B. 357, AN ACT REQUIRING MUNICIPALITIES AND MEMBERSHIP CORPORATIONS ORGANIZED UNDER CHAPTER 117 OF THE GENERAL STATUTES TO PERMIT COMMUNICATIONS SERVICE PROVIDERS TO USE THEIR POLES, DUCTS, AND CONDUITS FOR ATTACHMENTS AND RELATED USES, AND AUTHORIZING THE NORTH CAROLINA BUSINESS COURT TO CONSIDER AND RESOLVE DISPUTES CONCERNING THE RATES, TERMS, AND CONDITIONS ASSOCIATED WITH THE USE.

S.B. 483, AN ACT TO CLARIFY THAT COURTS IN NORTH CAROLINA HAVE THE AUTHORITY TO CREATE TRUSTS BY JUDICIAL ORDER OR JUDGMENT IN CASES PROPERLY BEFORE THE COURT; AND TO SPECIFICALLY PROVIDE THAT NORTH CAROLINA COURTS HAVE THE RIGHT TO CREATE TRUSTS PURSUANT TO 42 U.S.C. § 1396P(D)(4)(A).

S.B. 564, AN ACT TO AUTHORIZE ALL MUNICIPALITIES AND COUNTIES TO GIVE A SINGLE NOTICE TO CHRONIC VIOLATORS OF THEIR PUBLIC NUISANCE ORDINANCES.

S.B. 694, AN ACT AMENDING THE LAWS PERTAINING TO THE PRACTICE OF DENTISTRY AS PERFORMED BY PERSONS PRACTICING DENTISTRY OUT OF STATE UNDER CERTAIN CIRCUMSTANCES.

H.B. 866, AN ACT TO ALLOW ALL MUNICIPALITIES THE AUTHORITY TO ADOPT AN ORDINANCE DECLARING RESIDENTIAL BUILDINGS IN COMMUNITY DEVELOPMENT TARGET AREAS TO BE UNSAFE AND TO REMOVE OR DEMOLISH THOSE BUILDINGS.

H.B. 1453, AN ACT TO ALLOW STATE MAINTENANCE VEHICLES TO PARK IN METERED PARKING SPACES ON THE STREET BLOCKS

July 2, 2009

BORDERING CAPITOL SQUARE AND TO PROHIBIT PARKING OF MAINTENANCE VEHICLES ON CAPITOL SQUARE IN A MANNER THAT OBSTRUCTS THE VIEW OF OR ACCESS TO MONUMENTS.

H.B. 309, AN ACT TO REMOVE THE SUNSET ON AN ACT TO PROTECT CUSTOMERS PURCHASING TICKETS VIA THE INTERNET.

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

S.B. 437, AN ACT TO INCREASE THE FORCE ACCOUNT LIMIT FOR MECKLENBURG COUNTY.

S.B. 495, AN ACT TO AUTHORIZE THE EXTENSION OF THE EXTRATERRITORIAL JURISDICTION OF THE TOWN OF OAK RIDGE, AND TO ALLOW FOR VOLUNTARY ANNEXATION OF ANY OF THAT PROPERTY UPON PETITION OF THE PROPERTY OWNER.

S.B. 504, AN ACT AMENDING THE CHARTER OF THE CITY OF DURHAM TO GRANT THE CITY MANAGER THE AUTHORITY TO INCLUDE THE CITY'S ANTI-SWEATSHOP REQUIREMENTS IN THE SPECIFICATIONS FOR CITY CONTRACTS.

H.B. 870, AN ACT TO PROVIDE THAT THE MEMBER OF THE BOARD OF COMMISSIONERS OF STANLY COUNTY WHO SERVES AS A MEMBER OF THE STANLY COUNTY AIRPORT AUTHORITY SERVES AT THE PLEASURE OF THE BOARD OF COMMISSIONERS, TO PROVIDE THE SAME FOR THE CHAIRMAN OF THE STANLY COUNTY ECONOMIC DEVELOPMENT COMMISSION, AND TO ALLOW THE STANLY COUNTY BOARD OF COMMISSIONERS TO DESIGNATE AN ALTERNATE FOR BOTH THOSE POSITIONS.

CHAPTERED BILLS

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

S.B. 412, AN ACT TO MAKE VARIOUS CHANGES TO THE NORTH CAROLINA LIMITED LIABILITY COMPANY ACT. (S.L. 2009-247)

S.B. 1009, AN ACT TO AUTHORIZE THE WILDLIFE RESOURCES COMMISSION TO PROVIDE EXEMPTIONS FROM HUNTING LICENSE REQUIREMENTS FOR SPECIAL EVENTS. (S.L. 2009-248)

July 2, 2009

S.B. 389, AN ACT TO AUTHORIZE THE HOUSING AUTHORITY OF THE CITY OF CHARLOTTE AND THE ROBESON COUNTY HOUSING AUTHORITY TO PARTICIPATE IN THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM WITHOUT PROVIDING PRIOR SERVICE CREDITS TO THEIR EMPLOYEES. (S.L. 2009-249)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

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

By Representative Faison, Chair, for the Committee on Ways and Means/Broadband Connectivity:

S.B. 851, A BILL TO BE ENTITLED AN ACT TO ALLOW DISTRICT COURTS TO SUPERVISE DEFENDANTS CONVICTED IN SUPERIOR COURT WHO ARE ASSIGNED TO DRUG TREATMENT COURTS OR PROBLEM-SOLVING COURTS, with a favorable report and recommendation that the bill be re-referred to the Committee on Judiciary III.

The bill is re-referred to the Committee on Judiciary III.

S.B. 853, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT AN ATTORNEY MAKING A MOTION FOR APPROPRIATE RELIEF, WHETHER BY ORAL OR WRITTEN MOTION, MUST CERTIFY IN WRITING TO THE COURT THAT THE ATTORNEY HAS REVIEWED THE TRIAL TRANSCRIPT AND HAS NOTIFIED AND CONSULTED WITH OR HAS MADE A GOOD FAITH EFFORT TO NOTIFY AND CONSULT WITH BOTH THE ATTORNEY WHO INITIALLY PROSECUTED THE CASE AND THE DEFENSE ATTORNEY WHO INITIALLY REPRESENTED THE DEFENDANT OF THE MOTION AND TO REQUIRE THAT THE CERTIFICATION APPEAR IN WRITING ON THE MOTION, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the original bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Judiciary III.

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

July 2, 2009

S.B. 929 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO: (1) AMEND REQUIREMENTS APPLICABLE TO AND CLARIFY SANCTIONS THAT MAY BE IMPOSED IN CONJUNCTION WITH MOTIONS TO SET ASIDE FORFEITURES; AND (2) PROVIDE THAT A COURT MAY REFUSE TO SET ASIDE A BOND FORFEITURE ONLY IF, BEFORE EXECUTING THE BOND, THE SURETY OR BAIL AGENT HAD ACTUAL NOTICE OF A DEFENDANT'S FAILURE TO APPEAR ON TWO OR MORE PRIOR OCCASIONS IN THE CASE FOR WHICH THE BOND WAS EXECUTED, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the Senate committee substitute bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Judiciary III.

The House committee substitute bill is re-referred to the Committee on Judiciary III. The Senate committee substitute bill is placed on the Unfavorable Calendar.

S.B. 1077 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXPAND THE AUTHORITY DELEGATED TO PROBATION OFFICERS IN ORDER TO MAKE INTERMEDIATE SANCTIONS AVAILABLE FOR AN OFFENDER SENTENCED TO COMMUNITY PUNISHMENT IF THE RISK ASSESSMENT JUSTIFIES THOSE SANCTIONS, with a favorable report and recommendation that the bill be re-referred to the Committee on Judiciary III.

The bill is re-referred to the Committee on Judiciary III.

By Representatives Glazier, Love, and Weiss, Vice Chairs, for the Committee on Judiciary II:

H.B. 1606, A BILL TO BE ENTITLED AN ACT TO RESTRUCTURE THE PRIOR RECORD LEVEL POINTS IN STRUCTURED SENTENCING IN ORDER TO EXPAND THE POINTS IN PRIOR RECORD LEVEL I AND TO EVEN OUT THE REMAINING RANGES, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

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

S.B. 215 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DEANNEX TWO DESCRIBED PARCELS FROM THE CORPORATE LIMITS OF THE TOWN OF ROBBINS AND TO ENTER INTO AN AGREEMENT FOR PAYMENTS IN LIEU OF REANNEXATION, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

July 2, 2009

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

S.B. 481 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW A TRUSTEE TO APPOINT TRUST PROPERTY TO ANOTHER TRUST FOR THE SAME BENEFICIARY, with a favorable report as to the House committee substitute bill, unfavorable as to the Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of July 6. The Senate committee substitute bill is placed on the Unfavorable Calendar.

S.B. 834 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT REWRITING THE LAWS REGULATING SANITARIANS AND AUTHORIZING THE STATE BOARD OF SANITARIAN EXAMINERS TO IMPOSE AN APPLICATION FEE, AND TO INCREASE CERTAIN FEES, with a favorable report as to the House committee substitute bill, unfavorable as to Senate Committee Substitute Bill No. 2, and recommendation that the House committee substitute bill be re-referred to the Committee on Finance.

The House committee substitute bill is re-referred to the Committee on Finance. Senate Committee Substitute Bill No. 2 is placed on the Unfavorable Calendar.

By Representatives Bordsen and Love, Chairs, for the Appropriations Subcommittee on Justice and Public Safety, with approval of standing committee Chairs for report to be made directly to the floor of the House:

H.B. 1268 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO PROHIBIT CONDEMNATION OF PRIVATE PROPERTY TO CONVEY AN INTEREST IN THAT PROPERTY FOR ECONOMIC DEVELOPMENT AND TO PROVIDE FOR THE PAYMENT OF JUST COMPENSATION WITH RIGHT OF TRIAL BY JURY IN ALL CONDEMNATION CASES, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(b), Committee Substitute Bill No. 2 is placed on the Calendar of July 6. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representative Dickson, Chair, for the Committee on Commerce, Small Business, and Entrepreneurship:

July 2, 2009

S.B. 458 (Committee Substitute), A BILL TO BE ENTITLED AN ACT REQUIRING AN APPLICANT FOR LICENSURE AS A BAIL BONDSMAN OR RUNNER TO HAVE OBTAINED A HIGH SCHOOL DIPLOMA OR ITS EQUIVALENT AND TO PROHIBIT A PERSON FROM BEING LICENSED IF THE PERSON IS CONVICTED OF A MISDEMEANOR DRUG VIOLATION, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the Senate committee substitute bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Finance.

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

By Representative Carney, Chair, for the Committee on Transportation:

S.B. 295 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE CLOSEST MARKET TO WHICH A CROP MAY BE HAULED TO BE WITHIN ONE HUNDRED FIFTY MILES OF THE FARM FROM WHICH THE CROP IS HAULED, with a favorable report as to the House committee substitute bill, unfavorable as to the Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of July 6. The Senate committee substitute bill is placed on the Unfavorable Calendar.

S.B. 368 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES TO THE MOTOR VEHICLE LAW AS REQUESTED BY THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to Senate Committee Substitute Bill No. 2, and recommendation that the House committee substitute bill be re-referred to the Committee on Finance.

The House committee substitute bill is re-referred to the Committee on Finance. Senate Committee Substitute Bill No. 2 is placed on the Unfavorable Calendar.

By Representative Wilkins, Chair, for the Committee on State Government/State Personnel:

July 2, 2009

S.B. 388 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE COLLECTION OF OFFENDER FINES AND FEES, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

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

By Representative Ross, Chair, for the Committee on Judiciary I:

H.B. 1132 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW CONCERNING RENEWAL OF A CONCEALED HANDGUN PERMIT, AND TO PROVIDE THAT A FORMER SWORN LAW ENFORCEMENT OFFICER WHO HAS FIFTEEN OR MORE AGGREGATE YEARS OF PART-TIME OR AUXILIARY LAW ENFORCEMENT SERVICE MAY BE EXEMPT FROM THE FIREARMS SAFETY AND TRAINING COURSE REQUIREMENT FOR A CONCEALED HANDGUN PERMIT IF HE OR SHE WAS A QUALIFIED SWORN LAW ENFORCEMENT OFFICER IMMEDIATELY BEFORE RETIRING AND HAS BEEN RETIRED AS A SWORN LAW ENFORCEMENT OFFICER TWO YEARS OR LESS FROM THE DATE OF THE PERMIT APPLICATION, with recommendation that the House concur.

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

MESSAGE FROM THE SENATE

The following is received from the Senate:

H.B. 1347 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CHIEF COURT COUNSELOR IN EACH DISTRICT TO DELEGATE CERTAIN RESPONSIBILITIES, is returned for concurrence in Senate committee substitute bill and referred to the Committee on Juvenile Justice.

SPECIAL MESSAGE FROM THE SENATE

The following Special Message is received from the Senate:

S.J.R. 1104, A JOINT RESOLUTION HONORING THE TWO HUNDRED FIFTIETH ANNIVERSARY OF HALIFAX COUNTY, is read the first time.

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

July 2, 2009

CALENDAR

Action is taken on the following:

S.J.R. 1104, A JOINT RESOLUTION HONORING THE TWO HUNDRED FIFTIETH ANNIVERSARY OF HALIFAX COUNTY, passes its second reading, by electronic vote (114-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered enrolled.

Senate Committee Substitute for **H.B. 79** (Committee Substitute), A BILL TO BE ENTITLED AN ACT DIRECTING THE JOINT LEGISLATIVE STUDY COMMITTEE ON PUBLIC SCHOOL FUNDING FORMULAS TO EXTEND ITS REVIEW OF PUBLIC SCHOOL FUNDING.

On motion of Representative Glazier, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (114-0), and the bill is ordered enrolled and presented to the Governor.

Senate Committee Substitute for **H.B. 632**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATELY RECOGNIZE THE NATIONAL GUARD AND TO CREATE UNIFORMITY IN THE SPELLING OF THE TERM "NATIONAL GUARD" WHEREVER IT APPEARS IN THE GENERAL STATUTES BY CAPITALIZING IT, AS RECOMMENDED BY THE JOINT STUDY COMMITTEE ON MILITARY AND VETERANS' AFFAIRS.

On motion of Representative Martin, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (114-0), and the bill is ordered enrolled and presented to the Governor.

H.B. 1009 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO END DEPARTMENT OF ADMINISTRATION SUPERVISION OF EMPLOYEES OF COUNTIES, CITIES, AND TOWNS THAT ARE ENGAGED IN VETERANS SERVICE.

On motion of Representative Bell, the House concurs in the Senate committee substitute bill, by electronic vote (113-1), and the bill is ordered enrolled and presented to the Governor.

S.B. 29, A BILL TO BE ENTITLED AN ACT MODIFYING THE STANDARDS FOR SATELLITE ANNEXATIONS FOR THE TOWN OF NORWOOD, passes its second reading, by the following vote, and remains on the Calendar.

July 2, 2009

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Barnhart, Bell, Blackwell, Blackwood, Blust, Boles, Bordsen, Braxton, Brisson, Brown, Brubaker, Bryant, Burr, Burris-Floyd, Carney, Coates, Cole, Cotham, Crawford, Current, Daughtry, Dickson, Dockham, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Folwell, Frye, Gibson, Gill, Gillespie, Glazier, Goforth, Goodwin, Grady, Guice, Gulley, Haire, Hall, Harrell, Harrison, Hill, Hilton, Holliman, Holloway, Howard, Hughes, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Killian, Langdon, Lewis, Love, Lucas, Luebke, Mackey, Martin, McComas, McElraft, McGee, McLawhorn, Michaux, Mobley, Moore, Neumann, Owens, Pierce, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Setzer, Spear, Stam, Starnes, Steen, Stevens, Stewart, Sutton, Tarleton, Tillis, Tolson, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wiley, Williams, Wray, and Yongue - 111.

Voting in the negative: Representatives Cleveland, McCormick, and Mills - 3.

Excused absences: Representatives Avila, Parmon, Tucker, Wilkins, and Womble - 5.

S.B. 570 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF INDIAN TRAIL, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Barnhart, Bell, Blackwell, Blackwood, Blust, Boles, Bordsen, Braxton, Brisson, Brown, Brubaker, Bryant, Burr, Burris-Floyd, Carney, Cleveland, Coates, Cole, Cotham, Crawford, Current, Daughtry, Dickson, Dockham, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Folwell, Frye, Gibson, Gill, Gillespie, Glazier, Goforth, Goodwin, Grady, Guice, Gulley, Haire, Hall, Harrell, Harrison, Hill, Hilton, Holliman, Holloway, Howard, Hughes, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Killian, Langdon, Lewis, Love, Lucas, Luebke, Mackey, Martin, McComas, McCormick, McElraft, McGee, McLawhorn, Michaux, Mills, Mobley, Moore, Neumann, Owens, Pierce, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Setzer, Spear, Stam, Starnes, Steen, Stevens, Stewart, Sutton, Tarleton, Tillis, Tolson, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wiley, Williams, Wray, and Yongue - 114.

Voting in the negative: None.

July 2, 2009

Excused absences: Representatives Avila, Parmon, Tucker, Wilkins, and Womble - 5.

S.B. 332 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MODIFY THE PURCHASING AND CONTRACTING AUTHORITY BY THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES ON BEHALF OF THE NORTH CAROLINA ZOOLOGICAL PARK; TO EXPAND THE UMSTEAD EXEMPTION FOR THE PARK; TO IMPROVE THE ADMINISTRATION OF PARK OPERATIONS; TO REQUIRE A REPORTING OF THE PROGRESS AND IMPLEMENTATION OF THE MANDATES OF THIS ACT; TO ESTABLISH THE NORTH CAROLINA ZOOLOGICAL PARK FUNDING AND ORGANIZATION STUDY COMMITTEE; AND TO ANNEX CERTAIN PROPERTY OWNED BY THE NC ZOOLOGICAL SOCIETY INTO THE CITY OF ASHEBORO, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Barnhart, Bell, Blackwell, Blackwood, Blust, Boles, Bordsen, Braxton, Brisson, Brown, Brubaker, Bryant, Burr, Burris-Floyd, Carney, Cleveland, Coates, Cole, Cotham, Crawford, Current, Daughtry, Dickson, Dockham, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Folwell, Frye, Gibson, Gill, Gillespie, Glazier, Goforth, Goodwin, Grady, Guice, Gulley, Haire, Hall, Harrell, Harrison, Hill, Hilton, Holliman, Holloway, Howard, Hughes, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Killian, Langdon, Lewis, Love, Lucas, Luebke, Mackey, Martin, McComas, McCormick, McElraft, McGee, McLawhorn, Michaux, Mills, Mobley, Moore, Neumann, Owens, Pierce, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Setzer, Spear, Stam, Starnes, Steen, Stevens, Stewart, Sutton, Tarleton, Tillis, Tolson, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wiley, Williams, Wray, and Yongue - 114.

Voting in the negative: None.

Excused absences: Representatives Avila, Parmon, Tucker, Wilkins, and Womble - 5.

S.B. 584 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE PRIVATE PROTECTIVE SERVICES ACT, TO MAKE CONFORMING CHANGES TO THE ALARM SYSTEMS LICENSING ACT WITH RESPECT TO CRIMINAL BACKGROUND CHECKS, AND TO AUTHORIZE THE STUDY OF DIGITAL FORENSICS, passes its second reading, by the following vote, and remains on the Calendar.

July 2, 2009

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Barnhart, Bell, Blackwell, Blackwood, Blust, Boles, Bordsen, Braxton, Brisson, Brubaker, Bryant, Burr, Burris-Floyd, Carney, Coates, Cole, Cotham, Crawford, Current, Daughtry, Dickson, Dockham, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Gibson, Gill, Glazier, Goforth, Goodwin, Grady, Guice, Gulley, Haire, Hall, Harrell, Harrison, Hill, Holliman, Holloway, Howard, Hughes, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Langdon, Lewis, Love, Lucas, Luebke, Mackey, Martin, McComas, McCormick, McElraft, McGee, McLawhorn, Michaux, Mills, Mobley, Moore, Neumann, Owens, Pierce, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Spear, Stam, Starnes, Steen, Stevens, Stewart, Sutton, Tarleton, Tillis, Tolson, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wiley, Williams, Wray, and Yongue - 105.

Voting in the negative: Representatives Brown, Cleveland, Folwell, Frye, Gillespie, Hilton, Hurley, Killian, and Setzer - 9.

Excused absences: Representatives Avila, Parmon, Tucker, Wilkins, and Womble - 5.

S.B. 674 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE RABIES LAWS TO CONFORM WITH RECOMMENDATIONS FROM THE CENTERS FOR DISEASE CONTROL AND THE NATIONAL ASSOCIATION OF STATE PUBLIC HEALTH VETERINARIANS AND TO ALLOW STRAY OR FERAL ANIMALS TO BE EUTHANIZED AND TESTED FOR RABIES AFTER BITING A HUMAN, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Barnhart, Bell, Blackwell, Blackwood, Blust, Boles, Bordsen, Braxton, Brisson, Brown, Brubaker, Bryant, Burr, Burris-Floyd, Carney, Cleveland, Coates, Cole, Cotham, Crawford, Current, Daughtry, Dickson, Dockham, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Folwell, Frye, Gibson, Gill, Gillespie, Glazier, Goforth, Goodwin, Grady, Guice, Gulley, Haire, Hall, Harrell, Harrison, Hill, Hilton, Holliman, Holloway, Hughes, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Killian, Langdon, Lewis, Love, Lucas, Luebke, Mackey, Martin, McComas, McCormick, McElraft, McGee, McLawhorn, Michaux, Mills, Mobley, Moore, Neumann, Owens, Pierce, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Setzer, Spear, Stam, Starnes, Steen, Stevens, Stewart, Sutton, Tarleton, Tillis, Tolson, Wainwright, E. Warren, Weiss, West, Whilden, Wiley, Williams, Wray, and Yongue - 111.

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Voting in the negative: None.

Excused absences: Representatives Avila, Parmon, Tucker, Wilkins, and Womble - 5.

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

S.B. 605 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE DEPOSIT OF MONEY OF A WARD'S ESTATE INTO ANY FINANCIAL INSTITUTION AND TO MAKE OTHER CLARIFYING CHANGES, passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

S.B. 689 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE REPORTING REQUIREMENTS FOR THE DEPARTMENT OF PUBLIC INSTRUCTION AND THE STATE BOARD OF EDUCATION AND TO CLARIFY THE LAW REGARDING BUILDING CODE STANDARDS FOR BUILDINGS USED BY HIGH SCHOOL STUDENTS ATTENDING CLASSES ON COLLEGE OR UNIVERSITY CAMPUSES, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

Representatives Luebke and McGee request and are granted permission to be recorded as voting "aye". The adjusted vote total is (112-0).

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

S.B. 1089, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PROBATION OFFICERS TO TRANSFER LOW-RISK MISDEMEANANTS WITH NO SPECIAL CONDITIONS TO UNSUPERVISED PROBATION, passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

BILLS WITHDRAWN FROM COMMITTEE

On motion of Representative Owens and without objection, Senate Committee Substitute for **H.B. 98** (Committee Substitute No. 2), A BILL

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TO BE ENTITLED AN ACT TO AUTHORIZE A MEMBER OF THE ARMED FORCES OR OF RESERVE COMPONENTS OF THE ARMED FORCES TO RENEW A DRIVERS LICENSE UPON RECEIPT OF DEPLOYMENT ORDERS AND TO ALLOW A THIRTY-DAY GRACE PERIOD FOR AN EXPIRED LICENSE UPON RELEASE FROM ACTIVE DUTY, is withdrawn from the Committee on Homeland Security, Military, and Veterans Affairs and pursuant to Rule 36(b), is placed on Calendar of July 6.

On motion of Representative Owens and without objection, **H.B. 1330** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT PROHIBITING PUBLIC UTILITIES, ELECTRIC MEMBERSHIP CORPORATIONS, TELEPHONE MEMBERSHIP CORPORATIONS, AND CITIES AND COUNTIES THAT OPERATE PUBLIC ENTERPRISES FROM USING CERTAIN DEBT COLLECTION PRACTICES THAT RESULT IN A CUSTOMER BEING LIABLE FOR THE PAST DUE AND UNPAID DEBTS OF ANOTHER PERSON, is withdrawn from the Committee on Public Utilities and pursuant to Rule 36(b), is placed on Calendar of July 6.

On motion of Representative Owens and without objection, Senate Committee Substitute for **H.B. 1409** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN SIMPLE WIRING ACTIVITIES AND APPLIANCE REPLACEMENT IN RESIDENCES FROM BUILDING PERMITTING REQUIREMENTS WHEN THE APPLIANCE IS OF THE SAME ELECTRICAL RATING AND REQUIRES NO CHANGE TO EXISTING ELECTRICAL CIRCUITS AND THE WORK IS PERFORMED BY A LICENSED ELECTRICIAN, is withdrawn from the Committee on Commerce, Small Business, and Entrepreneurship and pursuant to Rule 36(b), is placed on Calendar of July 6.

On motion of Representative Owens and without objection, **S.B. 870** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE GENERAL STATUTES COMMISSION TO STUDY AND MAKE RECOMMENDATIONS TO THE GENERAL ASSEMBLY ON ANY CHANGES NEEDED TO MAKE THE GENERAL STATUTES AND CONSTITUTION GENDER NEUTRAL, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and pursuant to Rule 36(b), is placed on Calendar of July 6.

FISCAL NOTE ATTACHED

The fiscal note requested by Representative Michaux on June 30, is attached to **S.B. 513** (House Committee Substitute), A BILL TO BE

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ENTITLED AN ACT TO AUTHORIZE SERVICE BY MAIL OF NOTICES OF HEARINGS ON VIOLATIONS OF UNSUPERVISED PROBATION, and the bill is placed on the Calendar of July 6.

On motion of Representative Owens, seconded by Representative Wray, the House adjourns at 1:59 p.m. to reconvene Monday, July 6, 2009, at 7:00 p.m.

NINETY-SECOND DAY

HOUSE OF REPRESENTATIVES
Monday, July 6, 2009

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

The following prayer is offered by the Reverend Lisa Yebuah, Associate Pastor, Edenton Street United Methodist Church, Raleigh, North Carolina:

"Gracious God, Creator of all that is good:

"We give You thanks and praise for the many gifts You have offered to us this day. For it is in the generosity of Your provisions that we recognize that You are One who cares for all that You have created. We thank You especially for the gifts of this moment and for the work that is before us. Let us not take it for granted the tasks that have been entrusted to us and keep in our memory the many lives our good work affects. Let us be gentle in our conversation. Let us be mindful of one another's gifts. Let us be steadfast, faithful, and just. And most importantly, may our work be to Your pleasure. All of our cares we now offer to You. Amen."

The Speaker leads the Body in the Pledge of Allegiance.

Representative Owens, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of July 2 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives M. Alexander, Earle, Lewis, McLawhorn, Stewart, and R. Warren for today. Representatives Haire and Harrison are excused for a portion of the Session.

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CHAPTERED BILLS

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

S.B. 437, AN ACT TO INCREASE THE FORCE ACCOUNT LIMIT FOR MECKLENBURG COUNTY. (S.L. 2009-250)

S.B. 495, AN ACT TO AUTHORIZE THE EXTENSION OF THE EXTRATERRITORIAL JURISDICTION OF THE TOWN OF OAK RIDGE, AND TO ALLOW FOR VOLUNTARY ANNEXATION OF ANY OF THAT PROPERTY UPON PETITION OF THE PROPERTY OWNER. (S.L. 2009-251)

S.B. 504, AN ACT AMENDING THE CHARTER OF THE CITY OF DURHAM TO GRANT THE CITY MANAGER THE AUTHORITY TO INCLUDE THE CITY'S ANTI-SWEATSHOP REQUIREMENTS IN THE SPECIFICATIONS FOR CITY CONTRACTS. (S.L. 2009-252)

H.B. 870, AN ACT TO PROVIDE THAT THE MEMBER OF THE BOARD OF COMMISSIONERS OF STANLY COUNTY WHO SERVES AS A MEMBER OF THE STANLY COUNTY AIRPORT AUTHORITY SERVES AT THE PLEASURE OF THE BOARD OF COMMISSIONERS, TO PROVIDE THE SAME FOR THE CHAIRMAN OF THE STANLY COUNTY ECONOMIC DEVELOPMENT COMMISSION, AND TO ALLOW THE STANLY COUNTY BOARD OF COMMISSIONERS TO DESIGNATE AN ALTERNATE FOR BOTH THOSE POSITIONS. (S.L. 2009-253)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Bryant, Chair, for the Committee on Energy and Energy Efficiency:

H.B. 1389, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ANY CITY TO DESIGNATE AN AREA WITHIN THE CITY WITHIN WHICH DESIGNATED AREA CITY OFFICIALS AND FREE AND WILLING PROPERTY OWNERS MAY ENTER INTO CONTRACTUAL ASSESSMENTS TO FINANCE THE INSTALLATION OF DISTRIBUTED GENERATION RENEWABLE ENERGY SOURCES OR ENERGY EFFICIENCY IMPROVEMENTS THAT ARE PERMANENTLY AFFIXED

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TO REAL PROPERTY, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

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

By Representative Ross, Chair, for the Committee on Judiciary I:

S.B. 962 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE HEARING PROCESS APPLICABLE TO PROBATIONARY TEACHERS, with a favorable report as to House Committee Substitute Bill No. 2, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(b), House Committee Substitute Bill No. 2 is placed on the Calendar of July 7. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representative Sutton, Chair, for the Committee on Judiciary III:

H.B. 1119 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE CONTROLLED SUBSTANCES REPORTING ACT TO AUTHORIZE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO RELEASE DATA COLLECTED UNDER THE CONTROLLED SUBSTANCE REPORTING ACT TO A SHERIFF OR A DESIGNATED DEPUTY SHERIFF INVESTIGATING THE DIVERSION AND ILLEGAL USE OF CONTROLLED SUBSTANCES AND TO MAKE CHANGES PERTAINING TO CONFIDENTIALITY OF PRESCRIPTION INFORMATION, with a favorable report as to Committee Substitute Bill No. 2, which changes the title, unfavorable as to Committee Substitute Bill No. 1, and recommendation that Committee Substitute Bill No. 2 be re-referred to Committee on Rules, Calendar, and Operations of the House.

Committee Substitute Bill No. 2 is re-referred to the Committee on Rules, Calendar, and Operations of the House. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

H.B. 1637, A BILL TO BE ENTITLED AN ACT TO MODERNIZE THE RECORD KEEPING OF PRECIOUS METALS PURCHASES BY DEALERS, TO SUBJECT ALL DEALERS IN PRECIOUS METALS TO THE SAME LICENSING AND RECORD-KEEPING REQUIREMENTS BY REPEALING THE "TEN PERCENT OR LESS OF PURCHASES" EXEMPTION FROM DEALER PERMITTING AND REGULATION, TO INCREASE PRECIOUS METAL PERMITTING FEES, TO REQUIRE THAT

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A CRIMINAL RECORD CHECK BE CONDUCTED ON EMPLOYEES OF PRECIOUS METALS DEALERS, AND TO MAKE VARIOUS OTHER CHANGES TO THE PRECIOUS METALS PERMITTING STATUTES, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

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

S.B. 913 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY MOTOR VEHICLE DEALERS AND MANUFACTURERS LICENSING LAWS AND DEALER TERMINATION ASSISTANCE RIGHTS, with a favorable report as to House Committee Substitute Bill No. 2, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(b), House Committee Substitute Bill No. 2 is placed on the Calendar of July 7. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

S.B. 1073 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT AMENDING THE NORTH CAROLINA ALARM SYSTEMS LICENSING ACT AND AUTHORIZING THE NORTH CAROLINA ALARM SYSTEMS LICENSING BOARD TO ESTABLISH A LATE REGISTRATION FEE, with a favorable report as to the House committee substitute bill, unfavorable as to Senate Committee Substitute Bill No. 2, and recommendation that the House committee substitute bill be re-referred to the Committee on Finance.

The House committee substitute bill is re-referred to the Committee on Finance. Senate Committee Substitute Bill No. 2 is placed on the Unfavorable Calendar.

By Representative Carney, Chair, for the Committee on Transportation:

S.B. 203 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DIVISION OF MOTOR VEHICLES TO ISSUE A SPECIAL IDENTIFICATION CARD FREE OF CHARGE TO INDIVIDUALS WHOSE VALID DRIVERS LICENSE IS ADMINISTRATIVELY REVOKED DUE TO A MEDICAL DISQUALIFICATION, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the Senate committee substitute bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Appropriations.

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The House committee substitute bill is re-referred to the Committee on Appropriations. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representatives Goforth and Wray, Chairs, for the Committee on Insurance:

S.B. 749 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE AND CLARIFY THE REQUIREMENTS FOR UNINSURED AND UNDERINSURED MOTORIST COVERAGE IN MOTOR VEHICLE LIABILITY INSURANCE POLICIES, with a favorable report as to the House committee substitute bill, unfavorable as to the Senate committee substitute bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Ways and Means/Broadband Connectivity.

The House committee substitute bill is re-referred to the Committee on Ways and Means/Broadband Connectivity. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representative Allen, Chair, for the Committee on Environment and Natural Resources:

S.B. 307 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGULATING THE USE OF CERTAIN REPTILES, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of July 7.

S.B. 600 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE A DEMONSTRATION OF LACK OF PRUDENT AND FEASIBLE ALTERNATIVE IN ORDER FOR PUBLIC CONDEMNATORS TO CONDEMN PROPERTY ENCUMBERED BY A CONSERVATION EASEMENT, with a favorable report as to House Committee Substitute Bill No. 2, unfavorable as to House Committee Substitute Bill No. 1, and recommendation that House Committee Substitute Bill No. 2 be re-referred to the Committee on Appropriations.

House Committee Substitute Bill No. 2 is re-referred to the Committee on Appropriations. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

MESSAGE FROM THE SENATE

The following is received from the Senate:

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S.B. 807 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT PROVIDING FOR THE PROTECTION OF THE PUBLIC AGAINST THE HEALTH AND SAFETY RISKS THAT CERTAIN CHARACTERISTICALLY WILD ANIMALS POSE TO THE COMMUNITY, is read the first time and referred to the Committee on Wildlife Resources and, if favorable, to the Committee on Finance.

CALENDAR

Action is taken on the following:

H.B. 1268 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO PROHIBIT CONDEMNATION OF PRIVATE PROPERTY TO CONVEY AN INTEREST IN THAT PROPERTY FOR ECONOMIC DEVELOPMENT AND TO PROVIDE FOR THE PAYMENT OF JUST COMPENSATION WITH RIGHT OF TRIAL BY JURY IN ALL CONDEMNATION CASES.

On motion of Representative Owens and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of July 7.

Senate Committee Substitute for **H.B. 98** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A MEMBER OF THE ARMED FORCES OR OF RESERVE COMPONENTS OF THE ARMED FORCES TO RENEW A DRIVERS LICENSE UPON RECEIPT OF DEPLOYMENT ORDERS AND TO ALLOW A THIRTY-DAY GRACE PERIOD FOR AN EXPIRED LICENSE UPON RELEASE FROM ACTIVE DUTY.

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

Senate Committee Substitute for **H.B. 1132**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT A PERSON MUST APPLY TO RENEW A CONCEALED HANDGUN PERMIT WITHIN THE THIRTY-DAY PERIOD PRIOR TO THE EXPIRATION DATE OF THE PERMIT, TO PROVIDE THAT A SHERIFF SHALL ISSUE OR DENY AN APPLICATION TO RENEW A CONCEALED HANDGUN PERMIT WITHIN THIRTY DAYS OF RECEIPT OF THE COMPLETED RENEWAL APPLICATION, AND TO PROVIDE THAT THE PERMIT OF A PERSON WHO COMPLIES WITH THE RENEWAL REQUIREMENTS REMAINS VALID BEYOND

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THE EXPIRATION DATE OF THE PERMIT UNTIL THE PERSON IS EITHER GRANTED OR DENIED A RENEWAL PERMIT BY THE SHERIFF.

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

H.B. 1330 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT PROHIBITING PUBLIC UTILITIES, ELECTRIC MEMBERSHIP CORPORATIONS, TELEPHONE MEMBERSHIP CORPORATIONS, AND CITIES AND COUNTIES THAT OPERATE PUBLIC ENTERPRISES FROM USING CERTAIN DEBT COLLECTION PRACTICES THAT RESULT IN A CUSTOMER BEING LIABLE FOR THE PAST DUE AND UNPAID DEBTS OF ANOTHER PERSON.

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

Senate Committee Substitute for **H.B. 1409** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN SIMPLE WIRING ACTIVITIES AND APPLIANCE REPLACEMENT IN RESIDENCES FROM BUILDING PERMITTING REQUIREMENTS WHEN THE APPLIANCE IS OF THE SAME ELECTRICAL RATING AND REQUIRES NO CHANGE TO EXISTING ELECTRICAL CIRCUITS AND THE WORK IS PERFORMED BY A LICENSED ELECTRICIAN.

On motion of Representative Justice, the House does not concur in the Senate committee substitute bill, by electronic vote (111-0), and conferees are requested.

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

S.B. 29, A BILL TO BE ENTITLED AN ACT MODIFYING THE STANDARDS FOR SATELLITE ANNEXATIONS FOR THE TOWN OF NORWOOD, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, K. Alexander, Allen, Avila, Barnhart, Bell, Blackwell, Blackwood, Blust, Boles, Bordsen, Braxton, Brisson, Brown, Brubaker, Bryant, Burr, Burris-Floyd, Carney, Coates, Cole, Cotham, Crawford, Current, Daughtry, Dickson, Dockham,

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Dollar, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Frye, Gibson, Gill, Gillespie, Glazier, Goforth, Goodwin, Grady, Guice, Gulley, Hall, Harrell, Harrison, Hill, Hilton, Holliman, Howard, Hughes, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Justice, Justus, Killian, Langdon, Love, Lucas, Luebke, Mackey, Martin, McComas, McElraft, McGee, Michaux, Mobley, Moore, Neumann, Owens, Parmon, Pierce, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Setzer, Spear, Stam, Starnes, Steen, Stevens, Sutton, Tarleton, Tillis, Tolson, Tucker, Underhill, Wainwright, E. Warren, Weiss, West, Whilden, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 106.

Voting in the negative: Representatives Cleveland, Folwell, Holloway, McCormick, and Mills - 5.

Excused absences: Representatives M. Alexander, Earle, Haire, Lewis, McLawhorn, Stewart, and R. Warren - 7.

S.B. 570 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF INDIAN TRAIL, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in the House committee substitute bill.

Those voting in the affirmative are: Representatives Adams, K. Alexander, Allen, Avila, Barnhart, Bell, Blackwell, Blackwood, Blust, Boles, Bordsen, Braxton, Brisson, Brown, Brubaker, Bryant, Burr, Burris-Floyd, Carney, Cleveland, Coates, Cole, Cotham, Crawford, Current, Daughtry, Dickson, Dockham, Dollar, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Folwell, Frye, Gibson, Gill, Gillespie, Glazier, Goforth, Goodwin, Grady, Guice, Gulley, Hall, Harrell, Harrison, Hill, Hilton, Holliman, Holloway, Howard, Hughes, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Justice, Justus, Killian, Langdon, Love, Lucas, Luebke, Mackey, Martin, McComas, McCormick, McElraft, McGee, Michaux, Mills, Mobley, Moore, Neumann, Owens, Parmon, Pierce, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Setzer, Spear, Stam, Starnes, Steen, Stevens, Sutton, Tarleton, Tillis, Tolson, Tucker, Underhill, Wainwright, E. Warren, Weiss, West, Whilden, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 111.

Voting in the negative: None.

Excused absences: Representatives M. Alexander, Earle, Haire, Lewis, McLawhorn, Stewart, and R. Warren - 7.

S.B. 332 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MODIFY THE PURCHASING AND CONTRACTING AUTHORITY BY THE DEPARTMENT OF ENVIRONMENT AND

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NATURAL RESOURCES ON BEHALF OF THE NORTH CAROLINA ZOOLOGICAL PARK; TO EXPAND THE UMSTEAD EXEMPTION FOR THE PARK; TO IMPROVE THE ADMINISTRATION OF PARK OPERATIONS; TO REQUIRE A REPORTING OF THE PROGRESS AND IMPLEMENTATION OF THE MANDATES OF THIS ACT; TO ESTABLISH THE NORTH CAROLINA ZOOLOGICAL PARK FUNDING AND ORGANIZATION STUDY COMMITTEE; AND TO ANNEX CERTAIN PROPERTY OWNED BY THE NC ZOOLOGICAL SOCIETY INTO THE CITY OF ASHEBORO, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in the House Committee Substitute Bill No. 2.

Those voting in the affirmative are: Representatives Adams, K. Alexander, Allen, Avila, Barnhart, Bell, Blackwell, Blackwood, Blust, Boles, Bordsen, Braxton, Brisson, Brown, Brubaker, Bryant, Burr, Burris-Floyd, Carney, Cleveland, Coates, Cole, Cotham, Crawford, Current, Daughtry, Dickson, Dockham, Dollar, England, Faison, Farmer-Butterfield, Fisher, Folwell, Frye, Gibson, Gill, Gillespie, Glazier, Goforth, Goodwin, Grady, Guice, Gulley, Hall, Harrell, Harrison, Hill, Hilton, Holliman, Holloway, Howard, Hughes, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Justice, Justus, Killian, Langdon, Love, Lucas, Luebke, Mackey, Martin, McComas, McCormick, McElraft, McGee, Michaux, Mills, Mobley, Moore, Neumann, Owens, Parmon, Pierce, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Setzer, Spear, Stam, Starnes, Steen, Stevens, Sutton, Tarleton, Tillis, Tolson, Tucker, Underhill, Wainwright, E. Warren, Weiss, West, Whilden, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 110.

Voting in the negative: None.

Excused absences: Representatives M. Alexander, Earle, Haire, Lewis, McLawhorn, Stewart, and R. Warren - 7.

Representative E. Floyd states that his voting equipment malfunctioned and he requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (111-0).

S.B. 584 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE PRIVATE PROTECTIVE SERVICES ACT, TO MAKE CONFORMING CHANGES TO THE ALARM SYSTEMS LICENSING ACT WITH RESPECT TO CRIMINAL BACKGROUND CHECKS, AND TO AUTHORIZE THE STUDY OF DIGITAL FORENSICS, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in the House committee substitute bill.

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Those voting in the affirmative are: Representatives Adams, K. Alexander, Allen, Avila, Barnhart, Bell, Blackwell, Blackwood, Blust, Boles, Bordsen, Braxton, Brisson, Brubaker, Bryant, Burr, Burris-Floyd, Carney, Coates, Cole, Cotham, Crawford, Current, Daughtry, Dickson, Dockham, Dollar, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Gibson, Gill, Glazier, Goforth, Goodwin, Grady, Guice, Gulley, Hall, Harrell, Harrison, Hill, Hilton, Holliman, Holloway, Howard, Hughes, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Justice, Justus, Langdon, Love, Lucas, Luebke, Mackey, Martin, McComas, McCormick, McElraft, McGee, Michaux, Mills, Mobley, Moore, Neumann, Owens, Parmon, Pierce, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Setzer, Spear, Stam, Starnes, Steen, Stevens, Sutton, Tarleton, Tillis, Tolson, Tucker, Underhill, Wainwright, E. Warren, Weiss, West, Whilden, Wilkins, Williams, Womble, Wray, and Yongue - 103.

Voting in the negative: Representatives Brown, Cleveland, Folwell, Frye, Gillespie, Hurley, Killian, and Wiley - 8.

Excused absences: Representatives M. Alexander, Earle, Haire, Lewis, McLawhorn, Stewart, and R. Warren - 7.

S.B. 674 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE RABIES LAWS TO CONFORM WITH RECOMMENDATIONS FROM THE CENTERS FOR DISEASE CONTROL AND THE NATIONAL ASSOCIATION OF STATE PUBLIC HEALTH VETERINARIANS AND TO ALLOW STRAY OR FERAL ANIMALS TO BE EUTHANIZED AND TESTED FOR RABIES AFTER BITING A HUMAN, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in the House committee substitute bill.

Those voting in the affirmative are: Representatives Adams, K. Alexander, Allen, Avila, Barnhart, Bell, Blackwell, Blackwood, Blust, Boles, Bordsen, Braxton, Brisson, Brown, Brubaker, Bryant, Burr, Burris-Floyd, Carney, Cleveland, Coates, Cole, Cotham, Crawford, Current, Daughtry, Dickson, Dockham, Dollar, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Folwell, Frye, Gibson, Gill, Gillespie, Glazier, Goforth, Goodwin, Grady, Guice, Gulley, Hall, Harrell, Harrison, Hill, Hilton, Holliman, Holloway, Howard, Hughes, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Justice, Justus, Killian, Langdon, Love, Lucas, Luebke, Mackey, Martin, McComas, McCormick, McElraft, McGee, Michaux, Mills, Mobley, Moore, Neumann, Owens, Parmon, Pierce, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Setzer, Spear, Stam, Starnes, Steen, Stevens, Sutton, Tarleton, Tillis, Tolson, Tucker, Underhill, Wainwright, E. Warren, Weiss, West, Whilden, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 111.

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Voting in the negative: None.

Excused absences: Representatives M. Alexander, Earle, Haire, Lewis, McLawhorn, Stewart, and R. Warren - 7.

S.B. 295 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE CLOSEST MARKET TO WHICH A CROP MAY BE HAULED TO BE WITHIN ONE HUNDRED FIFTY MILES OF THE FARM FROM WHICH THE CROP IS HAULED, passes its second reading, by electronic vote (111-1), and there being no objection is read a third time.

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

S.B. 481 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW A TRUSTEE TO APPOINT TRUST PROPERTY TO ANOTHER TRUST FOR THE SAME BENEFICIARY, passes its second reading, by electronic vote (111-1), and there being no objection is read a third time.

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

S.B. 513 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE SERVICE BY MAIL OF NOTICES OF HEARINGS ON VIOLATIONS OF UNSUPERVISED PROBATION.

On motion of Representative Samuelson and without objection, the bill, as amended, is withdrawn from the Calendar, ordered engrossed and referred to the Committee on Judiciary I.

S.B. 870 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE GENERAL STATUTES COMMISSION TO STUDY AND MAKE RECOMMENDATIONS TO THE GENERAL ASSEMBLY ON ANY CHANGES NEEDED TO MAKE THE GENERAL STATUTES AND CONSTITUTION GENDER NEUTRAL, passes its second reading, by electronic vote (79-33), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

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CONFEREES APPOINTED

The Speaker appoints the following conferees on **S.B. 658** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE MEMBERSHIP OF THE SUPPLEMENTAL RETIREMENT BOARD OF TRUSTEES AND TO PROVIDE THAT THE FURLOUGH OF A MEMBER OF THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM SHALL NOT DIMINISH THE EMPLOYEE'S STATUS IN THE RETIREMENT SYSTEM: Representatives Bell, Tucker, Wilkins, and McGee.

The Senate is so notified by Special Message.

RE-REFERRAL

On motion of the Chair, pursuant to Rule 38(b), and without objection, **S.B. 203** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENSURE THE ACCESSIBILITY OF HANDICAPPED PARKING IN NORTH CAROLINA BY REQUIRING AN EXPIRATION DATE VISIBLE FROM AT LEAST TWENTY FEET ON ALL HANDICAPPED PLACARDS, TO ENSURE INCREASED ENFORCEMENT AND COLLECTION OF EXPIRED OR REVOKED PLACARDS BY REQUIRING THAT PLACARDS DISPLAY THE MONTH AND YEAR OF EXPIRATION, TO REQUIRE THE DIVISION OF MOTOR VEHICLES TO ISSUE HANDICAPPED PLACARD REGISTRATION CARDS, TO REQUIRE THAT THE PERSON TO WHOM THE PLACARD IS ISSUED BE THE OPERATOR OF OR A PASSENGER IN THE VEHICLE IN WHICH THE PLACARD IS DISPLAYED, AND TO REQUIRE THE DIVISION OF MOTOR VEHICLES TO ISSUE A SPECIAL IDENTIFICATION CARD FREE OF CHARGE TO A PERSON WHOSE VALID DRIVERS LICENSE IS ADMINISTRATIVELY REVOKED DUE TO A MEDICAL DISQUALIFICATION, is withdrawn from the Committee on Appropriations and re-referred to the Committee on Finance.

INTRODUCTION OF PAGES

Pages for the week of July 6 are introduced to the membership. They are: Daniel Adams of Wake; Chelsea Creech of Johnston; Sarah Farland of Guilford; Skye Hankins of Wake; Barry Harris of Guilford; Sarah Hounshell of Wake; Bradley James of New Hanover; Megan Jarrell of Randolph; Shaquila Jones of Jones; Ashley Killian of Mecklenburg; Yeya Love of Wake; Alexandra Maccioli of Wake; Remy Maccioli of Wake; Janay Moore of Wake; Dominique Solomon of Johnston; Jaqueline Vaughan-Jones of Davie; Elizabeth Wallace of Wake; Stuart Welch of Forsyth; Bryan Wimberly of Aiken, South Carolina; and Allison Wood of Wake.

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BILL WITHDRAWN FROM COMMITTEE

On motion of Representative Owens and without objection, Senate Committee Substitute for **H.B. 1267**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING LIABILITY OF A COMMERCIAL SOCIAL NETWORKING SITE TO PROVIDE THAT THE WEB SITE SHALL NOT BE HELD CIVILLY LIABLE FOR DAMAGES ARISING OUT OF COMMUNICATIONS ON THE WEB SITE IF THE WEB SITE MAKES A GOOD FAITH ATTEMPT TO SCREEN OUT USERS WHO ARE IN THE STATEWIDE SEX OFFENDER REGISTRY, is withdrawn from the Committee on Judiciary II and pursuant to Rule 36(b), is placed on the Calendar of July 7.

On motion of Representative Owens, seconded by Representative Rapp, the House adjourns at 7:47 p.m. to reconvene July 7 at 3:00 p.m.

NINETY-THIRD DAY

HOUSE OF REPRESENTATIVES
Tuesday, July 7, 2009

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

The following prayer is offered by the Reverend Lisa Yebuah, Associate Pastor, Edenton Street United Methodist Church, Raleigh, North Carolina:

"O Holy One:

"It is with a great sense of gratitude that we pause this afternoon to thank You for the beauty of this day, for the bounty of our blessings, and for the breath within us. We humbly acknowledge Your presence in the midst of our lives and now welcome Your sustaining power as we enter into a time of work. Gently remind us that we are to lead lives of consequence, not counting the cost, but always seeking to share our gifts in care and concern for the world. O God, as Your servants begin their work, may their words be saturated with grace, though not lacking in zeal. May they be authentic to their specific callings, though not inflexible. And grant that all of us who are gathered in this place would be good stewards of the gifts that You have placed within them and caretakers of the gifts that You have placed within their neighbors. Bless and strengthen us and forever keep them in Your care. Amen."

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

Leaves of absence are granted Representatives M. Alexander, Brown, and Jackson for today.

ENROLLED BILLS

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

S.B. 605, AN ACT TO PROVIDE FOR THE DEPOSIT OF MONEY OF A WARD'S ESTATE INTO ANY FINANCIAL INSTITUTION AND TO MAKE OTHER CLARIFYING CHANGES.

S.B. 799, AN ACT TO INCREASE TRANSPARENCY OF STATE FACILITIES THAT PROVIDE MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES BY REQUIRING THE DISCLOSURE OF CERTAIN INFORMATION ABOUT DEATH REPORTS, FACILITY POLICE REPORTS, AND INCIDENT REPORTS.

S.B. 1089, AN ACT TO AUTHORIZE PROBATION OFFICERS TO TRANSFER LOW-RISK MISDEMEANANTS WITH NO SPECIAL CONDITIONS TO UNSUPERVISED PROBATION.

H.B. 79, AN ACT PERMITTING THE JOINT LEGISLATIVE STUDY COMMITTEE ON PUBLIC SCHOOL FUNDING FORMULAS TO EXTEND ITS REVIEW OF PUBLIC SCHOOL FUNDING.

H.B. 632, AN ACT TO APPROPRIATELY RECOGNIZE THE NATIONAL GUARD AND TO CREATE UNIFORMITY IN THE SPELLING OF THE TERM "NATIONAL GUARD" WHEREVER IT APPEARS IN THE GENERAL STATUTES BY CAPITALIZING IT, AS RECOMMENDED BY THE JOINT STUDY COMMITTEE ON MILITARY AND VETERANS' AFFAIRS AND TO AUTHORIZE A GENERAL STATUTES COMMISSION STUDY ON REFERENCES TO THE NAMES OF MILITARY ORGANIZATIONS IN THE GENERAL STATUTES.

H.B. 1009, AN ACT TO END DEPARTMENT OF ADMINISTRATION SUPERVISION OF EMPLOYEES OF COUNTIES, CITIES, AND TOWNS THAT ARE ENGAGED IN VETERANS SERVICE.

S.B. 870, AN ACT TO DIRECT THE GENERAL STATUTES COMMISSION TO STUDY AND MAKE RECOMMENDATIONS TO

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THE GENERAL ASSEMBLY ON ANY CHANGES NEEDED TO MAKE THE GENERAL STATUTES AND CONSTITUTION GENDER NEUTRAL.

H.B. 98, AN ACT TO AUTHORIZE A MEMBER OF THE ARMED FORCES OR OF RESERVE COMPONENTS OF THE ARMED FORCES TO RENEW A DRIVERS LICENSE UPON RECEIPT OF DEPLOYMENT ORDERS AND TO ALLOW A SIXTY-DAY GRACE PERIOD FOR AN EXPIRED LICENSE UPON RELEASE FROM ACTIVE DUTY.

H.B. 1132, AN ACT TO AMEND THE LAW CONCERNING RENEWAL OF A CONCEALED HANDGUN PERMIT, AND TO PROVIDE THAT A FORMER SWORN LAW ENFORCEMENT OFFICER WHO HAS FIFTEEN OR MORE AGGREGATE YEARS OF PART-TIME OR AUXILIARY LAW ENFORCEMENT SERVICE MAY BE EXEMPT FROM THE FIREARMS SAFETY AND TRAINING COURSE REQUIREMENT FOR A CONCEALED HANDGUN PERMIT IF HE OR SHE WAS A QUALIFIED SWORN LAW ENFORCEMENT OFFICER IMMEDIATELY BEFORE RETIRING AND HAS BEEN RETIRED AS A SWORN LAW ENFORCEMENT OFFICER TWO YEARS OR LESS FROM THE DATE OF THE PERMIT APPLICATION.

H.B. 1330, AN ACT PROHIBITING PUBLIC UTILITIES, ELECTRIC MEMBERSHIP CORPORATIONS, TELEPHONE MEMBERSHIP CORPORATIONS, AND CITIES AND COUNTIES THAT OPERATE PUBLIC ENTERPRISES FROM USING CERTAIN DEBT COLLECTION PRACTICES THAT RESULT IN A CUSTOMER BEING LIABLE FOR THE PAST DUE AND UNPAID DEBTS OF ANOTHER PERSON.

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

S.B. 29, AN ACT MODIFYING THE STANDARDS FOR SATELLITE ANNEXATIONS FOR THE TOWN OF NORWOOD.

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

S.J.R. 1104, A JOINT RESOLUTION HONORING THE TWO HUNDRED FIFTIETH ANNIVERSARY OF HALIFAX COUNTY. (RESOLUTION 2009-24)

H.J.R. 1653, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF WILLIAM OLIVER SWOFFORD, AMERICAN POP SINGER AND NATIVE SON OF NORTH CAROLINA. (RESOLUTION 2009-25)

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CHAPTERED BILLS

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

S.B. 981, AN ACT TO GIVE THE COMMISSIONER OF INSURANCE DISCRETION TO WAIVE THE MINIMUM POLICYHOLDERS POSITION REQUIREMENT UNDER CERTAIN CIRCUMSTANCES FOR MORTGAGE GUARANTY INSURERS. (S.L. 2009-254)

H.B. 309, AN ACT TO REMOVE THE SUNSET ON AN ACT TO PROTECT CUSTOMERS PURCHASING TICKETS VIA THE INTERNET. (S.L. 2009-255)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Bell and Lucas, Chairs, for the Committee on Education:

H.B. 21, A BILL TO BE ENTITLED AN ACT TO PROVIDE COUNSELING BENEFITS TO EUGENICS SURVIVORS, TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO ESTABLISH A DATABASE OF EUGENICS PROGRAM PARTICIPANTS AND VERIFY THE STATUS OF PERSONS CONTACTING THE STATE TO DETERMINE THEIR PARTICIPATION IN THE STATE PROGRAM, TO ERECT A HISTORICAL MARKER ABOUT THE PROGRAM, TO DIRECT THE STATE BOARD OF EDUCATION TO INCLUDE INFORMATION ABOUT THE PROGRAM IN ITS K-12 HISTORY CURRICULUM, TO RECOMMEND CREATION OF AN ETHICS TRAINING MODULE FOR STATE, COUNTY, AND LOCAL GOVERNMENT EMPLOYEES, AND TO DIRECT THE DEPARTMENT OF CULTURAL RESOURCES TO DIGITIZE EXISTING RECORDS FOR PRESERVATION AND STUDY PURPOSES, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON COMPENSATION FOR VICTIMS OF THE EUGENICS STERILIZATION PROGRAM, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

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

S.B. 1069 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A JOINING OUR BUSINESSES AND SCHOOLS (JOBS) COMMISSION, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the Senate committee substitute bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Appropriations.

The House committee substitute bill is re-referred to the Committee on Appropriations. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representatives England and Insko, Chairs, for the Committee on Health:

H.B. 1187 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CHANGES TO THE HEALTH STATUTES PERTAINING TO HEALTH CARE PERSONNEL AND HEALTH CARE FACILITIES, with recommendation that the House concur.

Pursuant to Rule 36(b), the bill is placed on the Calendar of July 8.

S.B. 935 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT AMENDING THE MARRIAGE AND FAMILY THERAPY LICENSURE LAWS AND AUTHORIZING THE NORTH CAROLINA MARRIAGE AND FAMILY THERAPY LICENSURE BOARD TO INCREASE FEES, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

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

By Representatives Glazier, Love, and Weiss, Vice Chairs, for the Committee on Judiciary II:

S.B. 804 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE CERTIFICATE OF NEED LAW WITH RESPECT TO TIME LINES FOR ISSUANCE OF A CERTIFICATE OF NEED, with a favorable report as to House Committee Substitute Bill No. 2, which changes the title, unfavorable as to House Committee Substitute Bill No. 1.

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Pursuant to Rule 36(b), House Committee Substitute Bill No. 2 is placed on the Calendar of July 8. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representative R. Warren, Chair, for the Committee on Alcoholic Beverage Control:

S.B. 68 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE ALCOHOLIC BEVERAGE CONTROL COMMISSION, IN DECIDING ON THE LOCATION OF AN ABC STORE IN GUILFORD COUNTY, TO CONSIDER WHETHER IT IS WITHIN ONE THOUSAND FEET OF A CHURCH, PUBLIC SCHOOL, OR A NONPUBLIC SCHOOL, AS DEFINED IN PART 1 OR PART 2 OF ARTICLE 39 OF CHAPTER 115C OF THE GENERAL STATUTES, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of July 8.

By Representative Sutton, Chair, for the Committee on Judiciary III:

S.B. 1076 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CRIMINAL JUSTICE PARTNERSHIP PROGRAM TO ALLOW CERTAIN COMMUNITY-LEVEL OFFENDERS TO BE SERVED BY THE PROGRAM, with a favorable report as to House Committee Substitute Bill No. 2, unfavorable as to House Committee Substitute Bill No. 1.

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

S.B. 1091, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING TRAFFICKING IN METHAMPHETAMINE AND AMPHETAMINE TO CLARIFY THAT THE CHARGE OF TRAFFICKING IS BASED ON THE WEIGHT OF THE ENTIRE POWDER OR LIQUID MIXTURE RATHER THAN THE WEIGHT OF THE ACTUAL AMOUNT OF THE CONTROLLED SUBSTANCE IN THE POWDER OR LIQUID MIXTURE, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of July 8.

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

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H.J.R. 1654, A JOINT RESOLUTION SUPPORTING IMPLEMENTATION OF THE PASSENGER RAIL INVESTMENT AND IMPROVEMENT ACT OF 2008 AND THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009, with a favorable report.

Pursuant to Rule 36(b), the resolution is placed on the Calendar of July 8.

S.J.R. 182, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF ROBERT WALTER "BOB" SCOTT, FORMER GOVERNOR OF NORTH CAROLINA, with a favorable report as to the House committee substitute resolution, unfavorable as to the original resolution.

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

CALENDAR

Action is taken on the following:

Senate Committee Substitute for **H.B. 1267**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING LIABILITY OF A COMMERCIAL SOCIAL NETWORKING SITE TO PROVIDE THAT THE WEB SITE SHALL NOT BE HELD CIVILLY LIABLE FOR DAMAGES ARISING OUT OF COMMUNICATIONS ON THE WEB SITE IF THE WEB SITE MAKES A GOOD FAITH ATTEMPT TO SCREEN OUT USERS WHO ARE IN THE STATEWIDE SEX OFFENDER REGISTRY.

On motion of Representative Glazier, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (116-0), and the bill is ordered enrolled and presented to the Governor.

H.B. 1523 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REWRITE THE NORTH CAROLINA MORTGAGE LENDING ACT IN ORDER TO CONFORM TO THE REQUIREMENTS OF FEDERAL LAW.

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

H.B. 1268 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO PROHIBIT CONDEMNATION OF PRIVATE PROPERTY TO

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CONVEY AN INTEREST IN THAT PROPERTY FOR ECONOMIC DEVELOPMENT AND TO PROVIDE FOR THE PAYMENT OF JUST COMPENSATION WITH RIGHT OF TRIAL BY JURY IN ALL CONDEMNATION CASES.

Representative Stam offers Amendment No. 1.

Representative Allen moves that the bill, with Amendment No. 1 pending, be withdrawn from the Calendar and re-referred to the Committee on Judiciary II. The motion carries by electronic vote (60-56).

The bill, with Amendment No. 1 pending, is re-referred to the Committee on Judiciary II.

S.B. 307 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGULATING THE USE OF CERTAIN REPTILES.

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

S.B. 913 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO CLARIFY MOTOR VEHICLE DEALERS AND MANUFACTURERS LICENSING LAWS AND DEALER TERMINATION ASSISTANCE RIGHTS.

On motion of Representative Cole and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of July 8.

S.B. 962 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MODIFY THE HEARING PROCESS APPLICABLE TO PROBATIONARY TEACHERS, passes its second reading, by electronic vote (89-27), and there being no objection is read a third time.

Representative Moore requests and is granted permission to change his vote from "no" to "aye". The adjusted vote total is (90-26).

The bill passes its third reading and is ordered sent to the Senate for concurrence in House Committee Substitute Bill No. 2.

WITHDRAWAL OF BILL FROM CALENDAR

H.J.R. 364 (Committee Substitute), A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF APPOINTMENTS BY THE

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GOVERNOR OF REGINALD KENAN, WAYNE MCDEVITT, AND PATRICIA WILLOUGHBY TO THE STATE BOARD OF EDUCATION.

On motion of Representative Owens and without objection, the resolution is withdrawn from the Calendar pursuant to Rule 36(b), and re-referred to the Committee on Rules, Calendar, and Operations of the House.

BILLS WITHDRAWN FROM COMMITTEE

On motion of Representative Owens and without objection, **S.B. 708** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE COMPULSORY SCHOOL ATTENDANCE LAW, is withdrawn from the Committee on Appropriations and pursuant to Rule 36(b), is placed on the Calendar of July 8.

On motion of Representative Owens and without objection, **S.B. 835** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE LEGISLATIVE COMMISSION ON GLOBAL CLIMATE CHANGE, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and pursuant to Rule 36(b), is placed on the Calendar of July 8.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Bordsen and Mobley, Chairs, for the Committee on Juvenile Justice:

S.B. 464 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REQUIRING THE COLLECTION OF TRAFFIC LAW ENFORCEMENT STATISTICS IN ORDER TO PREVENT RACIAL PROFILING AND TO PROVIDE FOR THE CARE OF MINOR CHILDREN WHEN PRESENT AT THE ARREST OF CERTAIN ADULTS, with a favorable report and recommendation that the bill be re-referred to the Committee on Judiciary I.

The bill is re-referred to the Committee on Judiciary I.

S.B. 726 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT HOUSE ARREST MAY BE IMPOSED AS A CONDITION OF PRETRIAL RELEASE; TO PROVIDE THAT THE COURT MAY AUTHORIZE AN OFFENDER UNDER ELECTRONIC

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HOUSE ARREST TO LEAVE THE OFFENDER'S RESIDENCE FOR SPECIFIC PURPOSES AND THE COURT OR PROBATION OFFICER MAY MODIFY THOSE CONDITIONS; AND TO AMEND THE DEFINITION OF HOUSE ARREST UNDER JUVENILE LAW TO STATE THE SPECIFIC PURPOSES FOR WHICH A JUVENILE MAY BE AUTHORIZED TO LEAVE THE JUVENILE'S RESIDENCE, with a favorable report and recommendation that the bill be re-referred to the Committee on Judiciary III.

The bill is re-referred to the Committee on Judiciary III.

By Representatives Goforth and Wray, Chairs, for the Committee on Insurance:

S.B. 1029 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA PROFESSIONAL EMPLOYER ORGANIZATION ACT CONCERNING BONDING PROVISIONS AND MAINTENANCE OF EMPLOYEE BENEFITS, AND TO CLARIFY THE APPLICATION OF TAX CREDITS AND OTHER INCENTIVES TO PROFESSIONAL EMPLOYER ORGANIZATIONS, with a favorable report as to House Committee Substitute Bill No. 2, unfavorable as to House Committee Substitute Bill No. 1, and recommendation that House Committee Substitute Bill No. 2 be re-referred to the Committee on Finance.

House Committee Substitute Bill No. 2 is re-referred to the Committee on Finance. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representative Ross, Chair, for the Committee on Judiciary I:

S.B. 97 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALIGN THE AUTHORIZED PURPOSES FOR SPECIAL ASSESSMENTS FOR CRITICAL INFRASTRUCTURE NEEDS WITH THE PURPOSES OF PROJECT DEVELOPMENT FINANCING, CLARIFY THE LAW CONCERNING FINANCING A PROJECT FOR WHICH ASSESSMENTS MAY BE PLEDGED, AND EXEMPT PRIVATE ENTITIES THAT IMPLEMENT PROJECTS FOR WHICH ASSESSMENTS MAY BE PLEDGED FROM THE COMPETITIVE BIDDING REQUIREMENTS OF LOCAL GOVERNMENTS, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the Senate committee substitute bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Finance.

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

S.B. 628, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO RELEASE CONFIDENTIAL DATA IN THE CONTROLLED SUBSTANCES REPORTING SYSTEM TO THE CHIEF MEDICAL EXAMINER AND COUNTY MEDICAL EXAMINERS FOR THE PURPOSE OF INVESTIGATING DEATHS, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the original bill.

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

S.B. 764 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE GOOD FUNDS SETTLEMENT ACT TO CLARIFY THAT A SETTLEMENT AGENT IS GUILTY OF EMBEZZLEMENT IN INSTANCES WHERE IT CANNOT BE SHOWN THAT THE FUNDS WERE EMBEZZLED FROM A PARTICULAR PERSON OR ENTITY, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of July 8. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representatives Luebke, Gibson, Wainwright, and Weiss, Chairs, for the Committee on Finance:

H.B. 524 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY SIGNATORIES ON VOLUNTARY ANNEXATION REQUESTS; TO REQUIRE VOLUNTARY ANNEXATION ON REQUEST OF SEVENTY-FIVE PERCENT OF PROPERTY OWNERS IN DISTRESSED AREAS; TO PERMIT VOLUNTARY ANNEXATION ON REQUEST OF SEVENTY-FIVE PERCENT OF RESIDENT HOUSEHOLDS IN DISTRESSED AREAS; TO PROHIBIT THE USE OF STREETS OR STREET RIGHT-OF-WAYS TO ESTABLISH CONTIGUITY FOR PURPOSES OF VOLUNTARY AND INVOLUNTARY ANNEXATION; TO INCREASE FROM 5,000 TO 10,000 THE MUNICIPAL POPULATION THRESHOLD FOR DETERMINING THE PROCEDURE FOR INVOLUNTARY ANNEXATION; TO REQUIRE THE PROVISION OF AT LEAST TWO MEANINGFUL SERVICES WITHIN EXISTING CORPORATE BOUNDARIES PRIOR TO INITIATING AN INVOLUNTARY

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ANNEXATION; TO REQUIRE THE EXTENSION OF WATER AND SEWER LINES WITHIN THREE YEARS OF THE ANNEXATION TO ALL PROPERTIES WITHIN THE ANNEXED AREA; TO REQUIRE FINANCIAL IMPACT STATEMENTS SUBMITTED WITH A PROPOSED ANNEXATION TO BE BASED UPON A FIVE-YEAR PERIOD; TO ALLOW INVOLUNTARY ANNEXATION OF AREAS COMPLETELY SURROUNDED BY THE MUNICIPAL CORPORATE LIMITS; TO PROHIBIT INVOLUNTARY ANNEXATION OF AREAS BEING SERVED BY A WATER AND SEWER SYSTEM OPERATED BY A MUNICIPALITY OTHER THAN THE ANNEXING MUNICIPALITY; TO INCREASE THE URBAN DENSITY STANDARDS FOR INVOLUNTARY ANNEXATION BY MUNICIPALITIES BY REQUIRING AT LEAST SIXTY-FIVE PERCENT OF THE LOTS TO BE IN USE AND THE RESIDENTIAL LOTS TO BE AT LEAST TWO AND ONE-HALF ACRES IN SIZE; BY ADDING AN URBAN DENSITY TEST OF RESIDENTIAL POPULATION EQUAL TO AT LEAST TWO AND THREE-TENTHS PERSONS PER ACRE FOR INVOLUNTARY ANNEXATION BY SMALL MUNICIPALITIES; TO REQUIRE ALL OF A SUBDIVISION TO BE ANNEXED IF THE ANNEXATION IS INVOLUNTARY; TO AMEND THE PROCEDURE FOR ANNEXATION TO CLARIFY THE TIME LINE AND PROVIDE ADDITIONAL INFORMATION TO THE PROPERTY OWNERS AT THE PUBLIC HEARING AND PUBLIC INFORMATIONAL MEETING; TO REQUIRE THE NOTICE OF PUBLIC HEARING TO BE SENT TO PROPERTY OWNERS BY CERTIFIED MAIL; TO REQUIRE THE EFFECTIVE DATE OF VOLUNTARY CONTIGUOUS AND INVOLUNTARY ANNEXATION TO BE THE JUNE 30 NEXT FOLLOWING THE ADOPTION OF THE ANNEXATION; TO REQUIRE MUNICIPALITIES TO REPORT TO THE LOCAL GOVERNMENT COMMISSION ON THE PROVISION OF MEANINGFUL SERVICES FOLLOWING THE ADOPTION OF AN ANNEXATION ORDINANCE; TO EXTEND THE TIME PERIOD A PROPERTY OWNER MAY APPEAL TO THE COURTS FOLLOWING AN INVOLUNTARY ANNEXATION ORDINANCE FROM SIXTY DAYS TO NINETY DAYS; TO REQUIRE OVERSIGHT OF INVOLUNTARY ANNEXATIONS BY THE LOCAL GOVERNMENT COMMISSION BY REQUIRING A FISCAL FEASIBILITY ASSESSMENT; TO REQUIRE THE LOCAL GOVERNMENT COMMISSION TO PROHIBIT FURTHER ANNEXATION IF THE ANNEXING MUNICIPALITY DOES NOT PROVIDE SERVICES IN ACCORDANCE WITH AN INVOLUNTARY ANNEXATION WITHIN THREE YEARS; TO REQUIRE THE LOCAL GOVERNMENT COMMISSION TO ABATE PROPERTY TAXES FOR PROPERTY OWNERS WITHOUT THE REQUIRED SERVICES WITHIN THREE YEARS OF AN INVOLUNTARY ANNEXATION; TO REQUIRE THE LOCAL GOVERNMENT COMMISSION TO REPORT ANNUALLY TO THE GENERAL ASSEMBLY ON INVOLUNTARY

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ANNEXATIONS; TO AUTHORIZE MUNICIPALITIES TO CONTRACT WITH PROPERTY OWNERS FOR THE EXTENSION OF WATER SERVICE AND SEWER SERVICE AND NONAPPEAL OF AN INVOLUNTARY ANNEXATION, WHICH MAY RUN WITH THE LAND; TO PERMIT THE PAYMENT OF ASSESSMENTS FOR THE INSTALLATION OF WATER OR SEWER SERVICE FOLLOWING AN INVOLUNTARY ANNEXATION OVER A TWENTY-YEAR PERIOD; TO ALLOW THE PAYMENT OF TAP FEES OVER A FIVE-YEAR PERIOD; TO GIVE PRIORITY TO A MUNICIPALITY ANNEXING A DISTRESSED AREA WHEN THAT MUNICIPALITY APPLIES FOR COMMUNITY DEVELOPMENT BLOCK GRANTS AND LOANS OR GRANTS FROM THE WASTEWATER RESERVE OR DRINKING WATER RESERVE, with a favorable report as to Committee Substitute Bill No. 2, which changes the title, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(b), Committee Substitute Bill No. 2 is placed on the Calendar of July 8. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

On motion of Representative Owens, seconded by Representative Carney, the House adjourns at 4:36 p.m. to reconvene July 8 at 3:00 p.m.

NINETY-FOURTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, July 8, 2009

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

The following prayer is offered by the Reverend Lisa Yebuah, Associate Pastor, Edenton Street United Methodist Church, Raleigh, North Carolina:

"Almighty God:

"We trust that You do not sleep or slumber, but that You are a God who is attentive to our needs at all times. So in these trying days, when difficult tasks and decisions are before us, offer us Your mercy in abundance and Your peace which we know is without end. Help us to recognize that the work of our hands is not insignificant if it is directed towards the good of others and that even our small victories are worthy of celebration. Grant us

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courage. Grant us humility. Place within us a servant's heart. All of these prayers we offer to You with gratitude and praise. Amen."

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

A leave of absence is granted Representative M. Alexander for today. Representative Harrell is excused for a portion of the Session.

ENROLLED BILLS

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

S.B. 467, AN ACT TO ASSIST OWNERS IN RECOVERING LOST PETS, RELIEVE OVERCROWDING AT ANIMAL SHELTERS, AND FACILITATE ADOPTIONS OF ANIMALS FROM SHELTERS.

S.B. 1021, AN ACT TO PROTECT OWNERS OF ABANDONED PROPERTY BY REGULATING PROPERTY FINDERS.

H.B. 182, AN ACT TO ALLOW THE PLACEMENT OF TRAFFIC TABLES OR TRAFFIC CALMING DEVICES ON THOSE PORTIONS OF STATE ROADS WITHIN A RESIDENTIAL SUBDIVISION.

H.B. 886, AN ACT TO ALLOW THE BOARD OF DIETETICS/NUTRITION TO RECOVER COSTS INCURRED BY THE BOARD IN CONNECTION WITH DISCIPLINARY PROCEEDINGS OF THE BOARD.

H.B. 1267, AN ACT TO AMEND THE LAW REGARDING LIABILITY OF A COMMERCIAL SOCIAL NETWORKING SITE TO PROVIDE THAT THE WEB SITE SHALL NOT BE HELD CIVILLY LIABLE FOR DAMAGES ARISING OUT OF COMMUNICATIONS ON THE WEB SITE IF THE WEB SITE MAKES A GOOD-FAITH ATTEMPT TO SCREEN OUT USERS WHO ARE IN THE STATEWIDE SEX OFFENDER REGISTRY.

CHAPTERED BILLS

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

S.B. 29, AN ACT MODIFYING THE STANDARDS FOR SATELLITE ANNEXATIONS FOR THE TOWN OF NORWOOD. (S.L. 2009-256)

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**REPORTS OF STANDING COMMITTEES AND PERMANENT
SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representative Dickson, Chair, for the Committee on Commerce, Small Business, and Entrepreneurship:

S.B. 777 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW AFFILIATES OF A TOBACCO PRODUCTS MANUFACTURER TO BE TREATED THE SAME AS THE MANUFACTURER FOR PURPOSES OF PAYMENT OF THE EXCISE TAX ON OTHER TOBACCO PRODUCTS, with a favorable report, as amended, and recommendation that the bill be re-referred to the Committee on Finance.

On motion of Representative Carney, Committee Amendment No. 1 is adopted by electronic vote (117-0).

The bill, as amended, is re-referred to the Committee on Finance.

By Representative Wilkins, Chair, for the Committee on State Government/State Personnel:

S.B. 978, A BILL TO BE ENTITLED AN ACT TO DIRECT THE NORTH CAROLINA CRIMINAL JUSTICE EDUCATION AND TRAINING STANDARDS COMMISSION TO COORDINATE WITH LOCAL AND STATE LAW ENFORCEMENT OFFICERS AND WITH THE COMMUNITY COLLEGE SYSTEM TO PROVIDE MULTIPLE FIREARMS QUALIFICATION SITES FOR CERTIFICATION TO CARRY A CONCEALED HANDGUN PURSUANT TO FEDERAL LAW, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the original bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Judiciary III.

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

By Representative Faison, Chair, for the Committee on Ways and Means/Broadband Connectivity:

S.B. 1017 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENHANCE PROTECTIONS AGAINST IDENTITY THEFT AND TO PROTECT THE CREDIT OF CRIME VICTIMS DURING THE PENDENCY OF CRIME VICTIMS COMPENSATION FUND APPLICATIONS AND APPEALS, with a favorable report as to the House committee

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substitute bill, unfavorable as to the Senate committee substitute bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Judiciary II.

The House committee substitute bill is re-referred to the Committee on Judiciary II. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representative Carney, Chair, for the Committee on Transportation:

H.B. 881 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCLUDE COUNTIES IN TRANSPORTATION CORRIDOR MAPPING, TO CONFORM STATUTES TO COUNTY AUTHORITY AUTHORIZED BY THE GENERAL ASSEMBLY, AND TO ALLOW THE DEPARTMENT OF TRANSPORTATION TO FURNISH ROAD MAINTENANCE MATERIALS TO MUNICIPALITIES ON A COST REIMBURSEMENT BASIS, with recommendation that the House concur.

Pursuant to Rule 36(b), the bill is placed on the Calendar of July 9.

S.B. 423 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE DIVISION OF MOTOR VEHICLES TO WAIVE THE COMMERCIAL MOTOR VEHICLES SKILLS TEST FOR MEMBERS OF THE ARMED FORCES IF THE APPLICANT MEETS THE QUALIFICATIONS FOR ISSUANCE AND HAS PREVIOUSLY TAKEN A SKILLS TEST FOR THE VEHICLE CLASS AND SIZE TO BE OPERATED OR HAS, WHILE IN SERVICE TO AN ACTIVE OR RESERVE COMPONENT OF THE UNITED STATES ARMED FORCES, OPERATED THE VEHICLE CLASS AND SIZE FOR A RELEVANT TWO-YEAR PERIOD PRIOR TO APPLICATION FOR THE COMMERCIAL DRIVERS LICENSE AND HAS TAKEN A SKILLS TEST ADMINISTERED BY THE MILITARY, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

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

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

S.B. 1004 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE REVENUE LAWS STUDY COMMITTEE TO STUDY LOCAL GOVERNMENT OWNED AND OPERATED COMMUNICATION SERVICES, with a favorable report as to the House

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committee substitute bill, which changes the title, unfavorable as to the Senate committee substitute bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Rules, Calendar, and Operations of the House.

The House committee substitute bill is re-referred to the Committee on Rules, Calendar, and Operations of the House. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representative Hall, Chair, for the Committee on Homeland Security, Military, and Veterans Affairs:

H.B. 1411, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE EXTENSION OF TIME REQUIREMENTS FOR THE PAYMENT OF LICENSURE FEES BY MEMBERS OF THE ARMED FORCES UNDER THE LAWS PERTAINING TO OCCUPATIONAL LICENSING BOARDS, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

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

SUBCOMMITTEE REFERRALS

Representatives Michaux, Adams, Crawford, Haire, Jeffus, Tolson, and Yongue, Chairs, for the Committee on Appropriations, refer **H.B. 1280**, A BILL TO BE ENTITLED AN ACT CLARIFYING VARIOUS PROVISIONS UNDER THE LAWS PERTAINING TO THE FEDERAL WORK FIRST PROGRAM, to the Appropriations Subcommittee on Health and Human Services.

Representatives Michaux, Adams, Crawford, Haire, Jeffus, Tolson, and Yongue, Chairs, for the Committee on Appropriations, refer **S.B. 1069** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE JOINT LEGISLATIVE JOINING OUR BUSINESSES AND SCHOOLS (JOBS) STUDY COMMISSION, to the Appropriations Subcommittee on Education.

CALENDAR

Action is taken on the following:

H.B. 1187 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CHANGES TO THE HEALTH

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STATUTES PERTAINING TO HEALTH CARE PERSONNEL AND HEALTH CARE FACILITIES.

On motion of Representative Earle, the House concurs in the Senate committee substitute bill, by electronic vote (118-0), and the bill is ordered enrolled and presented to the Governor.

S.B. 68 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE ALCOHOLIC BEVERAGE CONTROL COMMISSION, IN DECIDING ON THE LOCATION OF AN ABC STORE IN GUILFORD COUNTY, TO CONSIDER WHETHER IT IS WITHIN ONE THOUSAND FEET OF A CHURCH, PUBLIC SCHOOL, OR A NON-PUBLIC SCHOOL, AS DEFINED IN PART 1 OR PART 2 OF ARTICLE 39 OF CHAPTER 115C OF THE GENERAL STATUTES, passes its second reading, by electronic vote (115-2), and there being no objection is read a third time.

Representative Womble requests and is granted permission to be recorded as voting "aye." The adjusted vote is (116-2).

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

H.B. 524 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO CLARIFY SIGNATORIES ON VOLUNTARY ANNEXATION REQUESTS; TO REQUIRE VOLUNTARY ANNEXATION ON REQUEST OF SEVENTY-FIVE PERCENT OF PROPERTY OWNERS IN DISTRESSED AREAS; TO PERMIT VOLUNTARY ANNEXATION ON REQUEST OF SEVENTY-FIVE PERCENT OF RESIDENT HOUSEHOLDS IN DISTRESSED AREAS; TO PROHIBIT THE USE OF STREETS OR STREET RIGHT-OF-WAYS TO ESTABLISH CONTIGUITY FOR PURPOSES OF VOLUNTARY AND INVOLUNTARY ANNEXATION; TO INCREASE FROM FIVE THOUSAND TO TEN THOUSAND THE MUNICIPAL POPULATION THRESHOLD FOR DETERMINING THE PROCEDURE FOR INVOLUNTARY ANNEXATION; TO REQUIRE THE PROVISION OF AT LEAST TWO MEANINGFUL SERVICES WITHIN EXISTING CORPORATE BOUNDARIES PRIOR TO INITIATING AN INVOLUNTARY ANNEXATION; TO REQUIRE THE EXTENSION OF WATER AND SEWER LINES WITHIN THREE YEARS OF THE ANNEXATION TO ALL PROPERTIES WITHIN THE ANNEXED AREA; TO REQUIRE FINANCIAL IMPACT STATEMENTS SUBMITTED WITH A PROPOSED ANNEXATION TO BE BASED UPON A FIVE-YEAR PERIOD; TO ALLOW INVOLUNTARY ANNEXATION OF AREAS COMPLETELY SURROUNDED BY THE MUNICIPAL CORPORATE

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LIMITS; TO PROHIBIT INVOLUNTARY ANNEXATION OF AREAS BEING SERVED BY A WATER AND SEWER SYSTEM OPERATED BY A MUNICIPALITY OTHER THAN THE ANNEXING MUNICIPALITY; TO INCREASE THE URBAN DENSITY STANDARDS FOR INVOLUNTARY ANNEXATION BY MUNICIPALITIES BY REQUIRING AT LEAST SIXTY-FIVE PERCENT OF THE LOTS TO BE IN USE AND THE RESIDENTIAL LOTS TO BE AT LEAST TWO AND ONE-HALF ACRES IN SIZE; BY ADDING AN URBAN DENSITY TEST OF RESIDENTIAL POPULATION EQUAL TO AT LEAST TWO AND THREE-TENTHS PERSONS PER ACRE FOR INVOLUNTARY ANNEXATION BY SMALL MUNICIPALITIES; TO REQUIRE ALL OF A SUBDIVISION TO BE ANNEXED IF THE ANNEXATION IS INVOLUNTARY; TO AMEND THE PROCEDURE FOR ANNEXATION TO CLARIFY THE TIME LINE AND PROVIDE ADDITIONAL INFORMATION TO THE PROPERTY OWNERS AT THE PUBLIC HEARING AND PUBLIC INFORMATIONAL MEETING; TO REQUIRE THE NOTICE OF PUBLIC HEARING TO BE SENT TO PROPERTY OWNERS BY CERTIFIED MAIL; TO REQUIRE THE EFFECTIVE DATE OF VOLUNTARY CONTIGUOUS AND INVOLUNTARY ANNEXATION TO BE THE JUNE 30 NEXT FOLLOWING THE ADOPTION OF THE ANNEXATION; TO REQUIRE MUNICIPALITIES TO REPORT TO THE LOCAL GOVERNMENT COMMISSION ON THE PROVISION OF MEANINGFUL SERVICES FOLLOWING THE ADOPTION OF AN ANNEXATION ORDINANCE; TO EXTEND THE TIME PERIOD A PROPERTY OWNER MAY APPEAL TO THE COURTS FOLLOWING AN INVOLUNTARY ANNEXATION ORDINANCE FROM SIXTY DAYS TO NINETY DAYS; TO ALLOW THE COURT TO ACCEPT ARGUMENT REGARDING THE PROVISION OF MEANINGFUL SERVICE TO THE NEWLY ANNEXED AREA; TO PROVIDE OVERSIGHT OF INVOLUNTARY ANNEXATION THROUGH A REFERENDUM, THAT MUST COINCIDE WITH A GENERAL MUNICIPAL ELECTION, OF REGISTERED VOTERS OF THE MUNICIPALITY AND THE PROPOSED ANNEXATION AREA UPON A VERIFIED PETITION SIGNED BY AT LEAST FIFTEEN PERCENT OF THE TOTAL OF THE REGISTERED VOTERS OF THE MUNICIPALITY AND THE PROPOSED ANNEXATION AREA AS SHOWN BY THE REGISTRATION; TO REQUIRE OVERSIGHT OF INVOLUNTARY ANNEXATIONS BY THE LOCAL GOVERNMENT COMMISSION BY REQUIRING A FISCAL FEASIBILITY ASSESSMENT; TO REQUIRE THE LOCAL GOVERNMENT COMMISSION TO PROHIBIT FURTHER ANNEXATION IF THE ANNEXING MUNICIPALITY DOES NOT PROVIDE SERVICES IN ACCORDANCE WITH AN INVOLUNTARY ANNEXATION WITHIN THREE YEARS; TO REQUIRE THE LOCAL GOVERNMENT COMMISSION TO ABATE PROPERTY TAXES FOR PROPERTY OWNERS WITHOUT THE REQUIRED SERVICES WITHIN

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THREE YEARS OF AN INVOLUNTARY ANNEXATION; TO REQUIRE THE LOCAL GOVERNMENT COMMISSION TO REPORT ANNUALLY TO THE GENERAL ASSEMBLY ON INVOLUNTARY ANNEXATIONS; TO AUTHORIZE MUNICIPALITIES TO CONTRACT WITH PROPERTY OWNERS FOR THE EXTENSION OF WATER SERVICE AND SEWER SERVICE AND NONAPPEAL OF AN INVOLUNTARY ANNEXATION, WHICH MAY RUN WITH THE LAND; TO PERMIT THE PAYMENT OF ASSESSMENTS FOR THE INSTALLATION OF WATER OR SEWER SERVICE FOLLOWING AN INVOLUNTARY ANNEXATION OVER A TWENTY-YEAR PERIOD; TO ALLOW THE PAYMENT OF TAP FEES OVER A FIVE-YEAR PERIOD; TO GIVE PRIORITY TO A MUNICIPALITY ANNEXING A DISTRESSED AREA WHEN THAT MUNICIPALITY APPLIES FOR COMMUNITY DEVELOPMENT BLOCK GRANTS AND LOANS OR GRANTS FROM THE WASTEWATER RESERVE OR DRINKING WATER RESERVE.

Pursuant to Rule 36.1, Representative Michaux, Chair of the Committee on Appropriations, requests a fiscal note on the bill.

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

Representative Lewis raises a point of order in reference to Rule 36.1 regarding whether the bill is not already removed from Calendar and not eligible to be re-referred to the Committee on Appropriations. The Chair rules that the decision will be made by the Body.

The electronic vote on the motion to re-refer the bill to the Committee on Appropriations is (59-59). Pursuant to Rule 25, the Chair exercises his right to vote. The Chair votes "aye". The motion carries by electronic vote (60-59) and the bill is removed from the Calendar and re-referred to the Committee on Appropriations.

H.J.R. 1654, A JOINT RESOLUTION SUPPORTING IMPLEMENTATION OF THE PASSENGER RAIL INVESTMENT AND IMPROVEMENT ACT OF 2008 AND THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009, passes its second reading, by electronic vote (99-18), and there being no objection is read a third time.

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

S.B. 628 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CHANGE THE REPORTING FORMAT FOR DATA ON CONTROLLED SUBSTANCES TRANSMITTED BY DISPENSERS TO THE DEPARTMENT, TO AUTHORIZE THE DEPARTMENT OF

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HEALTH AND HUMAN SERVICES TO RELEASE CONFIDENTIAL DATA IN THE CONTROLLED SUBSTANCES REPORTING SYSTEM TO THE CHIEF MEDICAL EXAMINER AND COUNTY MEDICAL EXAMINERS FOR THE PURPOSE OF INVESTIGATING DEATHS, AND TO MAKE CHANGES PERTAINING TO CONFIDENTIALITY OF PRESCRIPTION INFORMATION, passes its second reading, by electronic vote (116-0), and there being no objection is read a third time.

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

S.B. 708 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE COMPULSORY SCHOOL ATTENDANCE LAW.

Representative Love offers Amendment No. 1 which is adopted by electronic vote (117-0).

The bill, as amended, passes its second reading, by electronic vote (117-0), and there being no objection is read a third time.

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

S.B. 764 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE CRIMINAL STATUTES AND THE GOOD FUNDS SETTLEMENT ACT TO CLARIFY THAT A SETTLEMENT AGENT IS GUILTY OF EMBEZZLEMENT IN INSTANCES WHERE IT CANNOT BE SHOWN THAT THE FUNDS WERE EMBEZZLED FROM A PARTICULAR PERSON OR ENTITY, passes its second reading, by electronic vote (117-0), and there being no objection is read a third time.

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

S.B. 804 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE CERTIFICATE OF NEED LAW WITH RESPECT TO TIME LINES FOR ISSUANCE OF A CERTIFICATE OF NEED; TO MODIFY BOND REQUIREMENTS FOR APPEALS; TO PROHIBIT THE APPROVAL OF A CERTIFICATE OF NEED FOR CERTAIN TYPES OF EMERGENCY DEPARTMENTS FOR A SPECIFIED TIME PERIOD; AND TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO STUDY THE LICENSURE OF HOSPITAL-BASED OFF-SITE EMERGENCY DEPARTMENTS.

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On motion of Representative Glazier and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of July 13.

S.B. 835 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE LEGISLATIVE COMMISSION ON GLOBAL CLIMATE CHANGE, passes its second reading, by electronic vote (67-50), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

S.B. 913 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO CLARIFY MOTOR VEHICLE DEALERS AND MANUFACTURERS LICENSING LAWS AND DEALER TERMINATION ASSISTANCE RIGHTS.

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

The bill, as amended, passes its second reading, by electronic vote (116-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate for concurrence in House Committee Substitute Bill No. 2.

S.B. 1091, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING TRAFFICKING IN METHAMPHETAMINE AND AMPHETAMINE TO CLARIFY THAT THE CHARGE OF TRAFFICKING IS BASED ON THE WEIGHT OF THE ENTIRE POWDER OR LIQUID MIXTURE RATHER THAN THE WEIGHT OF THE ACTUAL AMOUNT OF THE CONTROLLED SUBSTANCE IN THE POWDER OR LIQUID MIXTURE.

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

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Carney, Chair, for the Committee on Transportation:

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S.B. 820 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE NEW MOTOR VEHICLE TITLING AND REGISTRATION CATEGORIES FOR MOTOR VEHICLES CLASSIFIED AS REPLICA VEHICLES, STREET RODS, AND CUSTOM VEHICLES, AND TO MAKE CORRESPONDING CHANGES, with a favorable report as to the House committee substitute bill, unfavorable as to the Senate committee substitute bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Finance.

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

By Representatives Glazier, Love, and Weiss, Vice Chairs, for the Committee on Judiciary II:

S.B. 65 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING SOLICITATION OF A CHILD BY COMPUTER TO COMMIT AN UNLAWFUL SEX ACT TO INCLUDE SOLICITATIONS BY OTHER ELECTRONIC DEVICES AS WELL AS COMPUTERS, with a favorable report as to the House committee substitute bill, unfavorable as to the Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of July 9. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representatives Luebke, Gibson, Wainwright, and Weiss, Chairs, for the Committee on Finance:

H.B. 1134 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE OPEN GOVERNMENT UNIT OF THE DEPARTMENT OF JUSTICE, TO ESTABLISH A FEE FOR SERVICES OF MODERATION AND MEDIATION BY THE OPEN GOVERNMENT UNIT, AND TO PROVIDE THAT THE SUCCESSFUL PLAINTIFF IN A PUBLIC RECORDS DISPUTE IS ENTITLED TO REASONABLE ATTORNEYS' FEES, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(b), Committee Substitute Bill No. 2 is placed on the Calendar of July 9. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

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S.B. 215 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DEANNEX TWO DESCRIBED PARCELS FROM THE CORPORATE LIMITS OF THE TOWN OF ROBBINS AND TO ENTER INTO AN AGREEMENT FOR PAYMENTS IN LIEU OF REANNEXATION, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of July 9.

S.B. 647 (Committee Substitute), A BILL TO BE ENTITLED AN ACT CLARIFYING VARIOUS PROVISIONS UNDER THE LAWS PERTAINING TO CERTIFIED PUBLIC ACCOUNTANTS AND ALLOWING PUBLIC ACCOUNTANTS CERTIFIED OR LICENSED OUTSIDE THIS STATE TO PRACTICE IN THIS STATE UNDER CERTAIN CIRCUMSTANCES, with a favorable report as to the House committee substitute bill, unfavorable as to the Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of July 9. The Senate committee substitute bill is placed on the Unfavorable Calendar.

S.B. 755 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROMOTE THE USE OF COMPENSATORY MITIGATION BANKS FOR RIPARIAN BUFFER PROTECTION AND NUTRIENT OFFSET PAYMENTS AND TO MAKE CLARIFYING CHANGES TO THE STATUTES GOVERNING COMPENSATORY MITIGATION FOR WETLAND AND STREAM IMPACTS, with a favorable report as to House Committee Substitute Bill No. 2, which changes the title, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(b), House Committee Substitute Bill No. 2 is placed on the Calendar of July 9. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representative Dickson, Chair, for the Committee on Commerce, Small Business, and Entrepreneurship:

S.B. 285, A BILL TO BE ENTITLED AN ACT TO REWRITE THE LAW CONCERNING THE RECOGNITION OF FOREIGN MONEY JUDGMENTS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of July 9.

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S.B. 405 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ASSIST COUNTIES AND THE DEPARTMENT OF REVENUE IN OBTAINING ACCURATE REAL PROPERTY SALES INFORMATION NEEDED FOR PROPERTY TAX APPRAISALS BY REQUIRING A REPORT OF SALES INFORMATION WHEN REAL PROPERTY IS TRANSFERRED, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the Senate committee substitute bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Finance.

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

S.B. 810 (Committee Substitute), A BILL TO BE ENTITLED AN ACT PROVIDING THAT IT IS A VIOLATION OF THE STATE'S FAIR HOUSING ACT TO DISCRIMINATE IN LAND-USE DECISIONS OR THE PERMITTING OF DEVELOPMENT BASED ON THE FACT THAT A DEVELOPMENT CONTAINS AFFORDABLE HOUSING UNITS, with a favorable report and recommendation that the bill be re-referred to the Committee on Judiciary III.

The bill is re-referred to the Committee on Judiciary III.

BILLS WITHDRAWN FROM COMMITTEE

On motion of Representative Owens and without objection, **H.J.R. 364** (Committee Substitute), A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF APPOINTMENTS BY THE GOVERNOR OF REGINALD KENAN, WAYNE MCDEVITT, AND PATRICIA WILLOUGHBY TO THE STATE BOARD OF EDUCATION, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and pursuant to Rule 36(b), is placed on the Calendar.

On motion of Representative Owens and without objection, **S.B. 461** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROHIBIT SEEKING OR IMPOSING THE DEATH PENALTY ON THE BASIS OF RACE; TO ESTABLISH A PROCESS BY WHICH RELEVANT EVIDENCE MAY BE USED TO ESTABLISH THAT RACE WAS A SIGNIFICANT FACTOR IN SEEKING OR IMPOSING THE DEATH PENALTY WITHIN THE COUNTY, THE PROSECUTORIAL DISTRICT, THE JUDICIAL DIVISION, OR THE STATE, TO IDENTIFY TYPES OF EVIDENCE THAT MAY BE CONSIDERED BY THE COURT WHEN CONSIDERING WHETHER RACE WAS A BASIS FOR

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SEEKING OR IMPOSING THE DEATH PENALTY, INCLUDING STATISTICAL EVIDENCE, AND TO AUTHORIZE THE DEFENDANT TO RAISE THIS CLAIM AT THE PRETRIAL CONFERENCE OR IN POSTCONVICTION PROCEEDINGS; TO PROVIDE THAT THE DEFENDANT HAS THE BURDEN OF PROVING THAT RACE WAS A SIGNIFICANT FACTOR IN SEEKING OR IMPOSING THE DEATH PENALTY AND TO PROVIDE THAT THE STATE MAY OFFER EVIDENCE TO REBUT THE CLAIMS OR EVIDENCE OF THE DEFENDANT AND IN DOING SO TO USE STATISTICAL EVIDENCE AS WELL AS ANY OTHER EVIDENCE THE COURT DEEMS RELEVANT AND MATERIAL; TO PROVIDE THAT IF RACE IS FOUND TO BE A SIGNIFICANT FACTOR IN THE IMPOSITION OF THE DEATH PENALTY, THE DEATH SENTENCE SHALL BE VACATED AND THE DEFENDANT RESENTENCED TO LIFE IMPRISONMENT WITHOUT THE POSSIBILITY OF PAROLE; TO PROVIDE THAT THIS ACT IS EFFECTIVE WHEN IT BECOMES LAW AND APPLIES RETROACTIVELY, THAT MOTIONS UNDER THIS ACT FOR THOSE CURRENTLY UNDER A DEATH SENTENCE SHALL BE FILED WITHIN ONE YEAR OF THE EFFECTIVE DATE OF THIS ACT, AND THAT MOTIONS FOR THOSE WHOSE DEATH SENTENCE IS IMPOSED ON OR AFTER THE EFFECTIVE DATE OF THIS ACT SHALL BE FILED AS PROVIDED IN THIS ACT.

Representative Owens moves, seconded by Representative Hill, that the House adjourn, subject to the receipt of Committee Reports, to reconvene July 9 at 1:00 p.m.

The motion carries.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committee and permanent subcommittee are presented:

By Representatives Glazier, McLawhorn, and Rapp, Chairs, for the Appropriations Subcommittee on Education, with approval of standing committee Chairs for report to be made directly to the floor of the House:

S.B. 1069 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE JOINT LEGISLATIVE JOINING OUR BUSINESSES AND SCHOOLS (JOBS) STUDY COMMISSION, with a favorable report.

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Pursuant to Rule 36(b), the bill is placed on the Calendar of July 9.

By Representatives Brisson and Earle, Chairs, for the Committee on Mental Health Reform:

H.B. 243 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE FACILITY OF FIRST COMMITMENT EXAMINATION TO TERMINATE THE INPATIENT COMMITMENT PROCEEDINGS IN APPROPRIATE CIRCUMSTANCES WHEN A TWENTY-FOUR-HOUR FACILITY IS NOT AVAILABLE, with recommendation that the House concur.

Pursuant to Rule 36(b), the bill is placed on the Calendar of July 9.

The House stands adjourned at 5:10 p.m.

NINETY-FIFTH DAY

HOUSE OF REPRESENTATIVES
Thursday, July 9, 2009

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

The following prayer is offered by the Reverend Lisa Yebuah, Associate Pastor, Edenton Street United Methodist Church, Raleigh, North Carolina:

"Almighty God:

Your steadfast love never ceases and Your mercies never come to an end. These Your gifts are renewed every morning and flow forth from Your generosity and from Your goodness. We know that as humans we cannot sustain ourselves, for we are cloaked in mortality, but we wholeheartedly rely on Your love towards us to shape and to transform us. We give You praise this day that all that we fail to be is not beyond Your touch and all that we are is by Your design. May we catch glimpses of our best selves as we do our work and help us to encounter You in one another. Now gather us in to be steadfast with this work before us and then send us out to serve with great joy. All these requests we offer to the One who makes a home within us. Amen."

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

A leave of absence is granted Representative M. Alexander for today. Representatives Burris-Floyd, Goforth, Rapp, and West are excused for a portion of the Session.

ENROLLED BILLS

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

S.B. 481, AN ACT TO ALLOW A TRUSTEE TO APPOINT TRUST PROPERTY TO ANOTHER TRUST FOR THE SAME BENEFICIARY.

S.B. 689, AN ACT TO MODIFY THE REPORTING REQUIREMENTS FOR THE DEPARTMENT OF PUBLIC INSTRUCTION AND THE STATE BOARD OF EDUCATION AND TO CLARIFY THE LAW REGARDING BUILDING CODE STANDARDS FOR BUILDINGS USED BY HIGH SCHOOL STUDENTS ATTENDING CLASSES ON COLLEGE OR UNIVERSITY CAMPUSES.

S.B. 835, AN ACT TO EXTEND THE LEGISLATIVE COMMISSION ON GLOBAL CLIMATE CHANGE.

H.B. 535, AN ACT TO REQUIRE HEALTH INSURERS, INCLUDING THE STATE HEALTH PLAN, TO PROVIDE COVERAGE FOR THE DIAGNOSIS AND TREATMENT OF LYMPHEDEMA.

H.B. 684, AN ACT TO MAKE A CHANGE TO THE MEMBERSHIP OF THE NORTH CAROLINA AGRICULTURAL DEVELOPMENT AND FARMLAND PRESERVATION TRUST FUND ADVISORY COMMITTEE, AND TO MAKE TECHNICAL CHANGES.

H.B. 852, AN ACT TO DEFER A PORTION OF THE PROPERTY TAX DUE ON REAL PROPERTY HELD FOR SALE BY A BUILDER.

H.B. 877, AN ACT TO PROVIDE THAT AN INDIVIDUAL WILL NOT BE DENIED UNEMPLOYMENT COMPENSATION SOLELY BECAUSE THE INDIVIDUAL IS SEEKING ONLY PART-TIME WORK, TO REMOVE DISQUALIFYING CONDITIONS RELATED TO SEPARATING FROM WORK FOR COMPELLING FAMILY REASONS INCLUDING DOMESTIC VIOLENCE, ILLNESS, OR DISABILITY, AND TO REPEAL THE TWO-WEEK DISQUALIFICATION FOR

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UNEMPLOYMENT COMPENSATION BENEFITS AS A RESULT OF LEAVING WORK TO ACCOMPANY A SPOUSE TO A NEW PLACE OF RESIDENCE FOR WORK IN A DIFFERENT LOCATION AND TO MAKE THOSE BENEFITS NONCHARGEABLE TO THE EMPLOYER.

H.B. 885, AN ACT TO PROHIBIT PERSONS FROM PICKETING DIRECTED AT A SINGLE RESIDENCE IN A MANNER THAT WOULD CAUSE FEAR OR SUBSTANTIAL EMOTIONAL DISTRESS.

H.B. 1187, AN ACT TO MAKE TECHNICAL CHANGES TO THE HEALTH STATUTES PERTAINING TO HEALTH CARE PERSONNEL AND HEALTH CARE FACILITIES.

H.B. 1189, AN ACT REQUIRING PHYSICIANS OR ELIGIBLE PSYCHOLOGISTS CONDUCTING EXAMINATIONS TO INFORM THE LOCAL MANAGEMENT ENTITY THAT AN INDIVIDUAL HAS BEEN SCHEDULED FOR AN APPOINTMENT WITH AN OUTPATIENT TREATMENT PHYSICIAN OR CENTER; TO ALLOW FIRST COMMITMENTS TO BE CONDUCTED VIA TELEMEDICINE; AND PERTAINING TO SECURITY FORCES AT CERTAIN MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES FACILITIES.

H.B. 1299, AN ACT AMENDING THE LAWS PERTAINING TO CUSTODY OF A MINOR CHILD BY DEFINING VISITATION TO INCLUDE VISITATION BY ELECTRONIC COMMUNICATION.

H.B. 1449, AN ACT TO MAKE VARIOUS REVISIONS TO THE JUVENILE CODE.

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

S.B. 570, AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF INDIAN TRAIL.

H.B. 566, AN ACT TO AUTHORIZE THE CITY OF MONROE TO TAKE IMMEDIATE POSSESSION OF PROPERTY CONDEMNED FOR THE CHARLOTTE-MONROE EXECUTIVE AIRPORT.

H.B. 650, AN ACT TO MAKE IT A CRIMINAL OFFENSE TO LOITER IN THE CITY OF ROANOKE RAPIDS OR THE TOWN OF FREMONT FOR THE PURPOSE OF VIOLATING THE CONTROLLED SUBSTANCE LAWS.

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H.B. 743, AN ACT TO ALLOW THE TOWN OF WENDELL TO EXTEND ITS EXTRATERRITORIAL JURISDICTION OVER A CERTAIN DESCRIBED AREA WITH THE APPROVAL OF THE BOARD OF COMMISSIONERS OF WAKE COUNTY.

H.B. 898, AN ACT TO PROHIBIT THE POSSESSION OR TAKING OF GRASS CARP FROM THE GASTON OR ROANOKE RAPIDS RESERVOIRS OR FROM THE SECTION OF THE ROANOKE RIVER RUNNING BETWEEN THE RESERVOIRS.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

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

By Representatives Glazier, Love, and Weiss, Vice Chairs, for the Committee on Judiciary II:

S.B. 293 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE QUALIFICATIONS FOR PROSPECTIVE JURORS AND TO AUTHORIZE THE REGISTER OF DEEDS TO STORE AN ELECTRONIC COPY OF THE JUROR MASTER LIST, with a favorable report and recommendation that the bill be re-referred to the Committee on Ways and Means/Broadband Connectivity.

The bill is re-referred to the Committee on Ways and Means/Broadband Connectivity.

By Representatives Bordsen and Love, Chairs, for the Appropriations Subcommittee on Justice and Public Safety, with approval of standing committee Chairs for report to be made directly to the floor of the House:

S.B. 817 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE CHILD SUPPORT COLLECTIONS BY PERMITTING GREATER SENTENCING FLEXIBILITY FOR A PERSON WHO COMMITS CRIMINAL CONTEMPT BY FAILING TO COMPLY WITH AN ORDER TO PAY CHILD SUPPORT, with a favorable report.

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

By Representatives Goforth and Wray, Chairs, for the Committee on Insurance:

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S.B. 877 (Committee Substitute), A BILL TO BE ENTITLED AN ACT RELATING TO CONTRACTS BETWEEN HEALTH BENEFIT PLANS AND HEALTH CARE PROVIDERS, with a favorable report.

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

By Representative Sutton, Chair, for the Committee on Judiciary III:

H.B. 473 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A MAGISTRATE WHO HAS A CONCEALED HANDGUN PERMIT MAY CARRY OR POSSESS A CONCEALED HANDGUN WHILE IN A COURTHOUSE TO DISCHARGE OFFICIAL DUTIES, with recommendation that the House do not concur.

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

SPECIAL MESSAGE FROM THE SENATE

2009 GENERAL ASSEMBLY FIRST SESSION

Senate Chamber
July 8, 2009

Mr. Speaker:

Pursuant to your message received on July 7, 2009, that the House of Representatives fails to concur in the Senate Committee Substitute to **H.B. 1409** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN SIMPLE WIRING ACTIVITIES AND APPLIANCE REPLACEMENT IN RESIDENCES FROM BUILDING PERMITTING REQUIREMENTS WHEN THE APPLIANCE IS OF THE SAME ELECTRICAL RATING AND REQUIRES NO CHANGE TO EXISTING ELECTRICAL CIRCUITS AND THE WORK IS PERFORMED BY A LICENSED ELECTRICIAN, and requests conferees, the President *Pro Tempore* appoints:

Senator Apodaca, Chair
Senator Rand
Senator Bingham
Senator Queen

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

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

2009 GENERAL ASSEMBLY FIRST SESSION

Senate Chamber
July 8, 2009

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in the House Committee Substitute to **S.B. 295** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE CLOSEST MARKET TO WHICH A CROP MAY BE HAULED TO BE WITHIN ONE HUNDRED FIFTY MILES OF THE FARM FROM WHICH THE CROP IS HAULED.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for **H.B. 67** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE COVERING OF THE STATE NAME, YEAR STICKER, OR MONTH STICKER ON A STATE LICENSE PLATE BY A LICENSE PLATE FRAME, is returned for concurrence in Senate committee substitute bill and referred to the Committee on Transportation.

Upon concurrence the Senate committee substitute bill changes the title.

S.B. 137 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A DEPENDENT RELATIVE OF A MEMBER

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OF THE ARMED SERVICES CONTINUES TO BE ELIGIBLE FOR IN-STATE TUITION IF THE ACTIVE DUTY MEMBER IS KILLED IN COMBAT OR DIES DURING ACTIVE MILITARY DUTY WHILE ASSIGNED TO NORTH CAROLINA, is read the first time and referred to the Committee on Education and, if favorable, to the Committee on Appropriations.

S.B. 860 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A STUDENT PROTECTION FUND FOR PROPRIETARY SCHOOL STUDENTS, is read the first time and referred to the Committee on Education and, if favorable, to the Committee on Finance.

SPECIAL MESSAGE FROM THE SENATE

The following Special Message is received from the Senate:

S.J.R. 1106, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF VERNON MALONE, STATE SENATOR, is read the first time.

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

The resolution passes its second reading, by electronic vote (117-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered enrolled.

CALENDAR

Action is taken on the following:

H.B. 243 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE FACILITY OF FIRST COMMITMENT EXAMINATION TO TERMINATE THE INPATIENT COMMITMENT PROCEEDINGS IN APPROPRIATE CIRCUMSTANCES WHEN A TWENTY-FOUR-HOUR FACILITY IS NOT AVAILABLE.

On motion of Representative Insko, the House concurs in the Senate committee substitute bill, by electronic vote (114-0), and the bill is ordered enrolled and presented to the Governor.

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Senate Committee Substitute for **H.B. 881** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCLUDE CITIES AND COUNTIES IN TRANSPORTATION CORRIDOR MAPPING, TO CONFORM STATUTES TO COUNTY AUTHORITY AUTHORIZED BY THE GENERAL ASSEMBLY, AND TO ALLOW THE DEPARTMENT OF TRANSPORTATION TO FURNISH ROAD MAINTENANCE MATERIALS TO MUNICIPALITIES ON A COST REIMBURSEMENT BASIS.

On motion of Representative Cole, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (115-1), and the bill is ordered enrolled and presented to the Governor.

Representative Gill requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (116-1).

H.B. 1523 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REWRITE THE NORTH CAROLINA MORTGAGE LENDING ACT IN ORDER TO CONFORM TO THE REQUIREMENTS OF FEDERAL LAW.

On motion of Representative Glazier, the House does not concur in the Senate committee substitute bill by electronic vote (114-2).

S.B. 215 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DEANNEX TWO DESCRIBED PARCELS FROM THE CORPORATE LIMITS OF THE TOWN OF ROBBINS AND TO ENTER INTO AN AGREEMENT FOR PAYMENTS IN LIEU OF REANNEXATION, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, K. Alexander, Allen, Avila, Barnhart, Bell, Blackwell, Blackwood, Blust, Boles, Bordsen, Braxton, Brisson, Brown, Brubaker, Bryant, Burr, Carney, Cleveland, Coates, Cole, Cotham, Crawford, Current, Daughtry, Dickson, Dockham, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Folwell, Frye, Gibson, Gill, Gillespie, Glazier, Goforth, Goodwin, Grady, Guice, Gulley, Haire, Hall, Harrell, Harrison, Hill, Hilton, Holliman, Holloway, Howard, Hughes, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Killian, Langdon, Lewis, Love, Lucas, Luebke, Mackey, Martin, McComas, McCormick, McElraft, McGee, McLawhorn, Michaux, Mills, Mobley, Moore, Neumann, Owens, Parmon, Pierce, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Setzer, Spear, Stam, Starnes, Steen, Stevens, Stewart, Sutton, Tarleton, Tillis, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 117.

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Voting in the negative: None.

Excused absences: Representatives M. Alexander and Burris-Floyd - 2.

H.B. 1134 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO CREATE THE OPEN GOVERNMENT UNIT OF THE DEPARTMENT OF JUSTICE, TO ESTABLISH A FEE FOR SERVICES OF MODERATION AND MEDIATION BY THE OPEN GOVERNMENT UNIT, AND TO PROVIDE THAT THE SUCCESSFUL PLAINTIFF IN A PUBLIC RECORDS DISPUTE IS ENTITLED TO REASONABLE ATTORNEYS' FEES.

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

Representative Allen offers Amendment No. 2 which fails of adoption by electronic vote (39-76).

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

Those voting in the affirmative are: Representatives Adams, K. Alexander, Allen, Avila, Barnhart, Bell, Blackwell, Blackwood, Blust, Boles, Bordsen, Braxton, Brown, Brubaker, Bryant, Burr, Burris-Floyd, Carney, Coates, Cole, Cotham, Crawford, Current, Dickson, Dockham, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Frye, Gibson, Gill, Gillespie, Glazier, Goodwin, Grady, Guice, Gulley, Haire, Hall, Harrell, Harrison, Hill, Hilton, Holliman, Holloway, Howard, Hughes, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Killian, Langdon, Lewis, Love, Lucas, Luebke, Mackey, Martin, McComas, McElraft, McGee, McLawhorn, Michaux, Mills, Mobley, Moore, Neumann, Owens, Parmon, Pierce, Randleman, Rhyne, Ross, Sager, Samuelson, Setzer, Spear, Stam, Starnes, Steen, Stevens, Stewart, Sutton, Tarleton, Tillis, Tolson, Tucker, Underhill, Wainwright, E. Warren, Weiss, Whilden, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 109.

Voting in the negative: Representatives Brisson, Cleveland, Daughtry, Folwell, McCormick, and R. Warren - 6.

Excused absences: Representatives M. Alexander, Goforth, Rapp, and West - 4.

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S.B. 647 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT CLARIFYING VARIOUS PROVISIONS UNDER THE LAWS PERTAINING TO CERTIFIED PUBLIC ACCOUNTANTS AND ALLOWING PUBLIC ACCOUNTANTS CERTIFIED OR LICENSED OUTSIDE THIS STATE TO PRACTICE IN THIS STATE UNDER CERTAIN CIRCUMSTANCES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, K. Alexander, Allen, Avila, Barnhart, Bell, Blackwell, Blackwood, Blust, Boles, Bordsen, Braxton, Brisson, Brown, Brubaker, Bryant, Burr, Burris-Floyd, Carney, Cleveland, Coates, Cole, Cotham, Crawford, Current, Daughtry, Dickson, Dockham, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Folwell, Frye, Gibson, Gill, Gillespie, Glazier, Goodwin, Grady, Guice, Gulley, Haire, Hall, Harrell, Harrison, Hill, Hilton, Holliman, Holloway, Howard, Hughes, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Killian, Langdon, Lewis, Love, Lucas, Luebke, Mackey, Martin, McComas, McCormick, McElraft, McGee, McLawhorn, Michaux, Mills, Mobley, Moore, Neumann, Owens, Parmon, Pierce, Randleman, Ross, Sager, Samuelson, Setzer, Spear, Stam, Starnes, Steen, Stevens, Stewart, Sutton, Tarleton, Tillis, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, Whilden, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 114.

Voting in the negative: None.

Excused absences: Representatives M. Alexander, Goforth, Rapp, and West - 4.

S.B. 65 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING SOLICITATION OF A CHILD BY COMPUTER TO COMMIT AN UNLAWFUL SEX ACT TO INCLUDE SOLICITATIONS BY OTHER ELECTRONIC DEVICES AS WELL AS COMPUTERS, passes its second reading, by electronic vote (114-0), and there being no objection is read a third time.

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

S.B. 285, A BILL TO BE ENTITLED AN ACT TO REWRITE THE LAW CONCERNING THE RECOGNITION OF FOREIGN MONEY JUDGMENTS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, passes its second reading, by electronic vote (114-0), and there being no objection is read a third time.

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The bill passes its third reading and is ordered enrolled and presented to the Governor.

S.B. 307 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGULATING THE USE OF CERTAIN REPTILES, passes its second reading, by electronic vote (113-1).

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

S.B. 755 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROMOTE THE USE OF COMPENSATORY MITIGATION BANKS FOR RIPARIAN BUFFER PROTECTION AND NUTRIENT OFFSET PAYMENTS, TO MAKE CLARIFYING CHANGES TO THE STATUTES GOVERNING COMPENSATORY MITIGATION FOR WETLAND AND STREAM IMPACTS, AND TO DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO STUDY CERTAIN IMPACTS THAT THE PROMOTION OF COMPENSATORY MITIGATION BANKS MAY HAVE ON THE ECOSYSTEM ENHANCEMENT PROGRAM, passes its second reading, by electronic vote (114-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House Committee Substitute Bill No. 2.

S.B. 1069 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE JOINT LEGISLATIVE JOINING OUR BUSINESSES AND SCHOOLS (JOBS) STUDY COMMISSION, passes its second reading, by electronic vote (114-0), and there being no objection is read a third time.

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

S.B. 1076 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CRIMINAL JUSTICE PARTNERSHIP PROGRAM TO ALLOW CERTAIN COMMUNITY-LEVEL OFFENDERS TO BE SERVED BY THE PROGRAM, passes its second reading, by electronic vote (112-2).

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

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S.B. 1091, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING TRAFFICKING IN METHAMPHETAMINE AND AMPHETAMINE TO CLARIFY THAT THE CHARGE OF TRAFFICKING IS BASED ON THE WEIGHT OF THE ENTIRE POWDER OR LIQUID MIXTURE RATHER THAN THE WEIGHT OF THE ACTUAL AMOUNT OF THE CONTROLLED SUBSTANCE IN THE POWDER OR LIQUID MIXTURE.

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

CONFEREES APPOINTED

The Speaker appoints the following conferees on **H.B. 1523** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REWRITE THE NORTH CAROLINA MORTGAGE LENDING ACT IN ORDER TO CONFORM TO THE REQUIREMENTS OF FEDERAL LAW: Representative Glazier, Chair; Representatives Faison, Weiss, Love, Whilden, and Brubaker.

The Senate is so notified by Special Message.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Glazier, Love, and Weiss, Vice Chairs, for the Committee on Judiciary II:

S.B. 262 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT AN ORDER TO EXPUNGE AN INDIVIDUAL'S RECORD SHALL BE FORWARDED BY THE CLERK OF COURT TO ALL APPLICABLE STATE AND LOCAL GOVERNMENT AGENCIES, TO REQUIRE A STATE GOVERNMENT AGENCY TO FORWARD NOTICE OF EXPUNCTION ORDERS RECEIVED BY THE AGENCY TO ANY PRIVATE ENTITY THAT DISSEMINATES CRIMINAL HISTORY RECORDS FOR COMPENSATION THAT IS LICENSED BY THE AGENCY TO ACCESS THE AGENCY'S CRIMINAL HISTORY RECORD DATABASE, TO PROVIDE THAT A PRIVATE ENTITY THAT DISSEMINATES CRIMINAL HISTORY RECORDS FOR COMPENSATION HAS A DUTY TO UPDATE THOSE HISTORIES BEFORE

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DISSEMINATING THEM AND IS SUBJECT TO CIVIL LIABILITY, with a favorable report as to the House committee substitute bill, unfavorable as to Senate Committee Substitute Bill No. 2, and recommendation that the House committee substitute bill be re-referred to the Committee on Finance.

The House committee substitute bill is re-referred to the Committee on Finance. Senate Committee Substitute Bill No. 2 is placed on the Unfavorable Calendar.

S.B. 1017 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENHANCE PROTECTIONS AGAINST IDENTITY THEFT AND TO PROTECT THE CREDIT OF CRIME VICTIMS DURING THE PENDENCY OF CRIME VICTIMS COMPENSATION FUND APPLICATIONS AND APPEALS, with a favorable report as to House Committee Substitute Bill No. 2, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(b), House Committee Substitute Bill No. 2 is placed on the Calendar of July 13. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representative Ross, Chair, for the Committee on Judiciary I:

S.B. 56 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW PROVIDING BALANCE AMONG THE COUNTIES IN THE RESIDENCY OF DISTRICT COURT JUDGES IN DISTRICT COURT DISTRICT 13, with a favorable report.

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

SUBCOMMITTEE REFERRAL

Representatives Michaux, Adams, Crawford, Haire, Jeffus, Tolson, and Yongue, Chairs, for the Committee on Appropriations, refer **H.B. 589** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REQUIRE HEALTH BENEFIT PLANS AND THE STATE HEALTH PLAN TO COVER HEARING AIDS AND REPLACEMENT HEARING AIDS, to the Appropriations Subcommittee on Health and Human Services.

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RE-REFERRAL

On motion of Representative Owens, pursuant to Rule 39.2 and without objection, **H.B. 333**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE NORTH CAROLINA MIDWIFERY JOINT COMMITTEE TO DEVELOP A PROPOSAL TO ESTABLISH LICENSURE OF CERTIFIED PROFESSIONAL MIDWIVES IN THIS STATE, IN COLLABORATION WITH THE NORTH CAROLINA OBSTETRICAL AND GYNECOLOGICAL SOCIETY, THE NORTH CAROLINA SECTION OF THE AMERICAN COLLEGE OF OBSTETRICIANS AND GYNECOLOGISTS, AND OTHER INTERESTED PARTIES, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON LICENSING MIDWIVES, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Health.

BILL WITHDRAWN FROM COMMITTEE

On motion of Representative Owens and without objection, **S.B. 1004** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND BY ONE YEAR A COMPLIANCE DATE FOR SULFUR DIOXIDE EMISSION REDUCTIONS FOR INVESTOR-OWNED PUBLIC UTILITIES THAT CONVERT COAL-FIRED GENERATING UNITS TO UNITS THAT USE ONLY NATURAL GAS AS FUEL, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and pursuant to Rule 36(b), is placed on Calendar of July 13.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following report from standing committee is presented:

By Representative Ross, Chair, for the Committee on Judiciary I:

H.B. 1275 (Committee Substitute), A BILL TO BE ENTITLED AN ACT ESTABLISHING THE CIVIL CUSTODY GUARDIAN PROGRAM, with a favorable report as to Committee Substitute Bill No. 2, which changes the title, unfavorable as to Committee Substitute Bill No. 1, and recommendation that Committee Substitute Bill No. 2 be re-referred to the Committee on Rules, Calendar, and Operations of the House.

Committee Substitute Bill No. 2 is re-referred to the Committee on Rules, Calendar, and Operations of the House. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

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On motion of Representative Owens, seconded by Representative Pierce, the House adjourns, subject to the receipt of Committee Reports, to reconvene Monday, July 13, 2009, at 7:00 p.m.

The motion carries.

No committee reports having been received, the House stands adjourned at 5:10 p.m.

NINETY-SIXTH DAY

HOUSE OF REPRESENTATIVES
Monday, July 13, 2009

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

The following prayer is offered by the Reverend Bruce E. Stanley, Methodist Home for Children, Raleigh, North Carolina:

"O Lord of us all, assure us of Your presence with us.

"As we with uncertain steps look for wisdom, we have forgotten that You alone are wise and that we need only walk with You in order for wisdom to be present in us.

"As contentious words challenge our capacity to cooperate, we have forgotten that in You is unity and we need to have You first within our hearts for consensus to prevail.

"As fear of scarcity and diminished resources overwhelm us, we have forgotten that You are a generous God whose gracious supply has never failed and if we look to You enough will be present.

"Remind us again that the God who is only wise still speaks...

"Remind us again and again that God who is One still joins hearts in common purpose...

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"Remind us again and again and again that God who is abundant still opens the storehouses of heaven and more than ample provision is available to us even now..."

"Forgive our doubting, remind us that You remain with us and reign over us. Amen."

The Speaker leads the Body in the Pledge of Allegiance.

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

Leaves of absence are granted Representatives M. Alexander, Hughes, Justice, McElraft, Mills, and Steen for today.

ENROLLED BILLS

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

S.B. 285, AN ACT TO REWRITE THE LAW CONCERNING THE RECOGNITION OF FOREIGN MONEY JUDGMENTS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

S.B. 332, AN ACT TO MODIFY THE PURCHASING AND CONTRACTING AUTHORITY BY THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES ON BEHALF OF THE NORTH CAROLINA ZOOLOGICAL PARK; TO EXPAND THE UMSTEAD EXEMPTION FOR THE PARK; TO IMPROVE THE ADMINISTRATION OF PARK OPERATIONS; TO REQUIRE A REPORTING OF THE PROGRESS AND IMPLEMENTATION OF THE MANDATES OF THIS ACT; TO ESTABLISH THE NORTH CAROLINA ZOOLOGICAL PARK FUNDING AND ORGANIZATION STUDY COMMITTEE; AND TO ANNEX CERTAIN PROPERTY OWNED BY THE NC ZOOLOGICAL SOCIETY INTO THE CITY OF ASHEBORO.

S.B. 584, AN ACT TO AMEND THE PRIVATE PROTECTIVE SERVICES ACT, TO MAKE CONFORMING CHANGES TO THE ALARM SYSTEMS LICENSING ACT WITH RESPECT TO CRIMINAL BACKGROUND CHECKS, AND TO AUTHORIZE THE STUDY OF DIGITAL FORENSICS.

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S.B. 674, AN ACT TO AMEND THE RABIES LAWS TO CONFORM WITH RECOMMENDATIONS FROM THE CENTERS FOR DISEASE CONTROL AND THE NATIONAL ASSOCIATION OF STATE PUBLIC HEALTH VETERINARIANS AND TO ALLOW STRAY OR FERAL ANIMALS TO BE EUTHANIZED AND TESTED FOR RABIES AFTER BITING A HUMAN.

S.B. 962, AN ACT TO MODIFY THE HEARING PROCESS APPLICABLE TO PROBATIONARY TEACHERS.

H.B. 187, AN ACT TO DIRECT LOCAL BOARDS OF EDUCATION TO ENCOURAGE LOCAL BUSINESSES TO ADOPT PERSONNEL POLICIES TO PERMIT PARENTS TO ATTEND STUDENT CONFERENCES, AND TO ENCOURAGE LOCAL BOARDS OF EDUCATION TO ADOPT POLICIES TO IMPLEMENT PROGRAMS THAT ASSIST STUDENTS IN MAKING A SUCCESSFUL TRANSITION BETWEEN THE MIDDLE SCHOOL AND HIGH SCHOOL YEARS, INCREASE PARENTAL INVOLVEMENT IN STUDENT ACHIEVEMENT, AND REDUCE SUSPENSION AND EXPULSION RATES AND ENCOURAGE ACADEMIC PROGRESS DURING SUSPENSIONS, AND TO DIRECT LOCAL BOARDS OF EDUCATION TO MODIFY POLICIES ON PREGNANT AND PARENTING STUDENTS TO PROVIDE ASSISTANCE AND SUPPORT TO ENCOURAGE PREGNANT AND PARENTING STUDENTS TO GRADUATE, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON DROPOUT PREVENTION AND HIGH SCHOOL GRADUATION.

H.B. 243, AN ACT TO AUTHORIZE THE FACILITY OF FIRST COMMITMENT EXAMINATION TO TERMINATE THE INPATIENT COMMITMENT PROCEEDINGS IN APPROPRIATE CIRCUMSTANCES WHEN A TWENTY-FOUR-HOUR FACILITY IS NOT AVAILABLE.

H.B. 582, AN ACT PROVIDING FOR COMPLIANCE WITH FEDERAL LAW REQUIRING THE PROVISION OF EDUCATIONAL SERVICES TO STUDENTS TRANSFERRING INTO A NORTH CAROLINA SCHOOL DISTRICT WHILE UNDER A TERM OF SUSPENSION OR EXPULSION.

H.B. 661, AN ACT TO ALLOW CITY MANAGERS IN CERTAIN SMALLER MUNICIPALITIES TO SERVE AS MEMBERS OF BOARDS OF EDUCATION.

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H.B. 881, AN ACT TO INCLUDE COUNTIES IN TRANSPORTATION CORRIDOR MAPPING, TO CONFORM STATUTES TO COUNTY AUTHORITY AUTHORIZED BY THE GENERAL ASSEMBLY, AND TO ALLOW THE DEPARTMENT OF TRANSPORTATION TO FURNISH ROAD MAINTENANCE MATERIALS TO MUNICIPALITIES ON A COST REIMBURSEMENT BASIS.

H.B. 1100, AN ACT TO DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ESTABLISH STORMWATER CONTROL BEST MANAGEMENT PRACTICES AND PROCESS WATER TREATMENT PROCESSES FOR COMPOSTING OPERATIONS FOR THE PURPOSE OF PROTECTING WATER QUALITY.

H.B. 1105, AN ACT TO AMEND THE LAWS REGULATING REFRIGERATION CONTRACTORS.

H.B. 1471, AN ACT DIRECTING THE STATE BOARD OF EDUCATION TO ENCOURAGE LOCAL BOARDS OF EDUCATION TO ENTER INTO AGREEMENTS WITH LOCAL GOVERNMENTS AND OTHER ENTITIES REGARDING THE JOINT USE OF THEIR FACILITIES FOR PHYSICAL ACTIVITY.

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

H.B. 215, AN ACT TO AUTHORIZE CATAWBA AND ALEXANDER COUNTIES TO REQUIRE THE PAYMENT OF DELINQUENT PROPERTY TAXES BEFORE RECORDING DEEDS CONVEYING PROPERTY.

H.B. 401, AN ACT TO AUTHORIZE THE TOWN OF BOONE TO LEVY AN ADDITIONAL THREE PERCENT ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX AND TO MAKE OTHER ADMINISTRATIVE CHANGES.

H.B. 403, AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF FREMONT.

H.B. 1011, AN ACT TO PROVIDE FOR ASSESSMENTS BY THE CITY OF RALEIGH TO OWNERS OF STORMWATER FACILITIES.

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

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S.J.R. 1106, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF VERNON MALONE, STATE SENATOR. (RESOLUTION 2009-26)

CHAPTERED BILLS

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

S.B. 570, AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF INDIAN TRAIL. (S.L. 2009-257)

H.B. 566, AN ACT TO AUTHORIZE THE CITY OF MONROE TO TAKE IMMEDIATE POSSESSION OF PROPERTY CONDEMNED FOR THE CHARLOTTE-MONROE EXECUTIVE AIRPORT. (S.L. 2009-258)

H.B. 650, AN ACT TO MAKE IT A CRIMINAL OFFENSE TO LOITER IN THE CITY OF ROANOKE RAPIDS OR THE TOWN OF FREMONT FOR THE PURPOSE OF VIOLATING THE CONTROLLED SUBSTANCE LAWS. (S.L. 2009-259)

H.B. 743, AN ACT TO ALLOW THE TOWN OF WENDELL TO EXTEND ITS EXTRATERRITORIAL JURISDICTION OVER A CERTAIN DESCRIBED AREA WITH THE APPROVAL OF THE BOARD OF COMMISSIONERS OF WAKE COUNTY. (S.L. 2009-260)

H.B. 898, AN ACT TO PROHIBIT THE POSSESSION OR TAKING OF GRASS CARP FROM THE GASTON OR ROANOKE RAPIDS RESERVOIRS OR FROM THE SECTION OF THE ROANOKE RIVER RUNNING BETWEEN THE RESERVOIRS. (S.L. 2009-261)

H.B. 1453, AN ACT TO ALLOW STATE MAINTENANCE VEHICLES TO PARK IN METERED PARKING SPACES ON THE STREET BLOCKS BORDERING CAPITOL SQUARE AND TO PROHIBIT PARKING OF MAINTENANCE VEHICLES ON CAPITOL SQUARE IN A MANNER THAT OBSTRUCTS THE VIEW OF OR ACCESS TO MONUMENTS. (S.L. 2009-262)

H.B. 866, AN ACT TO ALLOW ALL MUNICIPALITIES THE AUTHORITY TO ADOPT AN ORDINANCE DECLARING RESIDENTIAL BUILDINGS IN COMMUNITY DEVELOPMENT TARGET AREAS TO BE UNSAFE AND TO REMOVE OR DEMOLISH THOSE BUILDINGS. (S.L. 2009-263)

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S.B. 208, AN ACT PERTAINING TO STATUTORY AND ADMINISTRATIVE RULE REFERENCES TO PEOPLE WITH DISABILITIES. (S.L. 2009-264)

S.B. 1019, AN ACT TO ESTABLISH A FINANCIAL LITERACY COUNCIL TO COORDINATE AND EXPAND THE STATEWIDE DELIVERY OF FINANCIAL EDUCATION FOR ALL NORTH CAROLINIANS. (S.L. 2009-265)

S.B. 828, AN ACT TO INCREASE THE MAXIMUM AMOUNT AT WHICH PROJECTS MAY UNDERGO AN INFORMAL BIDDING PROCESS AND CLARIFY THE APPLICATION OF THIS PROCESS, TO CONTINUE THE DEPARTMENT OF TRANSPORTATION'S PROGRAM FOR PARTICIPATION OF DISADVANTAGED MINORITY-OWNED AND WOMEN-OWNED BUSINESSES, AND TO AMEND VARIOUS STATUTES IN CHAPTER 136 OF THE GENERAL STATUTES TO CONFORM WITH THE DEPARTMENT'S FOCUS ON ALL MODES OF TRANSPORTATION INFRASTRUCTURE. (S.L. 2009-266)

S.B. 483, AN ACT TO CLARIFY THAT COURTS IN NORTH CAROLINA HAVE THE AUTHORITY TO CREATE TRUSTS BY JUDICIAL ORDER OR JUDGMENT IN CASES PROPERLY BEFORE THE COURT; AND TO SPECIFICALLY PROVIDE THAT NORTH CAROLINA COURTS HAVE THE RIGHT TO CREATE TRUSTS PURSUANT TO 42 U.S.C. § 1396P(D)(4)(A). (S.L. 2009-267)

H.B. 799, AN ACT TO CLARIFY THAT INTERESTS IN A JOINT TENANCY WITH A RIGHT OF SURVIVORSHIP MAY BE HELD IN UNEQUAL SHARES. (S.L. 2009-268)

S.B. 586, AN ACT TO REQUIRE THE FILING OF NOTICE OF PENDING LITIGATION FOR ACTIONS SEEKING INJUNCTIVE RELIEF REGARDING SEDIMENTATION AND EROSION CONTROL FOR ANY LAND-DISTURBING ACTIVITY THAT IS SUBJECT TO THE REQUIREMENTS OF ARTICLE 4 OF CHAPTER 113A OF THE GENERAL STATUTES. (S.L. 2009-269)

H.B. 1438, AN ACT TO PROVIDE FOR A PILOT PROGRAM TO DETERMINE THE EFFECTIVENESS OF USING VIDEOCONFERENCE TECHNOLOGY TO CONDUCT COURT PROCEEDINGS, OTHER THAN TRIALS, INVOLVING PERSONS IN THE CUSTODY OF THE DEPARTMENT OF CORRECTION AND IN LOCAL CONFINEMENT FACILITIES. (S.L. 2009-270)

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H.B. 886, AN ACT TO ALLOW THE BOARD OF DIETETICS/NUTRITION TO RECOVER COSTS INCURRED BY THE BOARD IN CONNECTION WITH DISCIPLINARY PROCEEDINGS OF THE BOARD. (S.L. 2009-271)

H.B. 1267, AN ACT TO AMEND THE LAW REGARDING LIABILITY OF A COMMERCIAL SOCIAL NETWORKING SITE TO PROVIDE THAT THE WEB SITE SHALL NOT BE HELD CIVILLY LIABLE FOR DAMAGES ARISING OUT OF COMMUNICATIONS ON THE WEB SITE IF THE WEB SITE MAKES A GOOD-FAITH ATTEMPT TO SCREEN OUT USERS WHO ARE IN THE STATEWIDE SEX OFFENDER REGISTRY. (S.L. 2009-272)

S.B. 870, AN ACT TO DIRECT THE GENERAL STATUTES COMMISSION TO STUDY AND MAKE RECOMMENDATIONS TO THE GENERAL ASSEMBLY ON ANY CHANGES NEEDED TO MAKE THE GENERAL STATUTES AND CONSTITUTION GENDER NEUTRAL. (S.L. 2009-273)

H.B. 98, AN ACT TO AUTHORIZE A MEMBER OF THE ARMED FORCES OR OF RESERVE COMPONENTS OF THE ARMED FORCES TO RENEW A DRIVERS LICENSE UPON RECEIPT OF DEPLOYMENT ORDERS AND TO ALLOW A SIXTY-DAY GRACE PERIOD FOR AN EXPIRED LICENSE UPON RELEASE FROM ACTIVE DUTY. (S.L. 2009-274)

S.B. 1089, AN ACT TO AUTHORIZE PROBATION OFFICERS TO TRANSFER LOW-RISK MISDEMEANANTS WITH NO SPECIAL CONDITIONS TO UNSUPERVISED PROBATION. (S.L. 2009-275)

H.B. 79, AN ACT PERMITTING THE JOINT LEGISLATIVE STUDY COMMITTEE ON PUBLIC SCHOOL FUNDING FORMULAS TO EXTEND ITS REVIEW OF PUBLIC SCHOOL FUNDING. (S.L. 2009-276)

S.B. 248, AN ACT TO MAKE A TECHNICAL CORRECTION BY DELETING FROM A 1981 LAW RELATING TO FILLING VACANCIES IN COUNTY BOARDS OF EDUCATION ELECTED ON A PARTISAN BASIS COUNTY BOARDS OF EDUCATION THAT IN FACT ARE NOT ELECTED ON A PARTISAN BASIS. (S.L. 2009-277)

S.B. 357, AN ACT REQUIRING MUNICIPALITIES AND MEMBERSHIP CORPORATIONS ORGANIZED UNDER CHAPTER 117 OF THE GENERAL STATUTES TO PERMIT COMMUNICATIONS SERVICE PROVIDERS TO USE THEIR POLES, DUCTS, AND CONDUITS FOR

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ATTACHMENTS AND RELATED USES, AND AUTHORIZING THE NORTH CAROLINA BUSINESS COURT TO CONSIDER AND RESOLVE DISPUTES CONCERNING THE RATES, TERMS, AND CONDITIONS ASSOCIATED WITH THE USE. (S.L. 2009-278)

S.B. 661, AN ACT AUTHORIZING LESSORS OF CONTIGUOUS PREMISES TO ALLOCATE THE COST FOR WATER AND SEWER SERVICE TO EACH TENANT USING EQUIPMENT THAT MEASURES HOT WATER USAGE, REQUIRING LANDLORDS TO IMPROVE THE HABITABILITY OF DWELLING UNITS BY REPAIRING CERTAIN UNSAFE CONDITIONS, STAYING THE EXECUTION OF A JUDGMENT FOR SUMMARY EJECTMENT WHILE A MOTION FOR MODIFICATION OF THE UNDERTAKING IS PENDING, ESTABLISHING FEES FOR ADMINISTRATIVE SERVICES IN RESIDENTIAL TENANCIES, AND ESTABLISHING THE CIRCUMSTANCES UNDER WHICH A CITY MAY ORDER A DWELLING TO BE VACATED AND CLOSED. (S.L. 2009-279)

H.B. 1009, AN ACT TO END DEPARTMENT OF ADMINISTRATION SUPERVISION OF EMPLOYEES OF COUNTIES, CITIES, AND TOWNS THAT ARE ENGAGED IN VETERANS SERVICE. (S.L. 2009-280)

H.B. 632, AN ACT TO APPROPRIATELY RECOGNIZE THE NATIONAL GUARD AND TO CREATE UNIFORMITY IN THE SPELLING OF THE TERM "NATIONAL GUARD" WHEREVER IT APPEARS IN THE GENERAL STATUTES BY CAPITALIZING IT, AS RECOMMENDED BY THE JOINT STUDY COMMITTEE ON MILITARY AND VETERANS' AFFAIRS AND TO AUTHORIZE A GENERAL STATUTES COMMISSION STUDY ON REFERENCES TO THE NAMES OF MILITARY ORGANIZATIONS IN THE GENERAL STATUTES. (S.L. 2009-281)

S.B. 43, AN ACT TO IMPROVE BOATING SAFETY BY REQUIRING BOATING SAFETY EDUCATION PRIOR TO OPERATING A VESSEL WITH A MOTOR OF TEN HORSEPOWER OR GREATER, AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON MANDATORY BOATING SAFETY EDUCATION. (S.L. 2009-282)

S.B. 691, AN ACT TO PERMIT DISCLOSURE OF CERTAIN TAX INFORMATION OF LOCAL GOVERNMENTS TO THE DEPARTMENT OF STATE TREASURER AND TO ENACT THE TREASURER'S GOVERNANCE AND TRANSPARENCY ACT OF 2009. (S.L. 2009-283)

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S.B. 634, AN ACT TO PROHIBIT THE ADVERTISING AND CONDUCTING OF CERTAIN LIVE MUSICAL PERFORMANCES OR PRODUCTIONS, TO PROVIDE FOR ENFORCEMENT, AND TO IMPOSE A PENALTY. (S.L. 2009-284)

H.B. 1112, AN ACT TO AMEND BIRTH REGISTRATION REQUIREMENTS TO ALLOW A CHILD'S PUTATIVE FATHER TO BE ENTERED ON THE BIRTH CERTIFICATE OF THE CHILD UNDER CERTAIN CIRCUMSTANCES. (S.L. 2009-285)

H.B. 1294, AN ACT TO AUTHORIZE THE NORTH CAROLINA HEALTH INSURANCE RISK POOL TO PROVIDE PREMIUM SUBSIDIES IF FUNDS ARE AVAILABLE AND TO REQUIRE INSURERS TO NOTIFY APPLICANTS FOR HEALTH INSURANCE COVERAGE ABOUT THE EXISTENCE OF THE POOL. (S.L. 2009-286)

S.B. 564, AN ACT TO AUTHORIZE ALL MUNICIPALITIES AND COUNTIES TO GIVE A SINGLE NOTICE TO CHRONIC VIOLATORS OF THEIR PUBLIC NUISANCE ORDINANCES. (S.L. 2009-287)

S.B. 159, AN ACT TO UPDATE AND CLARIFY THE SECOND AND THIRD CLASS PRIORITY EXPENSES AND THE GRAVESTONE AUTHORIZATION IN PROBATE PROCEEDINGS. (S.L. 2009-288)

S.B. 694, AN ACT AMENDING THE LAWS PERTAINING TO THE PRACTICE OF DENTISTRY AS PERFORMED BY PERSONS PRACTICING DENTISTRY OUT OF STATE UNDER CERTAIN CIRCUMSTANCES. (S.L. 2009-289)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Luebke, Gibson, Wainwright, and Weiss, Chairs, for the Committee on Finance:

H.B. 1305 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE COASTAL PROPERTY INSURANCE POOL, PRESENTLY KNOWN AS THE BEACH PLAN, AS RECOMMENDED BY THE JOINT SELECT STUDY COMMITTEE ON THE POTENTIAL IMPACT OF MAJOR HURRICANES ON THE NORTH CAROLINA INSURANCE INDUSTRY; REQUIRE THAT THE NORTH CAROLINA RATE BUREAU PROVIDE PUBLIC NOTICE OF CERTAIN

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FILINGS IN NEWSPAPER PUBLICATIONS AND VIA INTERNET; REAFFIRM THAT THE NORTH CAROLINA INSURANCE UNDERWRITING ASSOCIATION IS INTENDED TO BE EXEMPT FROM STATE AND FEDERAL TAXATION, EXCEPT FOR PREMIUM TAXES; CLARIFY THE POWERS AND DUTIES OF THE ASSOCIATION; CLARIFY AND PROVIDE CERTAINTY REGARDING ASSESSMENTS AGAINST MEMBER INSURANCE COMPANIES BY THE ASSOCIATION; ADJUST THE COASTAL INSURANCE COVERAGE LIMITS OF THE ASSOCIATION IN ORDER TO ENSURE THAT THE COASTAL PROPERTY INSURANCE POOL IS THE MARKET OF LAST RESORT; MANDATE THAT THE ASSOCIATION SHALL RETAIN ALL SURPLUS FOR USE IN PURCHASING REINSURANCE, PAYING CLAIMS TO POLICYHOLDERS, AND FOR ASSOCIATION OBLIGATIONS; PROHIBIT DISTRIBUTION OF SURPLUS TO MEMBER INSURANCE COMPANIES; REQUIRE THE ASSOCIATION TO FILE A SCHEDULE OF PREMIUM CREDITS FOR COASTAL INSURANCE POLICYHOLDERS WHO HAVE VOLUNTARILY MITIGATED THEIR RISK OF DAMAGE FROM HURRICANES AND OTHER WIND DAMAGE; REQUIRE THE ASSOCIATION TO ESTABLISH AND MAINTAIN AN INSTALLMENT PLAN FOR PREMIUM PAYMENTS FOR THE EASE OF POLICYHOLDERS; DEFINE AND ESTABLISH WHAT ACTIONS ARE ALLOWED UPON THE OCCURRENCE OF A DEFICIT EVENT, INCLUDING CAPPING ANY CATASTROPHIC ASSESSMENT RECOUPMENT FROM HOMEOWNERS STATEWIDE; IMPOSE AN ADDITIONAL REGULATORY CHARGE ON THE ASSOCIATION TO BE PAID TO THE DEPARTMENT; REQUIRE THAT ASSOCIATION ACTIVITIES BE MADE TRANSPARENT AND AVAILABLE TO ANY MEMBER COMPANY OR BOARD MEMBER; PROVIDE FOR SUCCESSION AND DISSOLUTION OF THE ASSOCIATION; PROVIDE FOR SURCHARGES OF TEN PERCENT FOR SEPARATE WIND AND HAIL COVERAGE, TWENTY PERCENT FOR WIND AND HAIL HOMEOWNERS COVERAGE, AND A MINIMUM WIND AND HAIL DEDUCTIBLE OF ONE PERCENT FOR COVERAGE WRITTEN BY THE ASSOCIATION; PROVIDE FOR SURCHARGES ON COMMERCIAL AND DWELLING COVERAGE IN ADDITION TO SURCHARGES CURRENTLY IMPOSED ON HOMEOWNERS POLICIES; DELETE THE TIME LIMIT FOR THE COMMISSIONER TO DISAPPROVE A RATE BUREAU FILING; AND TO MAKE OTHER CHANGES CONSISTENT WITH THE FINDINGS OF THE JOINT SELECT STUDY COMMITTEE ON THE POTENTIAL IMPACT OF MAJOR HURRICANES, with a favorable report as to Committee Substitute Bill No. 2, which changes the title, unfavorable as to Committee Substitute Bill No. 1.

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Pursuant to Rule 36(b), Committee Substitute Bill No. 2 is placed on the Calendar of July 14. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

H.B. 1586, A BILL TO BE ENTITLED AN ACT TO MODIFY THE VALUATION OF COMMUNITY LAND TRUST PROPERTY, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

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

S.B. 304 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE AMOUNT THE STATE MAY FINANCE UNDER GUARANTEED ENERGY SAVINGS CONTRACTS AND TO MODIFY THE REPORTING REQUIREMENTS, with a favorable report.

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

S.B. 606 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PROCEDURE FOR PROVIDING NOTICE TO CREDITORS WITHOUT ESTATE ADMINISTRATION WHEN A DECEDENT DIES LEAVING NO PROPERTY SUBJECT TO PROBATE AND TO MAKE A TECHNICAL CORRECTION TO THE PROVISION PROVIDING FOR COSTS IN THE ADMINISTRATION OF ESTATES, with a favorable report as to House Committee Substitute Bill No. 2, unfavorable as to House Committee Substitute Bill No. 1.

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

By Representative Sutton, Chair, for the Committee on Judiciary III:

H.B. 1445, A BILL TO BE ENTITLED AN ACT TO RECLASSIFY STATUTORY RAPE OR SEXUAL OFFENSE OF A PERSON WHO IS THIRTEEN, FOURTEEN, OR FIFTEEN YEARS OLD BY A DEFENDANT WHO IS MORE THAN FOUR YEARS BUT LESS THAN SIX YEARS OLDER; TO PROVIDE FOR THE EXPUNCTION OF CONVICTIONS FOR CERTAIN NONVIOLENT CRIMINAL OFFENSES, TO MAKE CONFORMING CHANGES TO EXISTING EXPUNCTION STATUTES, AND TO REQUIRE STATE AND NATIONAL CRIMINAL RECORD CHECKS WHEN EXPUNGING RECORDS; TO RESTRUCTURE THE PRIOR RECORD LEVEL POINT RANGES IN STRUCTURED SENTENCING IN ORDER TO EXPAND THE POINTS IN PRIOR RECORD LEVEL I AND TO EVEN OUT THE REMAINING RANGES;

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TO MAKE THE INCREASE IN SENTENCE LENGTHS BETWEEN PRIOR RECORD LEVELS MORE PROPORTIONATE USING A SET PERCENTAGE INCREMENT; TO INCREASE THE PERIOD OF POST-RELEASE SUPERVISION FROM NINE MONTHS TO TWELVE MONTHS; AND TO DIRECT THE DEPARTMENT OF CORRECTION TO MAKE VARIOUS MODIFICATIONS TO THE RULES REGARDING "EARNED TIME", with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

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

CALENDAR

Action is taken on the following:

S.J.R. 182 (House Committee Substitute), A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF ROBERT WALTER "BOB" SCOTT, FORMER GOVERNOR OF NORTH CAROLINA, passes its second reading, by electronic vote (113-0), and there being no objection is read a third time.

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

SPECIAL MESSAGE TO THE SENATE

The Speaker orders a Special Message sent to the Senate informing that Honorable Body that the House of Representatives stands ready to receive them in Joint Session at the hour appointed.

SPECIAL MESSAGE FROM THE SENATE

2009 GENERAL ASSEMBLY FIRST SESSION

Senate Chamber
July 13, 2009

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that pursuant to **H.J.R. 365**, A JOINT RESOLUTION

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PROVIDING FOR A JOINT SESSION OF THE GENERAL ASSEMBLY TO ACT ON A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF THE APPOINTMENTS BY THE GOVERNOR OF NEW MEMBERS TO THE STATE BOARD OF EDUCATION, the Senate stands ready to repair to the Hall of the House, there to sit in Joint Session with your Honorable Body to confirm appointments to the State Board of Education.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

JOINT SESSION

Pursuant to resolution heretofore adopted, and exchange of messages, the Sergeant-at-Arms of the House of Representatives announces the arrival of the Senate at the door of the House.

The Speaker directs the admittance of that Honorable Body. The President of the Senate, the Honorable Walter Dalton, is seated to the left of the Speaker.

The Joint Session is called to order by the Speaker of the House, pursuant to **H.J.R. 365**, A JOINT RESOLUTION PROVIDING FOR A JOINT SESSION OF THE GENERAL ASSEMBLY TO ACT ON A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF THE APPOINTMENTS BY THE GOVERNOR OF NEW MEMBERS TO THE STATE BOARD OF EDUCATION.

The Speaker directs an electronic vote to be taken of the House of Representatives to determine a quorum and the following Representatives are recorded as present:

Those voting in the affirmative are: Speaker Hackney; Representatives Adams, K. Alexander, Allen, Avila, Barnhart, Bell, Blackwood, Blust, Boles, Bordsen, Braxton, Brisson, Brown, Brubaker, Bryant, Burr, Burris-Floyd, Carney, Cleveland, Coates, Cole, Cotham, Crawford, Current, Daughtry, Dickson, Dockham, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Folwell, Frye, Gibson, Gill, Gillespie, Glazier, Goforth, Goodwin, Grady, Guice, Gulley, Haire, Hall, Harrell, Harrison, Hill, Hilton, Holliman, Holloway, Howard, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Justus, Killian, Langdon, Lewis, Love, Lucas, Luebke, Mackey, Martin, McComas, McCormick, McGee, McLawhorn, Michaux, Mobley, Moore, Neumann, Owens, Parmon, Pierce, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Setzer, Spear, Stam, Starnes, Stevens,

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Stewart, Sutton, Tarleton, Tillis, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Wiley, Wilkins, Williams, Womble, and Yongue - 111.

The Speaker instructs the Reading Clerk of the Senate to call the roll to determine a quorum and the following Senators answer present:

Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin; Berger of Rockingham; Bingham, Blake, Blue, Boseman, Brown, Clary, Dannelly, Davis, Dorsett, Foriest, Forrester, Garrou, Goodall, Goss, Graham, Hartzell, Hoyle, Hunt, Jacumin, Jones, Kinnaird, McKissick, Nesbitt, Preston, Purcell, Queen, Rand, Rouzer, Rucho, Snow, Soles, Swindell, Tillman, Vaughan, and Weinstein - 42.

A quorum of each Chamber being declared present, the Joint Session proceeds with its business.

STATE BOARD OF EDUCATION CONFIRMATION

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

H.J.R. 364 (Committee Substitute), A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF APPOINTMENTS BY THE GOVERNOR OF REGINALD KENAN, WAYNE MCDEVITT, AND PATRICIA WILLOUGHBY TO THE STATE BOARD OF EDUCATION, passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

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

The Speaker relinquishes the gavel to Lieutenant Governor Walter Dalton.

On motion of Senator Rand and without objection, **H.J.R. 364** (Committee Substitute), A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF APPOINTMENTS BY THE GOVERNOR OF REGINALD KENAN, WAYNE MCDEVITT, AND PATRICIA WILLOUGHBY TO THE STATE BOARD OF EDUCATION, is placed before the Senate for immediate consideration in Joint Session.

The resolution passes its second reading with forty-two Senators voting in the affirmative.

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The resolution passes its third reading and is ordered enrolled.

The President of the Senate announces the confirmation of Reginald Kenan, Wayne McDevitt, and Patricia Willoughby to the State Board of Education by the General Assembly for terms effective immediately and expiring March 31, 2017.

The President of the Senate directs the Principal Clerks of the House of Representatives and the Senate to notify the Governor of the actions taken by the General Assembly sitting in Joint Session today.

ENROLLED BILLS

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

H.J.R. 364, A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF APPOINTMENTS BY THE GOVERNOR OF REGINALD KENAN, WAYNE MCDEVITT, AND PATRICIA WILLOUGHBY TO THE STATE BOARD OF EDUCATION. (Resolution 2009-27)

On motion of President Pro Tempore Basnight, seconded by Speaker Hackney, the Joint Session is dissolved and the Senate returns to its Chamber.

The House resumes its business.

CALENDAR (continued)

H.B. 473 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A MAGISTRATE WHO HAS A CONCEALED HANDGUN PERMIT MAY CARRY OR POSSESS A CONCEALED HANDGUN WHILE IN A COURTHOUSE TO DISCHARGE OFFICIAL DUTIES.

On motion of Representative Hurley, the House does not concur in Senate Committee Substitute Bill No. 2, by electronic vote (108-1), and conferees are requested.

The Speaker appoints Representatives Hurley, Justus, West, Spear, and Sutton as conferees on the part of the House and the Senate is so notified by Special Message.

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S.B. 215 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DEANNEX TWO DESCRIBED PARCELS FROM THE CORPORATE LIMITS OF THE TOWN OF ROBBINS AND TO ENTER INTO AN AGREEMENT FOR PAYMENTS IN LIEU OF REANNEXATION, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, K. Alexander, Allen, Avila, Barnhart, Bell, Blackwell, Blackwood, Boles, Bordsen, Braxton, Brisson, Brown, Brubaker, Bryant, Burr, Burris-Floyd, Carney, Cleveland, Coates, Cole, Cotham, Crawford, Current, Daughtry, Dickson, Dockham, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, Folwell, Frye, Gibson, Gill, Gillespie, Glazier, Goforth, Goodwin, Grady, Guice, Gulley, Haire, Hall, Harrell, Harrison, Hill, Hilton, Holliman, Holloway, Howard, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Justus, Killian, Langdon, Lewis, Love, Lucas, Luebke, Mackey, Martin, McComas, McCormick, McGee, McLawhorn, Michaux, Mobley, Moore, Neumann, Owens, Parmon, Pierce, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Setzer, Spear, Stam, Stevens, Stewart, Sutton, Tarleton, Tillis, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 109.

Voting in the negative: Representative Blust.

Excused absences: Representatives M. Alexander, Hughes, Justice, McElraft, Mills, and Steen - 6.

Representative E. Floyd states that his voting equipment malfunctioned and he requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (110-1).

H.B. 1134 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO CREATE THE OPEN GOVERNMENT UNIT OF THE DEPARTMENT OF JUSTICE, TO ESTABLISH A FEE FOR SERVICES OF MODERATION AND MEDIATION BY THE OPEN GOVERNMENT UNIT, AND TO PROVIDE THAT THE SUCCESSFUL PLAINTIFF IN A PUBLIC RECORDS DISPUTE IS ENTITLED TO REASONABLE ATTORNEYS' FEES.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Adams, K. Alexander, Allen, Avila, Barnhart, Bell, Blackwell, Blackwood, Blust, Boles, Bordsen, Braxton, Brisson, Brown, Brubaker, Bryant, Burr, Burris-Floyd, Carney,

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Cleveland, Coates, Cole, Cotham, Crawford, Current, Dickson, Dockham, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Folwell, Frye, Gibson, Gill, Gillespie, Glazier, Goforth, Goodwin, Grady, Guice, Gulley, Hall, Harrell, Harrison, Hill, Hilton, Holliman, Holloway, Howard, Hurley, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Justus, Killian, Langdon, Lewis, Love, Lucas, Luebke, Mackey, Martin, McComas, McCormick, McGee, McLawhorn, Michaux, Moore, Neumann, Owens, Parmon, Pierce, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Setzer, Spear, Stam, Starnes, Stevens, Stewart, Sutton, Tarleton, Tillis, Tolson, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 107.

Voting in the negative: Representatives Daughtry, Haire, Iler, Mobley, and Tucker - 5.

Excused absences: Representatives M. Alexander, Hughes, Justice, McElraft, Mills, and Steen - 6.

S.B. 647 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT CLARIFYING VARIOUS PROVISIONS UNDER THE LAWS PERTAINING TO CERTIFIED PUBLIC ACCOUNTANTS AND ALLOWING PUBLIC ACCOUNTANTS CERTIFIED OR LICENSED OUTSIDE THIS STATE TO PRACTICE IN THIS STATE UNDER CERTAIN CIRCUMSTANCES, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in the House committee substitute bill.

Those voting in the affirmative are: Representatives Adams, K. Alexander, Allen, Avila, Barnhart, Bell, Blackwell, Blackwood, Blust, Boles, Bordsen, Braxton, Brisson, Brown, Brubaker, Bryant, Burr, Burris-Floyd, Carney, Cleveland, Coates, Cole, Cotham, Crawford, Current, Daughtry, Dickson, Dockham, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Folwell, Frye, Gibson, Gill, Gillespie, Glazier, Goforth, Goodwin, Grady, Guice, Gulley, Haire, Hall, Harrell, Harrison, Hill, Hilton, Holliman, Holloway, Howard, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Justus, Killian, Langdon, Lewis, Love, Lucas, Luebke, Mackey, Martin, McComas, McCormick, McGee, McLawhorn, Michaux, Mobley, Moore, Neumann, Owens, Parmon, Pierce, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Setzer, Spear, Stam, Starnes, Stevens, Stewart, Sutton, Tarleton, Tillis, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 112.

Voting in the negative: None.

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Excused absences: Representatives M. Alexander, Hughes, Justice, McElraft, Mills, and Steen - 6.

S.B. 307 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGULATING THE USE OF CERTAIN REPTILES.

Representative Moore offers Amendment No. 2 which is adopted by electronic vote (107-3).

The bill, as amended, passes its third reading, by electronic vote (109-1), and is ordered sent to the Senate for concurrence in House Amendments No. 1 and No. 2.

S.B. 1076 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CRIMINAL JUSTICE PARTNERSHIP PROGRAM TO ALLOW CERTAIN COMMUNITY-LEVEL OFFENDERS TO BE SERVED BY THE PROGRAM.

Representative Burr offers Amendment No. 1 which is adopted by electronic vote (110-0).

Representative Rapp states that his voting equipment malfunctioned and he requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (111-0).

The bill, as amended, passes its third reading, by electronic vote (112-0), and is ordered engrossed and sent to the Senate for concurrence in House Committee Substitute Bill No. 2.

S.B. 56 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW PROVIDING BALANCE AMONG THE COUNTIES IN THE RESIDENCY OF DISTRICT COURT JUDGES IN DISTRICT COURT DISTRICT 13, passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

S.B. 804 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE CERTIFICATE OF NEED LAW WITH RESPECT TO TIME LINES FOR ISSUANCE OF A CERTIFICATE OF NEED; TO MODIFY BOND REQUIREMENTS FOR APPEALS; TO PROHIBIT THE APPROVAL OF A CERTIFICATE OF

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NEED FOR CERTAIN TYPES OF EMERGENCY DEPARTMENTS FOR A SPECIFIED TIME PERIOD; AND TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO STUDY THE LICENSURE OF HOSPITAL-BASED OFF-SITE EMERGENCY DEPARTMENTS.

Pursuant to Rule 24.1A, Representative Blackwell requests that he be excused from voting on this bill. This request is granted.

The bill passes its second reading by electronic vote (109-2).

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

S.B. 817 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE CHILD SUPPORT COLLECTIONS BY PERMITTING GREATER SENTENCING FLEXIBILITY FOR A PERSON WHO COMMITS CRIMINAL CONTEMPT BY FAILING TO COMPLY WITH AN ORDER TO PAY CHILD SUPPORT, passes its second reading, by electronic vote (109-3), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

S.B. 1004 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND BY ONE YEAR A COMPLIANCE DATE FOR SULFUR DIOXIDE EMISSION REDUCTIONS FOR INVESTOR-OWNED PUBLIC UTILITIES THAT CONVERT COAL-FIRED GENERATING UNITS TO UNITS THAT USE ONLY NATURAL GAS AS FUEL.

On motion of Representative Harrison and without objection, the bill is withdrawn from the Calendar and re-referred to the Committee on Environment and Natural Resources.

S.B. 1017 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ENHANCE PROTECTIONS AGAINST IDENTITY THEFT AND TO PROTECT THE CREDIT OF CRIME VICTIMS DURING THE PENDENCY OF CRIME VICTIMS COMPENSATION FUND APPLICATIONS AND APPEALS.

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

Representative Glazier offers Amendment No. 2 which is adopted by electronic vote (112-0).

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The bill, as amended, passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate for concurrence in House Committee Substitute Bill No. 2.

MESSAGES FROM THE SENATE

The following are received from the Senate:

H.B. 23 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING CHAPTER 95 OF THE GENERAL STATUTES TO PROTECT THE HEALTH AND SAFETY OF CHILDREN BY INCREASING THE PENALTIES FOR VIOLATIONS OF CHILD LABOR LAWS, is returned for concurrence in the Senate committee substitute bill.

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

H.B. 81 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE NOTICE OF SPECIAL AND EMERGENCY MEETINGS UNDER THE OPEN MEETINGS ACT, is returned for concurrence in the Senate committee substitute bill.

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

H.B. 192 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH PROCEDURAL REQUIREMENTS FOR CHILD WITNESS TESTIMONY IN CRIMINAL CASES, is returned for concurrence in the Senate committee substitute bill.

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

H.B. 385 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ALLOW THE GRAHAM COUNTY BOARD OF EDUCATION TO PERMIT THE USE OF PUBLIC SCHOOL ACTIVITY BUSES TO SERVE THE TRANSPORTATION NEEDS OF THE STECOAH VALLEY CENTER DURING PERIODIC FIELD TRIPS, is returned for concurrence in one Senate amendment.

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

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H.B. 447, A BILL TO BE ENTITLED AN ACT TO EXTEND THE EXEMPTION FROM STATUTORY COPY COSTS TO PRISONER LEGAL SERVICES AND OTHER ATTORNEYS WORKING UNDER CONTRACT WITH THE OFFICE OF INDIGENT DEFENSE SERVICES, is returned for concurrence in one Senate amendment.

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

Senate Committee Substitute for **H.B. 506** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFICATIONS TO THE ENTITLEMENT TO COUNSEL AND THE PROCEDURES FOR APPOINTMENT, is returned for concurrence in Senate committee substitute bill and referred to the Committee on Judiciary I.

Upon concurrence the Senate committee substitute bill changes the title.

H.B. 559, A BILL TO BE ENTITLED AN ACT TO VALIDATE CERTAIN NOTARIAL ACTS WHERE A RECOMMISSIONED NOTARY FAILED TO TAKE THE OATH OF OFFICE AGAIN, is returned for concurrence in one Senate amendment.

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

H.B. 569 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE DIVISION OF WATER QUALITY IN THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO AUTHORIZE THE USE OF THREE-SIDED, OPEN-BOTTOM, OR BOTTOMLESS CULVERTS ON PRIVATE PROPERTY, BASED ON SOUND ENGINEERING PRACTICES, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, is returned for concurrence in the Senate committee substitute bill and referred to the Committee on Environment and Natural Resources.

Senate Committee Substitute for **H.B. 581**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE DEADLINE FOR THE COMMISSIONERS IN A PARTITION ACTION TO REPORT BACK TO THE COURT ON THEIR PROPOSED DIVISION OF THE LAND, AND TO EXTEND THE DEADLINE FOR RESPONDING TO A SUMMONS IN A PARTITION ACTION FROM TEN DAYS TO THIRTY DAYS, AS RECOMMENDED BY THE PARTITION SALES STUDY COMMITTEE, is returned for concurrence in the Senate committee substitute bill.

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

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Upon concurrence the Senate committee substitute bill changes the title.

H.B. 746 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE LICENSED PROFESSIONAL COUNSELORS ACT AND AUTHORIZING THE NORTH CAROLINA BOARD OF LICENSED PROFESSIONAL COUNSELORS TO INCREASE CERTAIN FEES, is returned for concurrence in the Senate committee substitute bill and referred to the Committee on State Government/State Personnel.

H.B. 765 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE THE EXISTING ELECTIVE SHARE STATUTES, is returned for concurrence in the Senate committee substitute bill and referred to the Committee on Judiciary I.

H.B. 804 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING PERSONAL EDUCATION PLANS FOR STUDENTS AT RISK OF ACADEMIC FAILURE, is returned for concurrence in the Senate committee substitute bill.

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

Senate Committee Substitute for **H.B. 878**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE SECRETARY OF HEALTH AND HUMAN SERVICES TO IDENTIFY PROGRAMS FOR AIDING IN THE RECOVERY AND REHABILITATION OF EMS PERSONNEL WITH CHEMICAL ADDICTION OR ABUSE, is returned for concurrence in the Senate committee substitute bill.

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

Upon concurrence the Senate committee substitute bill changes the title.

H.B. 882 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE DIVISION OF MOTOR VEHICLES TO REFUSE TO REGISTER A VEHICLE IF THE VEHICLE IS NOT IN COMPLIANCE WITH THE INSPECTIONS REQUIREMENTS, TO REQUIRE PROOF OF FINANCIAL RESPONSIBILITY FOR A THREE-DAY TRIP PERMIT, AND TO MAKE TECHNICAL CHANGES TO THE INSPECTION PROGRAM STATUTES, is returned for concurrence in the Senate committee substitute bill and referred to the Committee on Judiciary III.

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H.B. 937 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE NORTH CAROLINA INNOCENCE COMMISSION MAY COMPEL THE TESTIMONY OF A WITNESS AND THE COMMISSION CHAIR MAY GRANT LIMITED IMMUNITY TO THE WITNESS FROM PROSECUTION FOR PREVIOUS FALSE STATEMENTS MADE UNDER OATH IN PRIOR PROCEEDINGS, is returned for concurrence in the Senate committee substitute bill.

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

H.B. 1034 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW AUTOMATIC DIALING AND RECORDED MESSAGE PLAYERS TO BE USED TO MAKE UNSOLICITED TELEPHONE CALLS TO PROTECT THE PUBLIC HEALTH, SAFETY, OR WELFARE, is returned for concurrence in the Senate committee substitute bill.

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

H.B. 1090 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE DEFINITION OF TOTAL AND PARTIAL UNEMPLOYMENT RELATING TO THE TREATMENT OF SEVERANCE PAY UNDER THE EMPLOYMENT SECURITY LAWS OF NORTH CAROLINA, is returned for concurrence in the Senate committee substitute bill.

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

Senate Committee Substitute for **H.B. 1098** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE IT A CLASS H FELONY TO WILLFULLY KILL OR ATTEMPT TO KILL A SEARCH AND RESCUE ANIMAL AND TO MAKE IT AN AGGRAVATING CIRCUMSTANCE FOR OTHER CRIMINAL OFFENSES THAT A SEARCH AND RESCUE ANIMAL WAS SERIOUSLY HARMED OR KILLED WHILE THE ANIMAL WAS ENGAGED IN PERFORMING OFFICIAL DUTIES, is returned for concurrence in the Senate committee substitute bill and referred to the Committee on Homeland Security, Military, and Veterans Affairs.

Upon concurrence the Senate committee substitute bill changes the title.

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H.B. 1110 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY PROCEDURES IN CIVIL ACTIONS FOR ALIENATION OF AFFECTION AND CRIMINAL CONVERSATION, is returned for concurrence in the Senate committee substitute bill and referred to the Committee on Judiciary II.

H.B. 1185 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW AN INDIVIDUAL CONVICTED OF HABITUAL IMPAIRED DRIVING TO BE ELIGIBLE TO PETITION FOR A HEARING TO RESTORE DRIVING PRIVILEGES AFTER TEN YEARS WITHOUT ANY TRAFFIC OR CRIMINAL CONVICTIONS, is returned for concurrence in the Senate committee substitute bill.

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

Senate Committee Substitute No. 2 for **H.B. 1309**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE COMMISSION FOR MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES TO ADOPT RULES PROVIDING FOR THE LICENSURE AND ACCREDITATION OF RESIDENTIAL TREATMENT FACILITIES FOR PERSONS WITH TRAUMATIC BRAIN INJURY, is returned for concurrence in Senate Committee Substitute Bill No. 2 and referred to the Committee on Mental Health Reform.

Upon concurrence Senate Committee Substitute Bill No. 2 changes the title.

Senate Committee Substitute No. 2 for **H.B. 1342**, A BILL TO BE ENTITLED AN ACT TO ENSURE THAT NORTH CAROLINA CONTINUES TO BE ELIGIBLE FOR STOP VIOLENCE AGAINST WOMEN FORMULA GRANT PROGRAM FUNDING; AND TO INCREASE THE AUTHORITY OF THE DIRECTOR OF THE CRIME VICTIMS COMPENSATION COMMISSION AND THE COMMISSION ITSELF TO CONSIDER PROXIMATE CAUSE WHEN DETERMINING WHETHER TO MAKE AN AWARD; AND TO MAKE VARIOUS OTHER CHANGES TO THE RAPE VICTIMS ASSISTANCE PROGRAM, is returned for concurrence in Senate Committee Substitute Bill No. 2.

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

Upon concurrence Senate Committee Substitute Bill No. 2 changes the title.

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Senate Committee Substitute for **H.B. 1378** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE OWNER OR OPERATOR OF CERTAIN MARINAS SHALL INSTALL AND MAINTAIN PUMPOUT FACILITIES BY JULY 1, 2010, TO PROHIBIT THE DISCHARGE OF EFFLUENT FROM A VESSEL INTO CERTAIN COASTAL WATERS, TO REQUIRE THE OWNER OR OPERATOR OF ANY MARINA WHO KNOWS THAT A VESSEL DOCKED AT THE MARINA HAS UNLAWFULLY DISCHARGED SEWAGE INTO COASTAL WATERS TO REPORT THE UNLAWFUL DISCHARGE TO THE APPROPRIATE LAW ENFORCEMENT AGENCY, TO REQUIRE VESSEL OWNERS AND OPERATORS TO KEEP A LOG REGARDING THE DATE AND LOCATION OF PUMPOUTS, AND TO PROVIDE THAT A PILOT PROGRAM IN NEW HANOVER COUNTY SHALL BE DESIGNED AND IMPLEMENTED BY THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO BEGIN PHASING IN THE PUMPOUT STATION REQUIREMENTS, is returned for concurrence in the Senate committee substitute bill.

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

Upon concurrence the Senate committee substitute bill changes the title.

H.B. 1464 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY DOMESTIC VIOLENCE LAWS REGARDING WHEN A LAW ENFORCEMENT OFFICER SHALL ARREST A PERSON WHO HAS KNOWINGLY VIOLATED A VALID PROTECTIVE ORDER DESPITE THE 2006 HOLDING BY THE NORTH CAROLINA COURT OF APPEALS IN COCKERHAM-ELLERBEE V. THE TOWN OF JONESVILLE, is returned for concurrence in the Senate committee substitute bill and referred to the Committee on Ways and Means/Broadband Connectivity.

H.B. 1478 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROTECT THE SEAL OF A LICENSED DESIGN PROFESSIONAL IN BUILDING INSPECTION DOCUMENTS, is returned for concurrence in the Senate committee substitute bill.

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

S.B. 140, A BILL TO BE ENTITLED AN ACT TO AMEND THE OFFENSE OF DOMESTIC CRIMINAL TRESPASS BY MAKING IT A FELONY FOR A PERSON WHO IS THE SUBJECT OF A VALID PROTECTIVE ORDER TO TRESPASS ON PROPERTY WHERE THE

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PROTECTED PARTY RESIDES AND THAT IS OPERATED AS A SAFE HOUSE OR HAVEN FOR DOMESTIC VIOLENCE VICTIMS WITHOUT REGARD AS TO WHETHER THE PERSON COVERED BY THE PROTECTIVE ORDER IS PRESENT ON THE PREMISES AND TO PROVIDE THAT IT IS AN AGGRAVATING CIRCUMSTANCE FOR FIRST DEGREE MURDER IF A DEFENDANT WHO IS THE SUBJECT OF A VALID PROTECTIVE ORDER COMMITS A MURDER ON THE PREMISES OF A SHELTER FOR VICTIMS OF DOMESTIC VIOLENCE WHERE THE PROTECTED PARTY IS RESIDING, is read the first time and referred to the Committee on Ways and Means/Broadband Connectivity and, if favorable, to the Committee on Judiciary I.

S.B. 308 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE FORMATION OF A LIMITED LIABILITY COMPANY AS A LOW-PROFIT LIMITED LIABILITY COMPANY, is read the first time and referred to the Committee on Commerce, Small Business, and Entrepreneurship and, if favorable, to the Committee on Finance.

S.B. 580 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA LIFE SCIENCE LOAN FUND, is read the first time and referred to the Committee on Commerce, Small Business, and Entrepreneurship and, if favorable, to the Committee on Finance.

SPECIAL MESSAGE FROM THE SENATE

The following Special Message is received from the Senate:

Senate Committee Substitute for **H.B. 1504** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO TRANSFER THE NORTH CAROLINA CENTER FOR THE ADVANCEMENT OF TEACHING TO THE STATE BOARD OF EDUCATION, is returned for concurrence in Senate committee substitute bill and referred to the Committee on Rules, Calendar, and Operations of the House.

Upon concurrence the Senate committee substitute bill changes the title.

INTRODUCTION OF PAGES

Pages for the week of July 13 are introduced to the membership. They are: Leigh-Kathryn Bonner of Wake; John Bowman of Mecklenburg; Logan Brawley of Forsyth; Mercedes Bryant of Richmond; Caylin Bullock of Wake; Meg Burrell of Jackson; Hamilton Deese of Stanly; Laura Fisher of Wake; Brandon Gilbert of Forsyth; Adam Goodrich of Yadkin; Anthony Heredia of Union; Kayla Hollingsworth of Randolph; Madison Inman of

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Stanly; Ellen Laws of Wilkes; Troy Miller of Durham; Jarvis Moss of Gaston; Madison Parker of Johnston; Anna Plyler of Union; Wilson Purcell of Wake; Harry Riegel of Wake; Owen Schoeff of Henderson; Sarah Scott of New Hanover; Tyler Thomasson of Jackson; Jake Toompas of Forsyth; and Katheryn Woolard of Wake.

On motion of Representative Owens, seconded by Representative Fisher, the House adjourns at 8:41 p.m. to reconvene July 14 at 3:00 p.m.

NINETY-SEVENTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, July 14, 2009

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

The following prayer is offered by the Reverend Dr. Byron Wade, Minister, Davie Street Presbyterian Church, Raleigh, North Carolina:

"Almighty and Eternal God:

"We thank You for another beautiful day to enjoy and experience Your grace and mercy. We ask Your blessings upon the House of Representatives at this time. As they are faced with the welfare of the citizens of North Carolina, we ask that You provide them with wisdom and right judgment. Help those in both parties to discern Your will so we may all live into Your ways. In the name of the Creator and Sovereign God we pray. Amen."

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

Leaves of absence are granted Representatives M. Alexander, Brubaker, and Whilden for today.

ENROLLED BILLS

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

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S.B. 56, AN ACT TO AMEND THE LAW PROVIDING BALANCE AMONG THE COUNTIES IN THE RESIDENCY OF DISTRICT COURT JUDGES IN DISTRICT COURT DISTRICT 13.

S.B. 817, AN ACT TO INCREASE CHILD SUPPORT COLLECTIONS BY PERMITTING GREATER SENTENCING FLEXIBILITY FOR A PERSON WHO COMMITS CRIMINAL CONTEMPT BY FAILING TO COMPLY WITH AN ORDER TO PAY CHILD SUPPORT.

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

S.B. 215, AN ACT TO DEANNEX TWO DESCRIBED PARCELS FROM THE CORPORATE LIMITS OF THE TOWN OF ROBBINS AND TO ENTER INTO AN AGREEMENT FOR PAYMENTS IN LIEU OF REANNEXATION.

CHAPTERED BILLS

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

H.B. 215, AN ACT TO AUTHORIZE CATAWBA AND ALEXANDER COUNTIES TO REQUIRE THE PAYMENT OF DELINQUENT PROPERTY TAXES BEFORE RECORDING DEEDS CONVEYING PROPERTY. (S.L. 2009-290)

H.B. 401, AN ACT TO AUTHORIZE THE TOWN OF BOONE TO LEVY AN ADDITIONAL THREE PERCENT ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX AND TO MAKE OTHER ADMINISTRATIVE CHANGES. (S.L. 2009-291)

H.B. 403, AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF FREMONT. (S.L. 2009-292)

H.B. 1011, AN ACT TO PROVIDE FOR ASSESSMENTS BY THE CITY OF RALEIGH TO OWNERS OF STORMWATER FACILITIES. (S.L. 2009-293)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

July 14, 2009

By Representative Sutton, Chair, for the Committee on Judiciary III:

H.B. 629 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT PROVIDING THAT THE TRIAL OF A SMALL CLAIMS ACTION MAY COMMENCE NOT SOONER THAN FIVE DAYS AFTER SERVICE OF THE MAGISTRATE SUMMONS ON THE DEFENDANT, with recommendation that the House concur.

Pursuant to Rule 36(b), the bill is placed on the Calendar of July 15.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for **H.B. 1073** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT MEMBERS OF THE FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND WHO WITHDRAW FROM MEMBERSHIP WITH FIVE YEARS OR MORE OF CONTRIBUTING SERVICE ARE ENTITLED TO THE RETURN OF ALL FUNDS AND TO REPEAL THE AUTHORIZATION FOR AN ADMINISTRATIVE FEE TO BE APPLIED TO THOSE WITHDRAWALS, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of July 15.

Upon concurrence the Senate committee substitute bill changes the title.

Senate Committee Substitute for **H.B. 1078**, A BILL TO BE ENTITLED AN ACT TO ENSURE THAT ACTS OF VIOLENCE IN SCHOOLS ARE REPORTED TO THE LOCAL SUPERINTENDENT OR THE SUPERINTENDENT'S DESIGNEE, is returned for concurrence in the Senate committee substitute bill and referred to the Committee on Education.

Upon concurrence the Senate committee substitute bill changes the title.

CALENDAR

Action is taken on the following:

H.B. 1305 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE COASTAL PROPERTY INSURANCE POOL, PRESENTLY KNOWN AS THE BEACH PLAN, AS RECOMMENDED BY THE JOINT SELECT STUDY COMMITTEE

July 14, 2009

ON THE POTENTIAL IMPACT OF MAJOR HURRICANES ON THE NORTH CAROLINA INSURANCE INDUSTRY; REQUIRE THAT THE NORTH CAROLINA RATE BUREAU PROVIDE PUBLIC NOTICE OF CERTAIN FILINGS IN NEWSPAPER PUBLICATIONS AND VIA INTERNET; REAFFIRM THAT THE NORTH CAROLINA INSURANCE UNDERWRITING ASSOCIATION IS INTENDED TO BE EXEMPT FROM STATE AND FEDERAL TAXATION, EXCEPT FOR PREMIUM TAXES; CLARIFY THE POWERS AND DUTIES OF THE ASSOCIATION; CLARIFY AND PROVIDE CERTAINTY REGARDING ASSESSMENTS AGAINST MEMBER INSURANCE COMPANIES BY THE ASSOCIATION; ADJUST THE COASTAL INSURANCE COVERAGE LIMITS OF THE ASSOCIATION IN ORDER TO ENSURE THAT THE COASTAL PROPERTY INSURANCE POOL IS THE MARKET OF LAST RESORT; MANDATE THAT THE ASSOCIATION SHALL RETAIN ALL SURPLUS FOR USE IN PURCHASING REINSURANCE, PAYING CLAIMS TO POLICYHOLDERS, AND FOR ASSOCIATION OBLIGATIONS; PROHIBIT DISTRIBUTION OF SURPLUS TO MEMBER INSURANCE COMPANIES; REQUIRE THE ASSOCIATION TO FILE A SCHEDULE OF PREMIUM CREDITS FOR COASTAL INSURANCE POLICYHOLDERS WHO HAVE VOLUNTARILY MITIGATED THEIR RISK OF DAMAGE FROM HURRICANES AND OTHER WIND DAMAGE; REQUIRE THE ASSOCIATION TO ESTABLISH AND MAINTAIN AN INSTALLMENT PLAN FOR PREMIUM PAYMENTS FOR THE EASE OF POLICYHOLDERS; DEFINE AND ESTABLISH WHAT ACTIONS ARE ALLOWED UPON THE OCCURRENCE OF A DEFICIT EVENT, INCLUDING CAPPING ANY CATASTROPHIC ASSESSMENT RECOUPMENT FROM HOMEOWNERS STATEWIDE; IMPOSE AN ADDITIONAL REGULATORY CHARGE ON THE ASSOCIATION TO BE PAID TO THE DEPARTMENT; REQUIRE THAT ASSOCIATION ACTIVITIES BE MADE TRANSPARENT AND AVAILABLE TO ANY MEMBER COMPANY OR BOARD MEMBER; PROVIDE FOR SUCCESSION AND DISSOLUTION OF THE ASSOCIATION; PROVIDE FOR SURCHARGES OF TEN PERCENT FOR SEPARATE WIND AND HAIL COVERAGE, TWENTY PERCENT FOR WIND AND HAIL HOMEOWNERS COVERAGE, AND A MINIMUM NAMED STORM WIND AND HAIL DEDUCTIBLE OF ONE PERCENT FOR COVERAGE WRITTEN BY THE ASSOCIATION; PROVIDE FOR SURCHARGES ON COMMERCIAL AND DWELLING COVERAGE IN ADDITION TO SURCHARGES CURRENTLY IMPOSED ON HOMEOWNERS POLICIES; DELETE THE TIME LIMIT FOR THE COMMISSIONER TO DISAPPROVE A RATE BUREAU FILING; AND TO MAKE OTHER CHANGES CONSISTENT WITH THE FINDINGS OF THE JOINT SELECT STUDY COMMITTEE ON THE POTENTIAL IMPACT OF MAJOR HURRICANES.

July 14, 2009

Representative McElraft offers Amendment No. 1 which fails of adoption by electronic vote (52-63).

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

Those voting in the affirmative are: Representatives Adams, K. Alexander, Allen, Avila, Barnhart, Bell, Boles, Bordsen, Braxton, Brisson, Brown, Bryant, Burr, Carney, Coates, Cole, Cotham, Crawford, Current, Daughtry, Dickson, Dockham, Dollar, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Folwell, Gibson, Gill, Glazier, Goforth, Goodwin, Grady, Guice, Haire, Hall, Harrell, Harrison, Holliman, Hughes, Iler, Insko, Jackson, Jeffus, Jones, Justice, Langdon, Lewis, Love, Lucas, Luebke, Mackey, Martin, McComas, McCormick, McGee, McLawhorn, Michaux, Mills, Mobley, Neumann, Parmon, Pierce, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Stam, Stevens, Stewart, Sutton, Tarleton, Tillis, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, Wiley, Wilkins, Womble, Wray, and Yongue - 89.

Voting in the negative: Representatives Blackwell, Blackwood, Blust, Burris-Floyd, Cleveland, Earle, Frye, Gillespie, Gulley, Hill, Hilton, Holloway, Howard, Hurley, Ingle, Johnson, Justus, Killian, McElraft, Moore, Owens, Setzer, Spear, Starnes, Steen, West, and Williams - 27.

Excused absences: Representatives M. Alexander, Brubaker, and Whilden - 3.

S.B. 804 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE CERTIFICATE OF NEED LAW WITH RESPECT TO TIME LINES FOR ISSUANCE OF A CERTIFICATE OF NEED; TO MODIFY BOND REQUIREMENTS FOR APPEALS; TO PROHIBIT THE APPROVAL OF A CERTIFICATE OF NEED FOR CERTAIN TYPES OF EMERGENCY DEPARTMENTS FOR A SPECIFIED TIME PERIOD; AND TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO STUDY THE LICENSURE OF HOSPITAL-BASED OFF-SITE EMERGENCY DEPARTMENTS.

Pursuant to Rule 24.1A(c), the request that Representative Blackwell be excused from voting on July 8 is continued.

The bill passes its third reading, by electronic vote (113-2), and is ordered sent to the Senate for concurrence in House Committee Substitute Bill No. 2.

July 14, 2009

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

S.B. 461 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROHIBIT SEEKING OR IMPOSING THE DEATH PENALTY ON THE BASIS OF RACE; TO ESTABLISH A PROCESS BY WHICH RELEVANT EVIDENCE MAY BE USED TO ESTABLISH THAT RACE WAS A SIGNIFICANT FACTOR IN SEEKING OR IMPOSING THE DEATH PENALTY WITHIN THE COUNTY, THE PROSECUTORIAL DISTRICT, THE JUDICIAL DIVISION, OR THE STATE, TO IDENTIFY TYPES OF EVIDENCE THAT MAY BE CONSIDERED BY THE COURT WHEN CONSIDERING WHETHER RACE WAS A BASIS FOR SEEKING OR IMPOSING THE DEATH PENALTY, INCLUDING STATISTICAL EVIDENCE, AND TO AUTHORIZE THE DEFENDANT TO RAISE THIS CLAIM AT THE PRETRIAL CONFERENCE OR IN POSTCONVICTION PROCEEDINGS; TO PROVIDE THAT THE DEFENDANT HAS THE BURDEN OF PROVING THAT RACE WAS A SIGNIFICANT FACTOR IN SEEKING OR IMPOSING THE DEATH PENALTY AND TO PROVIDE THAT THE STATE MAY OFFER EVIDENCE TO REBUT THE CLAIMS OR EVIDENCE OF THE DEFENDANT AND IN DOING SO TO USE STATISTICAL EVIDENCE AS WELL AS ANY OTHER EVIDENCE THE COURT DEEMS RELEVANT AND MATERIAL; TO PROVIDE THAT IF RACE IS FOUND TO BE A SIGNIFICANT FACTOR IN THE IMPOSITION OF THE DEATH PENALTY, THE DEATH SENTENCE SHALL BE VACATED AND THE DEFENDANT RESENTENCED TO LIFE IMPRISONMENT WITHOUT THE POSSIBILITY OF PAROLE; TO PROVIDE THAT THIS ACT IS EFFECTIVE WHEN IT BECOMES LAW AND APPLIES RETROACTIVELY, THAT MOTIONS UNDER THIS ACT FOR THOSE CURRENTLY UNDER A DEATH SENTENCE SHALL BE FILED WITHIN ONE YEAR OF THE EFFECTIVE DATE OF THIS ACT, AND THAT MOTIONS FOR THOSE WHOSE DEATH SENTENCE IS IMPOSED ON OR AFTER THE EFFECTIVE DATE OF THIS ACT SHALL BE FILED AS PROVIDED IN THIS ACT.

Representative Moore moves that the bill be withdrawn from the Calendar and re-referred to the Committee on Appropriations. The motion fails for lack of majority by electronic vote (58-58).

The bill passes its second reading by electronic vote (61-55).

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

July 14, 2009

BILL WITHDRAWN FROM COMMITTEE

On motion of Representative Owens and without objection, Senate Committee Substitute for **H.B. 1504** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO TRANSFER THE NORTH CAROLINA CENTER FOR THE ADVANCEMENT OF TEACHING TO THE STATE BOARD OF EDUCATION, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and pursuant to Rule 36(b), is placed on today's Calendar.

CALENDAR (continued)

Senate Committee Substitute for **H.B. 1504** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO TRANSFER THE NORTH CAROLINA CENTER FOR THE ADVANCEMENT OF TEACHING TO THE STATE BOARD OF EDUCATION, is before the Body.

On motion of Representative Michaux, the House does not concur in the Senate committee substitute bill, by electronic vote (91-24), and conferees are requested.

The Speaker appoints Representative Michaux, Chair; Representatives Crawford, Jeffus, and Luebke as conferees on the part of the House and the Senate is so notified by Special Message.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Ross, Chair, for the Committee on Judiciary I:

H.B. 137, A BILL TO BE ENTITLED AN ACT TO AMEND THE CAPITAL TRIAL, SENTENCING, AND POST-CONVICTION PROCEDURES FOR A PERSON WITH A SEVERE MENTAL DISABILITY, with a favorable report as to the committee substitute bill, unfavorable as to the original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

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

S.B. 44 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW REGARDING APPEALS OF QUASI-JUDICIAL DECISIONS MADE UNDER ARTICLE 19 OF CHAPTER 160A AND

July 14, 2009

ARTICLE 18 OF CHAPTER 153A OF THE GENERAL STATUTES, with a favorable report as to the House committee substitute bill, unfavorable as to the Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of July 15. The Senate committee substitute bill is placed on the Unfavorable Calendar.

S.B. 698 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT REQUIRING THAT CITIES, COUNTIES, SANITARY DISTRICTS, AND WATER AND SEWER AUTHORITIES GIVE ELECTRONIC NOTICE OF THE IMPOSITION OF CERTAIN NEW FEES AND INCREASES IN CERTAIN EXISTING FEES AND AN OPPORTUNITY TO BE HEARD WHEN THE IMPOSITION OR INCREASE OF THOSE FEES IS CONSIDERED, with a favorable report as to House Committee Substitute Bill No. 2, unfavorable as to House Committee Substitute Bill No. 1.

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

By Representatives Goforth and Wray, Chairs, for the Committee on Insurance:

S.B. 660 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE AN ALTERNATIVE METHOD OF DETERMINING PROPERTY DAMAGES AS A PART OF MOTOR VEHICLE LIABILITY INSURANCE, with a favorable report as to House Committee Substitute Bill No. 2, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(b), House Committee Substitute Bill No. 2 is placed on the Calendar of July 15. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representatives Bell and Lucas, Chairs, for the Committee on Education:

S.B. 860 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A STUDENT PROTECTION FUND FOR PROPRIETARY SCHOOL STUDENTS, with a favorable report as to the House committee substitute bill, unfavorable as to Senate Committee Substitute Bill No. 2, and recommendation that the House committee substitute bill be re-referred to the Committee on Finance.

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The House committee substitute bill is re-referred to the Committee on Finance. Senate Committee Substitute Bill No. 2 is placed on the Unfavorable Calendar.

S.B. 1028 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT DIRECTING LOCAL BOARDS OF EDUCATION TO ENCOURAGE COMMUNITY ACADEMIC BOOSTER ORGANIZATIONS, SUCH AS COMMUNITY ACHIEVEMENT NETWORK – DEVELOPING OUR EDUCATIONAL RESOURCES (CAN DOER) ORGANIZATIONS, TO SUPPORT STUDENT ACADEMIC ACHIEVEMENT, TO DEVELOP POLICIES APPROVING USE OF VOLUNTEER ORGANIZATIONS AND INDIVIDUAL VOLUNTEERS, AND TO DEVELOP POLICIES TO MAKE INFORMATION ON TUTORING AND ACADEMIC SUPPORT SERVICES AVAILABLE TO PARENTS AND STUDENTS, with a favorable report as to House Committee Substitute Bill No. 2, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(b), House Committee Substitute Bill No. 2 is placed on the Calendar of July 15. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representative Sutton, Chair, for the Committee on Judiciary III:

S.B. 700 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO: (1) EXTEND SUNSET DATES APPLICABLE TO THE DRY-CLEANING SOLVENT CLEANUP ACT, THE DRY-CLEANING SOLVENT CLEANUP FUND, AND THE DRY-CLEANING SOLVENT TAX; (2) ALLOW THE USE OF STATE AND LOCAL LAND-USE CONTROLS AND DEED NOTICES IN LIEU OF LAND-USE RESTRICTIONS FOR PROPERTIES IN THE AREA OF CONTAMINATED DRY-CLEANING SITES, NOT INCLUDING PROPERTIES ON WHICH A DRY-CLEANING FACILITY IS OR WAS LOCATED WHICH IS THE SOURCE OF A SITE'S CONTAMINATION; (3) MODIFY NOTICE AND COMMENT REQUIREMENTS ASSOCIATED WITH A NOTICE OF INTENT TO REMEDIATE; AND (4) REMOVE THE LIMITATION ON DISBURSEMENT OF MONIES FROM THE DRY-CLEANING SOLVENT CLEANUP FUND FOR COSTS INCURRED TO ADDRESS DRY-CLEANING SOLVENT CONTAMINATION ON STATE-OWNED PROPERTY, with a favorable report as to House Committee Substitute Bill No. 2, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 38(b), House Committee Substitute Bill No. 2 is re-referred to the Committee on Finance. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

July 14, 2009

S.B. 929 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND REQUIREMENTS APPLICABLE TO MOTIONS TO SET ASIDE BAIL BOND FORFEITURES AND CLARIFY SANCTIONS THAT MAY BE IMPOSED IN CONJUNCTION WITH SUCH MOTIONS; AND TO PROVIDE THAT A COURT MAY NOT SET ASIDE A BAIL BOND FORFEITURE IF, BEFORE EXECUTING THE BOND, THE SURETY OR BAIL AGENT HAD ACTUAL NOTICE OF A DEFENDANT'S FAILURE TO APPEAR ON TWO OR MORE PRIOR OCCASIONS IN THE CASE FOR WHICH THE BOND WAS EXECUTED, with a favorable report as to House Committee Substitute Bill No. 2, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(b), House Committee Substitute Bill No. 2 is placed on the Calendar of July 15. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

SPECIAL MESSAGE FROM THE SENATE

**2009 GENERAL ASSEMBLY
FIRST SESSION**

Senate Chamber
July 14, 2009

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in the House Committee Substitute to **S.B. 628**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO RELEASE CONFIDENTIAL DATA IN THE CONTROLLED SUBSTANCES REPORTING SYSTEM TO THE CHIEF MEDICAL EXAMINER AND COUNTY MEDICAL EXAMINERS FOR THE PURPOSE OF INVESTIGATING DEATHS.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

**2009 GENERAL ASSEMBLY
FIRST SESSION**

Senate Chamber
July 14, 2009

July 14, 2009

Mr. Speaker:

Pursuant to your message received on July 13, 2009, that the House of Representatives fails to concur in the Senate Committee Substitute to **H.B. 1523** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REWRITE THE NORTH CAROLINA MORTGAGE LENDING ACT IN ORDER TO CONFORM TO THE REQUIREMENTS OF FEDERAL LAW, and requests conferees, the President *Pro Tempore* appoints:

Senator Blue, Chair
Senator Soles
Senator Nesbitt
Senator Apodaca

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

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

2009 GENERAL ASSEMBLY FIRST SESSION

Senate Chamber
July 14, 2009

Mr. Speaker:

Pursuant to your message received today, July 14, 2009, that the House of Representatives fails to concur in Senate Committee Substitute No. 2 to **H.B. 473**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A MAGISTRATE WHO HAS A CONCEALED HANDGUN PERMIT MAY CARRY OR POSSESS A CONCEALED HANDGUN WHILE IN A COURTHOUSE TO DISCHARGE OFFICIAL DUTIES, and requests conferees, the President *Pro Tempore* appoints:

Senator Blue, Chair
Senator Tillman
Senator Dannelly
Senator Jones

July 14, 2009

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

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

BILLS WITHDRAWN FROM COMMITTEE

On motion of Representative Owens and without objection, **H.B. 746** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE LICENSED PROFESSIONAL COUNSELORS ACT AND AUTHORIZING THE NORTH CAROLINA BOARD OF LICENSED PROFESSIONAL COUNSELORS TO INCREASE CERTAIN FEES, is withdrawn from the Committee on State Government/State Personnel and pursuant to Rule 36(b), is placed on Calendar of July 15.

On motion of Representative Owens and without objection, **H.B. 765** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE THE EXISTING ELECTIVE SHARE STATUTES, is withdrawn from the Committee on Judiciary I and pursuant to Rule 36(b), is placed on Calendar of July 15.

On motion of Representative Owens and without objection, **H.B. 882** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE DIVISION OF MOTOR VEHICLES TO REFUSE TO REGISTER A VEHICLE IF THE VEHICLE IS NOT IN COMPLIANCE WITH THE INSPECTIONS REQUIREMENTS, TO REQUIRE PROOF OF FINANCIAL RESPONSIBILITY FOR A THREE-DAY TRIP PERMIT, AND TO MAKE TECHNICAL CHANGES TO THE INSPECTION PROGRAM STATUTES, is withdrawn from the Committee on Judiciary III and pursuant to Rule 36(b), is placed on Calendar of July 15.

On motion of Representative Owens and without objection, **H.B. 1347** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CHIEF COURT COUNSELOR IN EACH DISTRICT TO DELEGATE CERTAIN RESPONSIBILITIES, is withdrawn from the Committee on Juvenile Justice and pursuant to Rule 36(b), is placed on Calendar of July 15.

On motion of Representative Owens and without objection, **S.B. 600** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REQUIRE A DEMONSTRATION OF LACK OF PRUDENT AND FEASIBLE ALTERNATIVE IN ORDER FOR PUBLIC CONDEMNORS

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TO CONDEMN PROPERTY ENCUMBERED BY A CONSERVATION EASEMENT, is withdrawn from the Committee on Appropriations and pursuant to Rule 36(b), is placed on Calendar of July 15.

Representative Owens moves, seconded by Representative Womble, that the House adjourn, subject to the receipt of Committee Reports, the receipt of Conference Reports, and the appointment of conference committees, to reconvene July 15 at 3:00 p.m.

The motion carries.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Brisson and Earle, Chairs, for the Committee on Mental Health Reform:

H.B. 1309 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO DIRECT THE COMMISSION FOR MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES TO ADOPT RULES PROVIDING FOR THE LICENSURE AND ACCREDITATION OF RESIDENTIAL TREATMENT FACILITIES FOR PERSONS WITH TRAUMATIC BRAIN INJURY AND TO MAKE CHANGES TO THE NORTH CAROLINA TRAUMATIC BRAIN INJURY ADVISORY COUNCIL, with recommendation that the House concur.

Pursuant to Rule 36(b), the bill is placed on the Calendar of July 15.

By Representatives Luebke, Gibson, Wainwright, and Weiss, Chairs, for the Committee on Finance:

H.B. 1389 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ANY CITY AND ANY COUNTY TO DESIGNATE AN AREA WITHIN THE CITY AND THE COUNTY RESPECTIVELY WITHIN WHICH DESIGNATED AREA LOCAL GOVERNMENT OFFICIALS AND FREE AND WILLING PROPERTY OWNERS MAY ENTER INTO LOAN AGREEMENTS WHEREBY THE LOANS ARE TO BE REPAYED BY CONTRACTUAL ASSESSMENTS, TO FINANCE THE INSTALLATION OF DISTRIBUTED GENERATION RENEWABLE

July 14, 2009

ENERGY SOURCES OR ENERGY EFFICIENCY IMPROVEMENTS THAT ARE PERMANENTLY AFFIXED TO REAL PROPERTY, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(b), Committee Substitute Bill No. 2 is placed on the Calendar of July 15. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

H.B. 1411 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT OCCUPATIONAL LICENSING BOARDS TO ADOPT RULES TO POSTPONE OR WAIVE CONDITIONS OF LICENSURE FOR CERTAIN INDIVIDUALS SERVING IN THE ARMED FORCES, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of July 15.

S.B. 69 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CERTAIN PARTS OF A RULE ADOPTED BY THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY RELATING TO ROTATION WRECKER SERVICES VOID AND UNENFORCEABLE AND TO DIRECT THE SECRETARY TO ADOPT RULES CONSISTENT WITH THIS ACT, with a favorable report as to House Committee Substitute Bill No. 2, which changes the title, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(b), House Committee Substitute Bill No. 2 is placed on the Calendar of July 15. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

S.B. 618, A BILL TO BE ENTITLED AN ACT TO ALLOW ALL MUNICIPALITIES TO PARTICIPATE IN URBAN AREA REVITALIZATION PROJECTS UNDER THE MUNICIPAL SERVICE DISTRICT ACT OF 1973, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of July 15.

S.B. 834 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT REWRITING THE LAWS REGULATING SANITARIANS AND AUTHORIZING THE STATE BOARD OF SANITARIAN EXAMINERS TO IMPOSE AN APPLICATION FEE, AND TO INCREASE CERTAIN FEES, with a favorable report.

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Pursuant to Rule 36(b), the bill is placed on the Calendar of July 15.

The House stands adjourned at 6:53 p.m.

NINETY-EIGHTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, July 15, 2009

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

The following prayer is offered by the Reverend Dr. Byron Wade, Minister, Davie Street Presbyterian Church, Raleigh, North Carolina:

"Almighty God:

"We thank You once again for allowing us to see this day. We know that You have plans for us, and the power to make them happen. We ask today that You may give the Legislature a knowledge of Your will for the world. Even as they grapple with difficult decisions, let them remember that they serve a public trust, beyond personal gain or glory. May they see that no State lives for itself alone, but is responsible to You for peace and for the well-being of all Your children. In the name of Sovereign God we pray. Amen."

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

A leave of absence is granted Representative M. Alexander for today. Representative Burris-Floyd is excused for a portion of the Session.

ENROLLED BILLS

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

S.B. 65, AN ACT TO AMEND THE LAW REGARDING SOLICITATION OF A CHILD BY COMPUTER TO COMMIT AN UNLAWFUL SEX ACT TO INCLUDE SOLICITATIONS BY OTHER ELECTRONIC DEVICES AS WELL AS COMPUTERS.

July 15, 2009

S.B. 755, AN ACT TO PROMOTE THE USE OF COMPENSATORY MITIGATION BANKS FOR RIPARIAN BUFFER PROTECTION AND NUTRIENT OFFSET PAYMENTS, TO MAKE CLARIFYING CHANGES TO THE STATUTES GOVERNING COMPENSATORY MITIGATION FOR WETLAND AND STREAM IMPACTS, AND TO DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO STUDY CERTAIN IMPACTS THAT THE PROMOTION OF COMPENSATORY MITIGATION BANKS MAY HAVE ON THE ECOSYSTEM ENHANCEMENT PROGRAM.

S.B. 913, AN ACT TO CLARIFY MOTOR VEHICLE DEALERS AND MANUFACTURERS LICENSING LAWS AND DEALER TERMINATION ASSISTANCE RIGHTS.

S.B. 1069, AN ACT TO ESTABLISH THE JOINT LEGISLATIVE JOINING OUR BUSINESSES AND SCHOOLS (JOBS) STUDY COMMISSION.

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

S.B. 68, AN ACT TO ALLOW THE ALCOHOLIC BEVERAGE CONTROL COMMISSION, IN DECIDING ON THE LOCATION OF AN ABC STORE IN GUILFORD COUNTY, TO CONSIDER WHETHER IT IS WITHIN ONE THOUSAND FEET OF A CHURCH, PUBLIC SCHOOL, OR A NONPUBLIC SCHOOL, AS DEFINED IN PART 1 OR PART 2 OF ARTICLE 39 OF CHAPTER 115C OF THE GENERAL STATUTES.

CHAPTERED BILLS

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

S.B. 215, AN ACT TO DEANNEX TWO DESCRIBED PARCELS FROM THE CORPORATE LIMITS OF THE TOWN OF ROBBINS AND TO ENTER INTO AN AGREEMENT FOR PAYMENTS IN LIEU OF REANNEXATION. (S.L. 2009-294)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Dickson, Chair, for the Committee on Commerce, Small Business, and Entrepreneurship:

July 15, 2009

S.B. 580 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA LIFE SCIENCE LOAN FUND, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

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

By Representative Carney, Chair, for the Committee on Transportation:

H.B. 67 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE COVERING OF THE STATE NAME, YEAR STICKER, OR MONTH STICKER ON A STATE LICENSE PLATE BY A LICENSE PLATE FRAME AND TO DIRECT THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE AND THE REVENUE LAWS STUDY COMMITTEE TO STUDY THE AUTHORIZATION OF SPECIAL REGISTRATION PLATES, with recommendation that the House do not concur.

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

H.B. 1561, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO PRODUCE A MOTORCYCLE PLATE FOR PURPLE HEART RECIPIENTS, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

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

By Representative Sutton, Chair, for the Committee on Judiciary III:

S.B. 514 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE CERTAIN MAGISTRATES WITH THE AUTHORITY TO PROVIDE FOR THE APPOINTMENT OF COUNSEL WHEN AUTHORIZED BY THE CHIEF DISTRICT JUDGE, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the Senate committee substitute bill.

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

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SPECIAL MESSAGE FROM THE SENATE**2009 GENERAL ASSEMBLY
FIRST SESSION**

Senate Chamber
July 15, 2009

Mr. Speaker:

Pursuant to your message received today, July 15, 2009, that the House of Representatives fails to concur in the Senate Committee Substitute to **H.B. 1504** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO TRANSFER THE NORTH CAROLINA CENTER FOR THE ADVANCEMENT OF TEACHING TO THE STATE BOARD OF EDUCATION, and requests conferees, the President *Pro Tempore* appoints:

Senator Garrou, Chair
Senator Albertson
Senator Dannelly
Senator Swindell

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

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

CALENDAR

Action is taken on the following:

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

H.B. 385 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ALLOW THE GRAHAM COUNTY BOARD OF EDUCATION TO PERMIT THE USE OF PUBLIC SCHOOL ACTIVITY BUSES TO SERVE THE TRANSPORTATION NEEDS OF THE STECOAH VALLEY CENTER DURING PERIODIC FIELD TRIPS.

On motion of Representative West and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of July 16.

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

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H.B. 23 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING CHAPTER 95 OF THE GENERAL STATUTES TO PROTECT THE HEALTH AND SAFETY OF CHILDREN BY INCREASING THE PENALTIES FOR VIOLATIONS OF CHILD LABOR LAWS.

On motion of Representative Weiss, the House concurs in the Senate committee substitute bill, by electronic vote (114-1), and the bill is ordered enrolled and presented to the Governor.

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

H.B. 81 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE NOTICE OF SPECIAL AND EMERGENCY MEETINGS UNDER THE OPEN MEETINGS ACT.

On motion of Representative Cleveland, the House concurs in the Senate committee substitute bill, by electronic vote (114-0), and the bill is ordered enrolled and presented to the Governor.

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

H.B. 192 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH PROCEDURAL REQUIREMENTS FOR CHILD WITNESS TESTIMONY IN CRIMINAL CASES.

On motion of Representative Ross, the House concurs in the Senate committee substitute bill, by electronic vote (116-0), and the bill is ordered enrolled and presented to the Governor.

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

H.B. 447, A BILL TO BE ENTITLED AN ACT TO EXTEND THE EXEMPTION FROM STATUTORY COPY COSTS TO PRISONER LEGAL SERVICES AND OTHER ATTORNEYS WORKING UNDER CONTRACT WITH THE OFFICE OF INDIGENT DEFENSE SERVICES.

On motion of Representative Jackson, the House concurs in the Senate amendment, by electronic vote (113-1), and the bill is ordered enrolled and presented to the Governor.

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

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H.B. 559, A BILL TO BE ENTITLED AN ACT TO VALIDATE CERTAIN NOTARIAL ACTS WHERE A RECOMMISSIONED NOTARY FAILED TO TAKE THE OATH OF OFFICE AGAIN.

On motion of Representative E. Warren, the House concurs in the Senate amendment, by electronic vote (115-1), and the bill is ordered enrolled and presented to the Governor.

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

Senate Committee Substitute for **H.B. 581**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE DEADLINE FOR THE COMMISSIONERS IN A PARTITION ACTION TO REPORT BACK TO THE COURT ON THEIR PROPOSED DIVISION OF THE LAND, AND TO EXTEND THE DEADLINE FOR RESPONDING TO A SUMMONS IN A PARTITION ACTION FROM TEN DAYS TO THIRTY DAYS, AS RECOMMENDED BY THE PARTITION SALES STUDY COMMITTEE.

On motion of Representative Bryant, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (115-1), and the bill is ordered enrolled and presented to the Governor.

H.B. 629 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT PROVIDING THAT THE TRIAL OF A SMALL CLAIMS ACTION MAY COMMENCE NOT SOONER THAN FIVE DAYS AFTER SERVICE OF THE MAGISTRATE SUMMONS ON THE DEFENDANT.

On motion of Representative Sutton, the House concurs in the Senate committee substitute bill, by electronic vote (114-0), and the bill is ordered enrolled and presented to the Governor.

H.B. 746 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE LICENSED PROFESSIONAL COUNSELORS ACT AND AUTHORIZING THE NORTH CAROLINA BOARD OF LICENSED PROFESSIONAL COUNSELORS TO INCREASE CERTAIN FEES.

On motion of Representative Insko, the House concurs in the Senate committee substitute bill, by electronic vote (97-18), and the bill is ordered enrolled and presented to the Governor.

H.B. 765 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE THE EXISTING ELECTIVE SHARE STATUTES.

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On motion of Representative Stam, the House concurs in the Senate committee substitute bill, by electronic vote (117-0), and the bill is ordered enrolled and presented to the Governor.

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

H.B. 804 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING PERSONAL EDUCATION PLANS FOR STUDENTS AT RISK OF ACADEMIC FAILURE.

On motion of Representative Cotham, the House does not concur in the Senate committee substitute bill, by electronic vote (114-3), and conferees are requested.

Representative Jackson requests and is granted permission to change his vote from "no" to "aye". The adjusted vote total is (115-2).

The Speaker appoints Representatives Cotham, Jackson, Lucas, and Parmon as conferees on the part of the House and the Senate is so notified by Special Message.

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

Senate Committee Substitute for **H.B. 878**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE SECRETARY OF HEALTH AND HUMAN SERVICES TO IDENTIFY PROGRAMS FOR AIDING IN THE RECOVERY AND REHABILITATION OF EMS PERSONNEL WITH CHEMICAL ADDICTION OR ABUSE.

On motion of Representative Wainwright, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (111-6), and the bill is ordered enrolled and presented to the Governor.

H.B. 882 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE DIVISION OF MOTOR VEHICLES TO REFUSE TO REGISTER A VEHICLE IF THE VEHICLE IS NOT IN COMPLIANCE WITH THE INSPECTIONS REQUIREMENTS, TO REQUIRE PROOF OF FINANCIAL RESPONSIBILITY FOR A THREE-DAY TRIP PERMIT, AND TO MAKE TECHNICAL CHANGES TO THE INSPECTION PROGRAM STATUTES.

On motion of Representative Cole, the House concurs in the Senate committee substitute bill, by electronic vote (116-1), and the bill is ordered enrolled and presented to the Governor.

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

H.B. 937 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE NORTH CAROLINA INNOCENCE COMMISSION MAY COMPEL THE TESTIMONY OF A WITNESS AND THE COMMISSION CHAIR MAY GRANT LIMITED IMMUNITY TO THE WITNESS FROM PROSECUTION FOR PREVIOUS FALSE STATEMENTS MADE UNDER OATH IN PRIOR PROCEEDINGS.

On motion of Representative Glazier, the House concurs in the Senate committee substitute bill, by electronic vote (117-0), and the bill is ordered enrolled and presented to the Governor.

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

H.B. 1034 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW AUTOMATIC DIALING AND RECORDED MESSAGE PLAYERS TO BE USED TO MAKE UNSOLICITED TELEPHONE CALLS TO PROTECT THE PUBLIC HEALTH, SAFETY, OR WELFARE.

On motion of Representative Glazier, the House concurs in the Senate committee substitute bill, by electronic vote (116-0), and the bill is ordered enrolled and presented to the Governor.

Senate Committee Substitute for **H.B. 1073** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT MEMBERS OF THE FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND WHO WITHDRAW FROM MEMBERSHIP WITH FIVE YEARS OR MORE OF CONTRIBUTING SERVICE ARE ENTITLED TO THE RETURN OF ALL FUNDS AND TO REPEAL THE AUTHORIZATION FOR AN ADMINISTRATIVE FEE TO BE APPLIED TO THOSE WITHDRAWALS.

On motion of Representative Lewis, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (116-0), and the bill is ordered enrolled and presented to the Governor.

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

H.B. 1090 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE DEFINITION OF TOTAL AND PARTIAL UNEMPLOYMENT RELATING TO THE TREATMENT OF SEVERANCE PAY UNDER THE EMPLOYMENT SECURITY LAWS OF NORTH CAROLINA.

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On motion of Representative Wainwright, the House concurs in the Senate committee substitute bill, by electronic vote (114-2), and the bill is ordered enrolled and presented to the Governor.

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

H.B. 1185 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW AN INDIVIDUAL CONVICTED OF HABITUAL IMPAIRED DRIVING TO BE ELIGIBLE TO PETITION FOR A HEARING TO RESTORE DRIVING PRIVILEGES AFTER TEN YEARS WITHOUT ANY TRAFFIC OR CRIMINAL CONVICTIONS.

On motion of Representative Sutton, the House concurs in the Senate committee substitute bill, by electronic vote (88-28), and the bill is ordered enrolled and presented to the Governor.

Representative Underhill requests and is granted permission to change her vote from "aye" to "no". The adjusted vote total is (87-29).

Senate Committee Substitute No. 2 for **H.B. 1309**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE COMMISSION FOR MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES TO ADOPT RULES PROVIDING FOR THE LICENSURE AND ACCREDITATION OF RESIDENTIAL TREATMENT FACILITIES FOR PERSONS WITH TRAUMATIC BRAIN INJURY.

On motion of Representative Insko, the House concurs in Senate Committee Substitute Bill No. 2, which changes the title, by electronic vote (116-0), and the bill is ordered enrolled and presented to the Governor.

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

Senate Committee Substitute No. 2 for **H.B. 1342**, A BILL TO BE ENTITLED AN ACT TO ENSURE THAT NORTH CAROLINA CONTINUES TO BE ELIGIBLE FOR STOP VIOLENCE AGAINST WOMEN FORMULA GRANT PROGRAM FUNDING; AND TO INCREASE THE AUTHORITY OF THE DIRECTOR OF THE CRIME VICTIMS COMPENSATION COMMISSION AND THE COMMISSION ITSELF TO CONSIDER PROXIMATE CAUSE WHEN DETERMINING WHETHER TO MAKE AN AWARD; AND TO MAKE VARIOUS OTHER CHANGES TO THE RAPE VICTIMS ASSISTANCE PROGRAM.

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On motion of Representative Bordsen, the House concurs in Senate Committee Substitute Bill No. 2, which changes the title, by electronic vote (116-1), and the bill is ordered enrolled and presented to the Governor.

H.B. 1347 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CHIEF COURT COUNSELOR IN EACH DISTRICT TO DELEGATE CERTAIN RESPONSIBILITIES.

On motion of Representative Mobley, the House concurs in the Senate committee substitute bill, by electronic vote (116-0), and the bill is ordered enrolled and presented to the Governor.

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

Senate Committee Substitute for **H.B. 1378** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE OWNER OR OPERATOR OF CERTAIN MARINAS SHALL INSTALL AND MAINTAIN PUMPOUT FACILITIES BY JULY 1, 2010, TO PROHIBIT THE DISCHARGE OF EFFLUENT FROM A VESSEL INTO CERTAIN COASTAL WATERS, TO REQUIRE THE OWNER OR OPERATOR OF ANY MARINA WHO KNOWS THAT A VESSEL DOCKED AT THE MARINA HAS UNLAWFULLY DISCHARGED SEWAGE INTO COASTAL WATERS TO REPORT THE UNLAWFUL DISCHARGE TO THE APPROPRIATE LAW ENFORCEMENT AGENCY, TO REQUIRE VESSEL OWNERS AND OPERATORS TO KEEP A LOG REGARDING THE DATE AND LOCATION OF PUMPOUTS, AND TO PROVIDE THAT A PILOT PROGRAM IN NEW HANOVER COUNTY SHALL BE DESIGNED AND IMPLEMENTED BY THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO BEGIN PHASING IN THE PUMPOUT STATION REQUIREMENTS.

On motion of Representative McComas, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (117-0), and the bill is ordered enrolled and presented to the Governor.

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

H.B. 1478 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROTECT THE SEAL OF A LICENSED DESIGN PROFESSIONAL IN BUILDING INSPECTION DOCUMENTS.

On motion of Representative Tillis, the House concurs in the Senate committee substitute bill, by electronic vote (117-0), and the bill is ordered enrolled and presented to the Governor.

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H.B. 1305 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE COASTAL PROPERTY INSURANCE POOL, PRESENTLY KNOWN AS THE BEACH PLAN, AS RECOMMENDED BY THE JOINT SELECT STUDY COMMITTEE ON THE POTENTIAL IMPACT OF MAJOR HURRICANES ON THE NORTH CAROLINA INSURANCE INDUSTRY; REQUIRE THAT THE NORTH CAROLINA RATE BUREAU PROVIDE PUBLIC NOTICE OF CERTAIN FILINGS IN NEWSPAPER PUBLICATIONS AND VIA INTERNET; REAFFIRM THAT THE NORTH CAROLINA INSURANCE UNDERWRITING ASSOCIATION IS INTENDED TO BE EXEMPT FROM STATE AND FEDERAL TAXATION, EXCEPT FOR PREMIUM TAXES; CLARIFY THE POWERS AND DUTIES OF THE ASSOCIATION; CLARIFY AND PROVIDE CERTAINTY REGARDING ASSESSMENTS AGAINST MEMBER INSURANCE COMPANIES BY THE ASSOCIATION; ADJUST THE COASTAL INSURANCE COVERAGE LIMITS OF THE ASSOCIATION IN ORDER TO ENSURE THAT THE COASTAL PROPERTY INSURANCE POOL IS THE MARKET OF LAST RESORT; MANDATE THAT THE ASSOCIATION SHALL RETAIN ALL SURPLUS FOR USE IN PURCHASING REINSURANCE, PAYING CLAIMS TO POLICYHOLDERS, AND FOR ASSOCIATION OBLIGATIONS; PROHIBIT DISTRIBUTION OF SURPLUS TO MEMBER INSURANCE COMPANIES; REQUIRE THE ASSOCIATION TO FILE A SCHEDULE OF PREMIUM CREDITS FOR COASTAL INSURANCE POLICYHOLDERS WHO HAVE VOLUNTARILY MITIGATED THEIR RISK OF DAMAGE FROM HURRICANES AND OTHER WIND DAMAGE; REQUIRE THE ASSOCIATION TO ESTABLISH AND MAINTAIN AN INSTALLMENT PLAN FOR PREMIUM PAYMENTS FOR THE EASE OF POLICYHOLDERS; DEFINE AND ESTABLISH WHAT ACTIONS ARE ALLOWED UPON THE OCCURRENCE OF A DEFICIT EVENT, INCLUDING CAPPING ANY CATASTROPHIC ASSESSMENT RECOUPMENT FROM HOMEOWNERS STATEWIDE; IMPOSE AN ADDITIONAL REGULATORY CHARGE ON THE ASSOCIATION TO BE PAID TO THE DEPARTMENT; REQUIRE THAT ASSOCIATION ACTIVITIES BE MADE TRANSPARENT AND AVAILABLE TO ANY MEMBER COMPANY OR BOARD MEMBER; PROVIDE FOR SUCCESSION AND DISSOLUTION OF THE ASSOCIATION; PROVIDE FOR SURCHARGES OF TEN PERCENT FOR SEPARATE WIND AND HAIL COVERAGE, TWENTY PERCENT FOR WIND AND HAIL HOMEOWNERS COVERAGE, AND A MINIMUM NAMED STORM WIND AND HAIL DEDUCTIBLE OF ONE PERCENT FOR COVERAGE WRITTEN BY THE ASSOCIATION; PROVIDE FOR SURCHARGES ON COMMERCIAL AND DWELLING COVERAGE IN ADDITION TO SURCHARGES CURRENTLY IMPOSED ON HOMEOWNERS POLICIES; DELETE THE TIME LIMIT FOR THE COMMISSIONER TO DISAPPROVE A RATE BUREAU FILING; AND TO MAKE

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OTHER CHANGES CONSISTENT WITH THE FINDINGS OF THE JOINT SELECT STUDY COMMITTEE ON THE POTENTIAL IMPACT OF MAJOR HURRICANES, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, K. Alexander, Allen, Avila, Barnhart, Bell, Boles, Bordsen, Braxton, Brisson, Brown, Bryant, Burr, Carney, Coates, Cole, Cotham, Crawford, Current, Daughtry, Dickson, Dockham, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Folwell, Gibson, Gill, Glazier, Goforth, Goodwin, Grady, Guice, Gulley, Haire, Hall, Harrell, Harrison, Holliman, Hughes, Iler, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Langdon, Lewis, Love, Lucas, Luebke, Mackey, Martin, McComas, McCormick, McGee, McLawhorn, Michaux, Mills, Mobley, Neumann, Parmon, Pierce, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Stam, Starnes, Stevens, Stewart, Sutton, Tarleton, Tillis, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, Whilden, Wiley, Wilkins, Womble, Wray, and Yongue - 94.

Voting in the negative: Representatives Blackwell, Blackwood, Blust, Brubaker, Cleveland, Frye, Gillespie, Hill, Holloway, Howard, Hurley, Ingle, Justus, Killian, McElraft, Moore, Owens, Setzer, Spear, Steen, West, and Williams - 22.

Excused absences: Representatives M. Alexander and Burris-Floyd - 2.

Representative Starnes requests and is granted permission to change his vote from "aye" to "no". The adjusted vote total is (93-23).

H.B. 1389 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ANY CITY AND ANY COUNTY TO DESIGNATE AN AREA WITHIN THE CITY AND THE COUNTY RESPECTIVELY WITHIN WHICH DESIGNATED AREA LOCAL GOVERNMENT OFFICIALS AND FREE AND WILLING PROPERTY OWNERS MAY ENTER INTO LOAN AGREEMENTS WHEREBY THE LOANS ARE TO BE REPAYED BY CONTRACTUAL ASSESSMENTS, TO FINANCE THE INSTALLATION OF DISTRIBUTED GENERATION RENEWABLE ENERGY SOURCES OR ENERGY EFFICIENCY IMPROVEMENTS THAT ARE PERMANENTLY AFFIXED TO REAL PROPERTY.

Representative Tillis offers Amendment No. 1 which is adopted by electronic vote (116-0).

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

Those voting in the affirmative are: Representatives Adams, K. Alexander, Allen, Avila, Barnhart, Bell, Blackwell, Blackwood, Blust, Boles, Bordsen, Braxton, Brisson, Brubaker, Bryant, Carney, Coates, Cole, Cotham, Crawford, Current, Daughtry, Dickson, Dockham, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Folwell, Frye, Gibson, Gill, Gillespie, Glazier, Goforth, Goodwin, Grady, Guice, Gulley, Haire, Hall, Harrell, Harrison, Hill, Hilton, Holliman, Howard, Hughes, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Lewis, Love, Lucas, Luebke, Mackey, Martin, McComas, McCormick, McElraft, McGee, McLawhorn, Michaux, Mills, Mobley, Moore, Neumann, Owens, Parmon, Pierce, Randleman, Rapp, Ross, Samuelson, Setzer, Spear, Stam, Steen, Stewart, Sutton, Tarleton, Tillis, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 107.

Voting in the negative: Representatives Brown, Burr, Cleveland, Holloway, Killian, Langdon, Sager, Starnes, and Stevens - 9.

Excused absences: Representatives M. Alexander and Burris-Floyd - 2.

S.B. 69 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE CERTAIN PARTS OF A RULE ADOPTED BY THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY RELATING TO ROTATION WRECKER SERVICES VOID AND UNENFORCEABLE AND TO DIRECT THE SECRETARY TO ADOPT RULES CONSISTENT WITH THIS ACT AND TO AMEND THE DUTIES OF THE HIGHWAY PATROL, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, K. Alexander, Allen, Avila, Barnhart, Bell, Blackwell, Blackwood, Blust, Boles, Bordsen, Braxton, Brisson, Brown, Brubaker, Bryant, Burr, Burris-Floyd, Carney, Cleveland, Coates, Cole, Cotham, Crawford, Current, Daughtry, Dickson, Dockham, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Folwell, Frye, Gibson, Gill, Gillespie, Glazier, Goforth, Goodwin, Grady, Guice, Gulley, Haire, Hall, Harrell, Harrison, Hill, Hilton, Holliman, Holloway, Howard, Hughes, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Killian, Langdon, Lewis, Love, Lucas, Luebke, Mackey, Martin, McComas, McCormick, McElraft, McGee, McLawhorn, Michaux, Mills, Mobley, Moore, Neumann, Owens, Parmon, Pierce, Randleman, Rapp, Ross, Sager, Samuelson, Setzer, Spear, Starnes,

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Steen, Stevens, Stewart, Sutton, Tarleton, Tillis, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 116.

Voting in the negative: None.

Excused absence: Representative M. Alexander.

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

S.B. 304 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE AMOUNT THE STATE MAY FINANCE UNDER GUARANTEED ENERGY SAVINGS CONTRACTS AND TO MODIFY THE REPORTING REQUIREMENTS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, K. Alexander, Allen, Avila, Barnhart, Bell, Blackwood, Blust, Bordsen, Braxton, Brisson, Brubaker, Bryant, Burr, Burris-Floyd, Carney, Coates, Cole, Cotham, Crawford, Daughtry, Dickson, Dockham, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Folwell, Frye, Gibson, Gill, Gillespie, Glazier, Goforth, Goodwin, Grady, Guice, Gulley, Haire, Hall, Harrell, Harrison, Hill, Hilton, Holliman, Holloway, Howard, Hughes, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Langdon, Lewis, Love, Lucas, Luebke, Mackey, Martin, McComas, McElraft, McGee, McLawhorn, Michaux, Mobley, Moore, Neumann, Owens, Parmon, Pierce, Randleman, Rapp, Ross, Samuelson, Setzer, Spear, Stam, Steen, Stewart, Sutton, Tarleton, Tillis, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 105.

Voting in the negative: Representatives Blackwell, Boles, Brown, Cleveland, Current, Hurley, Killian, McCormick, Mills, Sager, Starnes, and Stevens - 12.

Excused absence: Representative M. Alexander.

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

S.B. 606 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PROCEDURE FOR PROVIDING NOTICE TO CREDITORS WITHOUT ESTATE ADMINISTRATION WHEN A DECEDENT DIES LEAVING NO PROPERTY SUBJECT TO PROBATE AND TO MAKE A TECHNICAL CORRECTION TO THE PROVISION

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PROVIDING FOR COSTS IN THE ADMINISTRATION OF ESTATES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, K. Alexander, Allen, Avila, Barnhart, Bell, Blackwell, Blackwood, Blust, Boles, Bordsen, Braxton, Brisson, Brubaker, Bryant, Burr, Burris-Floyd, Carney, Coates, Cole, Cotham, Crawford, Current, Daughtry, Dickson, Dockham, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Frye, Gibson, Gill, Glazier, Goforth, Goodwin, Grady, Guice, Gulley, Haire, Hall, Harrell, Harrison, Hill, Hilton, Holliman, Holloway, Howard, Hughes, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Langdon, Lewis, Love, Lucas, Luebke, Mackey, Martin, McComas, McCormick, McElraft, McGee, McLawhorn, Michaux, Mills, Mobley, Moore, Neumann, Owens, Parmon, Pierce, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Spear, Stam, Starnes, Steen, Stevens, Stewart, Tarleton, Tillis, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 110.

Voting in the negative: Representatives Brown, Cleveland, Folwell, Gillespie, Hurley, and Killian - 6.

Excused absence: Representative M. Alexander.

S.B. 618, A BILL TO BE ENTITLED AN ACT TO ALLOW ALL MUNICIPALITIES TO PARTICIPATE IN URBAN AREA REVITALIZATION PROJECTS UNDER THE MUNICIPAL SERVICE DISTRICT ACT OF 1973, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, K. Alexander, Allen, Avila, Barnhart, Bell, Blackwell, Blackwood, Blust, Boles, Bordsen, Braxton, Brisson, Brown, Brubaker, Bryant, Burr, Burris-Floyd, Carney, Cleveland, Coates, Cole, Cotham, Crawford, Current, Daughtry, Dickson, Dockham, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Folwell, Frye, Gibson, Gill, Gillespie, Glazier, Goforth, Goodwin, Grady, Guice, Gulley, Haire, Hall, Harrell, Harrison, Hill, Hilton, Holliman, Holloway, Howard, Hughes, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Killian, Langdon, Lewis, Love, Lucas, Luebke, Martin, McComas, McElraft, McGee, McLawhorn, Michaux, Mills, Mobley, Moore, Neumann, Owens, Parmon, Pierce, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Setzer, Spear, Stam, Starnes, Steen,

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Stevens, Stewart, Sutton, Tarleton, Tillis, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 116.

Voting in the negative: Representative McCormick.

Excused absence: Representative M. Alexander.

S.B. 834 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT REWRITING THE LAWS REGULATING SANITARIANS AND AUTHORIZING THE STATE BOARD OF SANITARIAN EXAMINERS TO IMPOSE AN APPLICATION FEE, AND TO INCREASE CERTAIN FEE.

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

Representative E. Floyd requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (116-1).

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

Those voting in the affirmative are: Representatives Adams, K. Alexander, Allen, Avila, Barnhart, Bell, Blackwell, Blackwood, Boles, Bordsen, Braxton, Brisson, Brubaker, Bryant, Burris-Floyd, Carney, Coates, Cole, Cotham, Crawford, Current, Daughtry, Dickson, Dockham, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Gibson, Gill, Glazier, Goodwin, Grady, Gulley, Haire, Hall, Harrell, Harrison, Hill, Holliman, Howard, Hughes, Iler, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Langdon, Lewis, Love, Lucas, Luebke, Mackey, Martin, McComas, McElraft, McGee, McLawhorn, Michaux, Mobley, Moore, Neumann, Owens, Parmon, Pierce, Randleman, Rapp, Rhyne, Ross, Samuelson, Spear, Stam, Starnes, Steen, Stevens, Stewart, Sutton, Tarleton, Tillis, Tolson, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wilkins, Williams, Womble, and Yongue - 97.

Voting in the negative: Representatives Blust, Brown, Burr, Cleveland, Folwell, Frye, Gillespie, Goforth, Guice, Hilton, Holloway, Hurley, Ingle, Killian, McCormick, Mills, Sager, Setzer, and Wiley - 19.

Excused absence: Representative M. Alexander.

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S.B. 461 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROHIBIT SEEKING OR IMPOSING THE DEATH PENALTY ON THE BASIS OF RACE; TO ESTABLISH A PROCESS BY WHICH RELEVANT EVIDENCE MAY BE USED TO ESTABLISH THAT RACE WAS A SIGNIFICANT FACTOR IN SEEKING OR IMPOSING THE DEATH PENALTY WITHIN THE COUNTY, THE PROSECUTORIAL DISTRICT, THE JUDICIAL DIVISION, OR THE STATE, TO IDENTIFY TYPES OF EVIDENCE THAT MAY BE CONSIDERED BY THE COURT WHEN CONSIDERING WHETHER RACE WAS A BASIS FOR SEEKING OR IMPOSING THE DEATH PENALTY, INCLUDING STATISTICAL EVIDENCE, AND TO AUTHORIZE THE DEFENDANT TO RAISE THIS CLAIM AT THE PRETRIAL CONFERENCE OR IN POSTCONVICTION PROCEEDINGS; TO PROVIDE THAT THE DEFENDANT HAS THE BURDEN OF PROVING THAT RACE WAS A SIGNIFICANT FACTOR IN SEEKING OR IMPOSING THE DEATH PENALTY AND TO PROVIDE THAT THE STATE MAY OFFER EVIDENCE TO REBUT THE CLAIMS OR EVIDENCE OF THE DEFENDANT AND IN DOING SO TO USE STATISTICAL EVIDENCE AS WELL AS ANY OTHER EVIDENCE THE COURT DEEMS RELEVANT AND MATERIAL; TO PROVIDE THAT IF RACE IS FOUND TO BE A SIGNIFICANT FACTOR IN THE IMPOSITION OF THE DEATH PENALTY, THE DEATH SENTENCE SHALL BE VACATED AND THE DEFENDANT RESENTENCED TO LIFE IMPRISONMENT WITHOUT THE POSSIBILITY OF PAROLE; TO PROVIDE THAT THIS ACT IS EFFECTIVE WHEN IT BECOMES LAW AND APPLIES RETROACTIVELY, THAT MOTIONS UNDER THIS ACT FOR THOSE CURRENTLY UNDER A DEATH SENTENCE SHALL BE FILED WITHIN ONE YEAR OF THE EFFECTIVE DATE OF THIS ACT, AND THAT MOTIONS FOR THOSE WHOSE DEATH SENTENCE IS IMPOSED ON OR AFTER THE EFFECTIVE DATE OF THIS ACT SHALL BE FILED AS PROVIDED IN THIS ACT.

Representative Owens calls the previous question on the passage of the bill and the call is sustained by electronic vote (63-52).

The bill passes its third reading, by electronic vote (61-53), and is ordered sent to the Senate for concurrence in House Committee Substitute Bill No. 2 by Special Message.

Representative Barnhart requests and is granted permission to be recorded as voting "no". The adjusted vote total is (61-54).

On motion of Representative Owens and without objection, the Rules are suspended in order that Representative Brubaker may be recorded as voting "no". The adjusted vote total is (61-55).

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[Pursuant to the motion made by Representative Owens on July 16, 2009, and without objection, Representative Jones is recorded as voting "aye" on the third reading. The adjusted vote total is (62-55).]

H.B. 1411 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT OCCUPATIONAL LICENSING BOARDS TO ADOPT RULES TO POSTPONE OR WAIVE CONDITIONS OF LICENSURE FOR CERTAIN INDIVIDUALS SERVING IN THE ARMED FORCES, passes its second reading, by electronic vote (116-0), and there being no objection is read a third time.

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

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

H.B. 1586 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE VALUATION OF COMMUNITY LAND TRUST PROPERTY, passes its second reading, by electronic vote (115-2), and there being no objection is read a third time.

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

CONFERENCE REPORT

Representative Michaux sends forth the Conference Report on Senate Committee Substitute for **H.B. 1504** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO TRANSFER THE NORTH CAROLINA CENTER FOR THE ADVANCEMENT OF TEACHING TO THE STATE BOARD OF EDUCATION. Without objection, the Conference Report is placed on the Calendar for immediate consideration.

Representative Michaux moves the adoption of the following Conference Report.

Senate Committee Substitute for H.B. 1504

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 1504, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE DIRECTOR OF THE BUDGET

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TO CONTINUE EXPENDITURES FOR THE OPERATION OF GOVERNMENT AT A LEVEL NOT TO EXCEED EIGHTY-FOUR PERCENT OF THE LEVEL AT WHICH THOSE OPERATIONS WERE AUTHORIZED IN S.L. 2008-107, AS AMENDED, Senate Appropriations/Base Budget Committee Substitute Adopted 7/13/09, submit the following report:

The House and Senate agree to the following amendments to the Senate Appropriations/Base Budget Committee Substitute Adopted 7/13/09, and the House concurs in the Senate Appropriations/Base Budget Committee Substitute as amended:

Delete the entire Senate Committee Substitute and substitute the attached proposed Conference Committee Substitute H1504-PCCS30433-LB-1.

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

Date conferees approved report: July 15, 2009.

*Conferees for the
Senate*

S/ Linda Garrou, Chair
S/ Charles W. Albertson
S/ Charlie S. Dannelly
S/ A. B. Swindell

*Conferees for the
House of Representatives*

S/ Henry M. Michaux, Jr., Chair
S/ J. W. Crawford, Jr.
S/ Maggie Jeffus
S/ Paul Luebke

The Conference Report, which changes the title, is adopted, by electronic vote (109-9), and the Senate is so notified by Special Message. (The text of the Conference Committee Substitute may be found in its entirety in the 2009 Session Laws, Chapter 296.)

CALENDAR (continued)

S.B. 44 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW REGARDING APPEALS OF QUASI-JUDICIAL DECISIONS MADE UNDER ARTICLE 19 OF CHAPTER 160A AND ARTICLE 18 OF CHAPTER 153A OF THE GENERAL STATUTES.

Representative Stam offers Amendment No. 1 which is adopted by electronic vote (118-0).

The bill, as amended, passes its second reading, by electronic vote (118-0), and there being no objection is read a third time.

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

S.B. 600 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REQUIRE A DEMONSTRATION OF LACK OF PRUDENT AND FEASIBLE ALTERNATIVE IN ORDER FOR PUBLIC CONDEMNORS TO CONDEMN PROPERTY ENCUMBERED BY A CONSERVATION EASEMENT, passes its second reading, by electronic vote (114-4), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House Committee Substitute Bill No. 2.

S.B. 660 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE AN ALTERNATIVE METHOD OF DETERMINING PROPERTY DAMAGES AS A PART OF MOTOR VEHICLE LIABILITY INSURANCE.

Representative Justice offers Amendment No. 1 which is adopted by electronic vote (118-0).

The bill, as amended, passes its second reading, by electronic vote (116-2).

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

SPECIAL MESSAGE FROM THE SENATE

2009 GENERAL ASSEMBLY FIRST SESSION

Senate Chamber
July 15, 2009

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees for **H.B. 1504** (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE DIRECTOR OF THE BUDGET TO CONTINUE EXPENDITURES FOR THE OPERATION OF GOVERNMENT UNTIL JULY 31, 2009, AT 11:59 P. M, to the end that when a

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similar action has been taken on the part of your Honorable Body, the Speaker may order the bill enrolled.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

The bill is ordered enrolled and presented to the Governor by Special Message.

CALENDAR (continued)

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

S.B. 877 (Committee Substitute), A BILL TO BE ENTITLED AN ACT RELATING TO CONTRACTS BETWEEN HEALTH BENEFIT PLANS AND HEALTH CARE PROVIDERS.

Representative Faison offers Amendment No. 1 which fails of adoption by electronic vote (9-109).

Representative Sutton offers Amendment No. 2 which fails of adoption by electronic vote (16-102).

The bill passes its second reading, by electronic vote (118-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

ENROLLED BILLS

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

H.B. 1504, AN ACT AUTHORIZING THE DIRECTOR OF THE BUDGET TO CONTINUE EXPENDITURES FOR THE OPERATION OF GOVERNMENT UNTIL JULY 31, 2009, AT 11:59 P.M.

CALENDAR (continued)

S.B. 929 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND REQUIREMENTS APPLICABLE TO MOTIONS TO SET ASIDE BAIL BOND FORFEITURES AND CLARIFY SANCTIONS THAT MAY BE IMPOSED IN CONJUNCTION

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WITH SUCH MOTIONS; AND TO PROVIDE THAT A COURT MAY NOT SET ASIDE A BAIL BOND FORFEITURE IF, BEFORE EXECUTING THE BOND, THE SURETY OR BAIL AGENT HAD ACTUAL NOTICE OF A DEFENDANT'S FAILURE TO APPEAR ON TWO OR MORE PRIOR OCCASIONS IN THE CASE FOR WHICH THE BOND WAS EXECUTED.

Pursuant to Rule 24.1A, Representative Burr requests that he be excused from voting on this bill. This request is granted.

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

The bill passes its third reading and is ordered sent to the Senate for concurrence in House Committee Substitute Bill No. 2.

S.B. 1028 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT DIRECTING LOCAL BOARDS OF EDUCATION TO ENCOURAGE COMMUNITY ACADEMIC BOOSTER ORGANIZATIONS, SUCH AS COMMUNITY ACHIEVEMENT NETWORK – DEVELOPING OUR EDUCATIONAL RESOURCES (CAN DOER) ORGANIZATIONS, TO SUPPORT STUDENT ACADEMIC ACHIEVEMENT, TO DEVELOP POLICIES APPROVING USE OF VOLUNTEER ORGANIZATIONS AND INDIVIDUAL VOLUNTEERS, AND TO DEVELOP POLICIES TO MAKE INFORMATION ON TUTORING AND ACADEMIC SUPPORT SERVICES AVAILABLE TO PARENTS AND STUDENTS, passes its second reading, by electronic vote (117-0), and there being no objection is read a third time.

Representative Burr requests and is granted permission to be recorded as voting "aye." The adjusted vote total is (118-0).

The bill passes its third reading and is ordered sent to the Senate for concurrence in House Committee Substitute Bill No. 2.

S.B. 1091, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING TRAFFICKING IN METHAMPHETAMINE AND AMPHETAMINE TO CLARIFY THAT THE CHARGE OF TRAFFICKING IS BASED ON THE WEIGHT OF THE ENTIRE POWDER OR LIQUID MIXTURE RATHER THAN THE WEIGHT OF THE ACTUAL AMOUNT OF THE CONTROLLED SUBSTANCE IN THE POWDER OR LIQUID MIXTURE.

On motion of Representative R. Warren and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of July 20.

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BILL WITHDRAWN FROM COMMITTEE

On motion of Representative Owens and without objection, Senate Committee Substitute for **H.B. 506** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFICATIONS TO THE ENTITLEMENT TO COUNSEL AND THE PROCEDURES FOR APPOINTMENT, is withdrawn from the Committee on Judiciary I and pursuant to Rule 36(b), is placed on Calendar of July 16.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Faison, Chair, for the Committee on Ways and Means/Broadband Connectivity:

S.B. 293 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE QUALIFICATIONS FOR PROSPECTIVE JURORS AND TO AUTHORIZE THE REGISTER OF DEEDS TO STORE AN ELECTRONIC COPY OF THE JUROR MASTER LIST, with a favorable report.

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

S.B. 713 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE CRIMINAL OFFENSE OF REMOVING, DESTROYING, OR CIRCUMVENTING THE OPERATION OF AN ELECTRONIC MONITORING DEVICE, with a favorable report.

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

S.B. 1062 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT STRENGTHENING DOMESTIC VIOLENCE PROTECTIVE ORDERS TO PROVIDE FOR THE PROTECTION OF PETS, with a favorable report and recommendation that the bill be re-referred to the Committee on Judiciary I.

The bill is re-referred to the Committee on Judiciary I.

By Representative Dickson, Chair, for the Committee on Commerce, Small Business, and Entrepreneurship:

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H.B. 1151, A BILL TO BE ENTITLED AN ACT TO ESTABLISH REQUIREMENTS FOR REGISTRATION AND CERTIFICATION OF PERSONS PERFORMING LEAD-BASED PAINT RENOVATION WORK IN CERTAIN RESIDENTIAL HOUSING AND CHILD-OCCUPIED FACILITIES; AND TO REQUIRE ACCREDITATION OF RENOVATION TRAINERS AND RENOVATION TRAINING COURSES, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

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

S.B. 687, A BILL TO BE ENTITLED AN ACT TO EXEMPT PLUMBING CONTRACTORS FROM WELL CONTRACTOR CERTIFICATION REQUIREMENTS, with a favorable report as to the House committee substitute bill, unfavorable as to the original bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Judiciary III.

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

S.B. 831 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND CERTAIN PERMITS AND APPROVALS AFFECTING THE PHYSICAL DEVELOPMENT OF REAL PROPERTY LOCATED WITHIN THE STATE OF NORTH CAROLINA, THEREBY SUPERSEDING ALL STATUTORY AND REGULATORY REQUIREMENTS TO THE CONTRARY, with a favorable report as to House Committee Substitute Bill No. 2, which changes the title, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(b), House Committee Substitute Bill No. 2 is placed on the Calendar of July 16. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

S.B. 882 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY AND REFORM THE STATUTES OF LIMITATION AND REPOSE IN PRODUCT LIABILITY ACTIONS, with a favorable report as to the House committee substitute bill, unfavorable as to the Senate committee substitute bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Judiciary I.

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The House committee substitute bill is re-referred to the Committee on Judiciary I. The Senate committee substitute bill is placed on the Unfavorable Calendar.

SUBCOMMITTEE REFERRAL

Representatives Michaux, Adams, Crawford, Haire, Jeffus, Tolson, and Yongue, Chairs, for the Committee on Appropriations: refer **H.B. 137** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE CAPITAL TRIAL, SENTENCING, AND POST-CONVICTION PROCEDURES FOR A PERSON WITH A SEVERE MENTAL DISABILITY, to the Appropriations Subcommittee on Health and Human Services.

On motion of Representative Owens, seconded by Representative Blackwell, the House adjourns at 6:04 p.m. to reconvene July 16 at 1:00 p.m.

NINETY-NINTH DAY

HOUSE OF REPRESENTATIVES
Thursday, July 16, 2009

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

The following prayer is offered by the Reverend Dr. Byron Wade, Minister, Davie Street Presbyterian Church, Raleigh, North Carolina:

"O God, who is the fountain of wisdom, whose will is good and gracious, and whose law is truth, we thank You for bringing us through another week. We ask today that You may guide and bless all of our State's Representatives in their deliberations during this Session. Help them by Your power that they may enact such laws that will help the citizens of our State and give glory to Your name. We ask this in the name of the Sovereign God who is the Creator, Redeemer, and Sustainer of the world. Amen."

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

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A leave of absence is granted Representative M. Alexander for today. Representatives Gibson, Holliman, Luebke, Samuelson, Wainwright, and Weiss are excused for a portion of the Session.

ENROLLED BILLS

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

S.B. 307, AN ACT TO AMEND THE LAW REGULATING THE USE OF CERTAIN REPTILES.

S.B. 647, AN ACT CLARIFYING VARIOUS PROVISIONS UNDER THE LAWS PERTAINING TO CERTIFIED PUBLIC ACCOUNTANTS AND ALLOWING PUBLIC ACCOUNTANTS CERTIFIED OR LICENSED OUTSIDE THIS STATE TO PRACTICE IN THIS STATE UNDER CERTAIN CIRCUMSTANCES.

S.B. 764, AN ACT AMENDING THE CRIMINAL STATUTES AND THE GOOD FUNDS SETTLEMENT ACT TO CLARIFY THAT A SETTLEMENT AGENT IS GUILTY OF EMBEZZLEMENT IN INSTANCES WHERE IT CANNOT BE SHOWN THAT THE FUNDS WERE EMBEZZLED FROM A PARTICULAR PERSON OR ENTITY.

S.B. 877, AN ACT RELATING TO CONTRACTS BETWEEN HEALTH BENEFIT PLANS AND HEALTH CARE PROVIDERS.

S.B. 1017, AN ACT TO ENHANCE PROTECTIONS AGAINST IDENTITY THEFT AND TO PROTECT THE CREDIT OF CRIME VICTIMS DURING THE PENDENCY OF CRIME VICTIMS COMPENSATION FUND APPLICATIONS AND APPEALS.

S.B. 1076, AN ACT TO MODIFY THE CRIMINAL JUSTICE PARTNERSHIP PROGRAM TO ALLOW CERTAIN COMMUNITY-LEVEL OFFENDERS TO BE SERVED BY THE PROGRAM.

H.B. 23, AN ACT AMENDING CHAPTER 95 OF THE GENERAL STATUTES TO PROTECT THE HEALTH AND SAFETY OF CHILDREN BY INCREASING THE PENALTIES FOR VIOLATIONS OF CHILD LABOR LAWS.

H.B. 81, AN ACT TO AMEND THE NOTICE OF SPECIAL AND EMERGENCY MEETINGS UNDER THE OPEN MEETINGS ACT.

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H.B. 192, AN ACT TO ESTABLISH PROCEDURAL REQUIREMENTS FOR CHILD WITNESS TESTIMONY IN CRIMINAL CASES.

H.B. 205, AN ACT TO MAKE VARIOUS CHANGES TO THE NORTH CAROLINA STATE LOTTERY ACT.

H.B. 334, AN ACT TO AMEND THE SKIER SAFETY STATUTES TO CLARIFY THE RESPECTIVE DUTIES OF SKI AREA OPERATORS AND SKIERS AND TO MAKE OTHER RELATED CHANGES.

H.B. 447, AN ACT TO EXTEND THE EXEMPTION FROM STATUTORY COPY COSTS TO PRISONER LEGAL SERVICES AND OTHER ATTORNEYS WORKING UNDER CONTRACT WITH THE OFFICE OF INDIGENT DEFENSE SERVICES.

H.B. 559, AN ACT TO VALIDATE CERTAIN NOTARIAL ACTS WHERE A RECOMMISSIONED NOTARY FAILED TO TAKE THE OATH OF OFFICE AGAIN.

H.B. 581, AN ACT TO EXTEND THE DEADLINE FOR THE COMMISSIONERS IN A PARTITION ACTION TO REPORT BACK TO THE COURT ON THEIR PROPOSED DIVISION OF THE LAND, TO EXTEND THE DEADLINE FOR RESPONDING TO A SUMMONS IN A PARTITION ACTION FROM TEN DAYS TO THIRTY DAYS, TO PROVIDE NOTICE OF RIGHT TO SEEK COUNSEL, AND TO CLARIFY THE TIME PERIOD FOR APPEALING A CONFIRMATION ORDER.

H.B. 629, AN ACT PROVIDING THAT THE TRIAL OF A SMALL CLAIMS ACTION MAY COMMENCE NOT SOONER THAN FIVE DAYS AFTER SERVICE OF THE MAGISTRATE SUMMONS ON THE DEFENDANT.

H.B. 746, AN ACT AMENDING THE LICENSED PROFESSIONAL COUNSELORS ACT AND AUTHORIZING THE NORTH CAROLINA BOARD OF LICENSED PROFESSIONAL COUNSELORS TO INCREASE CERTAIN FEES.

H.B. 765, AN ACT TO REVISE THE EXISTING ELECTIVE SHARE STATUTES.

H.B. 878, AN ACT TO AUTHORIZE THE SECRETARY OF HEALTH AND HUMAN SERVICES TO IDENTIFY PROGRAMS FOR

AIDING IN THE RECOVERY AND REHABILITATION OF EMS PERSONNEL WITH CHEMICAL ADDICTION OR ABUSE AND TO MAKE CHANGES TO THE NORTH CAROLINA PHYSICIANS HEALTH PROGRAM.

H.B. 882, AN ACT TO ALLOW THE DIVISION OF MOTOR VEHICLES TO REFUSE TO REGISTER A VEHICLE IF THE VEHICLE IS NOT IN COMPLIANCE WITH THE INSPECTIONS REQUIREMENTS, TO REQUIRE PROOF OF FINANCIAL RESPONSIBILITY FOR A THREE-DAY TRIP PERMIT, AND TO MAKE TECHNICAL CHANGES TO THE INSPECTION PROGRAM STATUTES.

H.B. 937, AN ACT TO PROVIDE THAT THE NORTH CAROLINA INNOCENCE COMMISSION MAY COMPEL THE TESTIMONY OF A WITNESS AND THE COMMISSION CHAIR MAY GRANT LIMITED IMMUNITY TO THE WITNESS FROM PROSECUTION FOR PREVIOUS FALSE STATEMENTS MADE UNDER OATH IN PRIOR PROCEEDINGS.

H.B. 1034, AN ACT TO ALLOW AUTOMATIC DIALING AND RECORDED MESSAGE PLAYERS TO BE USED TO MAKE UNSOLICITED TELEPHONE CALLS TO PROTECT THE PUBLIC HEALTH, SAFETY, OR WELFARE.

H.B. 1073, AN ACT TO PROVIDE THAT MEMBERS OF THE FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND WHO WITHDRAW FROM MEMBERSHIP WITH FIVE YEARS OR MORE OF CONTRIBUTING SERVICE ARE ENTITLED TO THE RETURN OF ALL FUNDS.

H.B. 1090, AN ACT AMENDING THE DEFINITION OF TOTAL AND PARTIAL UNEMPLOYMENT RELATING TO THE TREATMENT OF SEVERANCE PAY UNDER THE EMPLOYMENT SECURITY LAWS OF NORTH CAROLINA.

H.B. 1185, AN ACT TO ALLOW AN INDIVIDUAL CONVICTED OF HABITUAL IMPAIRED DRIVING TO BE ELIGIBLE TO PETITION FOR A HEARING TO RESTORE DRIVING PRIVILEGES AFTER TEN YEARS WITHOUT ANY TRAFFIC OR CRIMINAL CONVICTIONS.

H.B. 1309, AN ACT TO DIRECT THE COMMISSION FOR MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES TO ADOPT RULES PROVIDING FOR

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THE LICENSURE AND ACCREDITATION OF RESIDENTIAL TREATMENT FACILITIES FOR PERSONS WITH TRAUMATIC BRAIN INJURY AND TO MAKE CHANGES TO THE NORTH CAROLINA TRAUMATIC BRAIN INJURY ADVISORY COUNCIL.

H.B. 1342, AN ACT TO PROVIDE FREE FORENSIC MEDICAL EXAMINATIONS FOR VICTIMS OF RAPE AND SEX OFFENSES; TO INCREASE THE AUTHORITY OF THE DIRECTOR OF THE CRIME VICTIMS COMPENSATION COMMISSION AND THE COMMISSION ITSELF TO CONSIDER PROXIMATE CAUSE WHEN DETERMINING WHETHER TO MAKE AN AWARD; AND TO MAKE VARIOUS OTHER CHANGES TO THE RAPE VICTIMS ASSISTANCE PROGRAM.

H.B. 1347, AN ACT TO AUTHORIZE THE CHIEF COURT COUNSELOR IN EACH DISTRICT TO DELEGATE CERTAIN RESPONSIBILITIES.

H.B. 1378, AN ACT TO PROVIDE THAT THE OWNER OR OPERATOR OF CERTAIN MARINAS SHALL INSTALL AND MAINTAIN PUMPOUT FACILITIES BY JULY 1, 2010, TO PROHIBIT THE DISCHARGE OF SEWAGE FROM A VESSEL INTO CERTAIN COASTAL WATERS, TO REQUIRE THE OWNER OR OPERATOR OF ANY MARINA WHO KNOWS THAT A VESSEL DOCKED AT THE MARINA HAS UNLAWFULLY DISCHARGED SEWAGE INTO COASTAL WATERS TO REPORT THE UNLAWFUL DISCHARGE TO THE APPROPRIATE LAW ENFORCEMENT AGENCY, TO REQUIRE VESSEL OWNERS AND OPERATORS TO KEEP A LOG REGARDING THE DATE AND LOCATION OF PUMPOUTS OF SEWAGE FROM MARINE SANITATION DEVICES, AND TO PROVIDE THAT A PILOT PROGRAM IN NEW HANOVER COUNTY SHALL BE DESIGNED AND IMPLEMENTED BY THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO BEGIN PHASING IN THE PUMP-OUT STATION REQUIREMENTS.

H.B. 1478, AN ACT TO PROTECT THE SEAL OF A LICENSED DESIGN PROFESSIONAL IN BUILDING INSPECTION DOCUMENTS.

H.B. 1617, AN ACT TRANSFERRING THE FUNCTIONS AND FUNDS OF THE NORTH CAROLINA TURNPIKE AUTHORITY TO THE DEPARTMENT OF TRANSPORTATION TO CONSERVE EXPENDITURES AND IMPROVE EFFICIENCY.

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

H.B. 564, AN ACT TO MODIFY THE AUTHORIZATION FOR WILSON COUNTY TO LEVY AN OCCUPANCY TAX.

H.B. 772, AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF HUNTERSVILLE.

CHAPTERED BILLS

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

S.B. 68, AN ACT TO ALLOW THE ALCOHOLIC BEVERAGE CONTROL COMMISSION, IN DECIDING ON THE LOCATION OF AN ABC STORE IN GUILFORD COUNTY, TO CONSIDER WHETHER IT IS WITHIN ONE THOUSAND FEET OF A CHURCH, PUBLIC SCHOOL, OR A NONPUBLIC SCHOOL, AS DEFINED IN PART 1 OR PART 2 OF ARTICLE 39 OF CHAPTER 115C OF THE GENERAL STATUTES. (S.L. 2009-295)

H.B. 1504, AN ACT AUTHORIZING THE DIRECTOR OF THE BUDGET TO CONTINUE EXPENDITURES FOR THE OPERATION OF GOVERNMENT UNTIL JULY 31, 2009, AT 11:59 P.M. (S.L. 2009-296)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Dickson, Chair, for the Committee on Commerce, Small Business, and Entrepreneurship:

H.B. 1336, A BILL TO BE ENTITLED AN ACT AMENDING THE LAWS REGULATING IRRIGATION CONTRACTORS TO PROVIDE SUBSTANTIVE REQUIREMENTS FOR LICENSING CORPORATIONS, TO PROVIDE FOR THE ISSUANCE OF LICENSES TO NONRESIDENTS, TO CLARIFY THE FEE STRUCTURE, AND TO MAKE OTHER CONFORMING CHANGES, with a favorable report as to the committee substitute bill, unfavorable as to the original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

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

By Representative Bryant, Chair, for the Committee on Energy and Energy Efficiency:

H.B. 1440, A BILL TO BE ENTITLED AN ACT TO ENCOURAGE THE DEVELOPMENT OF RENEWABLE ENERGY MARKETS AND INDUSTRIES BY REQUIRING ELECTRIC PUBLIC UTILITIES, ELECTRIC MEMBERSHIP CORPORATIONS, AND MUNICIPALITIES THAT SELL ELECTRIC POWER TO RETAIL ELECTRIC POWER CUSTOMERS TO CONNECT RENEWABLE ENERGY ELECTRICITY FACILITIES IN THE STATE TO THE GRID AND PURCHASE ALL THE ELECTRIC POWER PRODUCED AT THESE FACILITIES AT CERTAIN FEED-IN RATES ESTABLISHED BY THE NORTH CAROLINA UTILITIES COMMISSION, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Rules, Calendar, and Operations of the House.

The serial referral to the Committee on Finance is stricken. The committee substitute bill is re-referred to the Committee on Rules, Calendar, and Operations of the House. The original bill is placed on the Unfavorable Calendar.

By Representative Sutton, Chair, for the Committee on Judiciary III:

S.B. 465, A BILL TO BE ENTITLED AN ACT AMENDING THE STATE FAIR HOUSING ACT, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of July 20.

By Representatives Goforth and Wray, Chairs, for the Committee on Insurance:

H.B. 1183 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES IN THE LAWS GOVERNING HEALTH INSURANCE AND MANAGED CARE; TO CHANGE CERTAIN HEALTH INSURANCE LAWS TO COMPORT WITH RECENT CONGRESSIONAL ENACTMENTS; TO MAKE A TECHNICAL CORRECTION IN A CREDIT INSURANCE LAW; TO CONFORM MOTOR VEHICLE INSPECTION COMPLIANCE REQUIREMENT WITH DISCONTINUATION OF STICKERS; AND TO REPEAL THE EXPIRATION DATE OF THE INTERSTATE INSURANCE PRODUCT REGULATION COMPACT ACT, with recommendation that the House concur.

July 16, 2009

Pursuant to Rule 36(b), the bill is placed on the Calendar of July 20.

H.B. 1314 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPROVE THE INSURANCE COMMISSIONER'S ABILITY TO MONITOR THE FINANCIAL CONDITION OF INSURERS, with recommendation that the House concur.

Pursuant to Rule 36(b), the bill is placed on the Calendar of July 20.

SPECIAL MESSAGE FROM THE SENATE

2009 GENERAL ASSEMBLY FIRST SESSION

Senate Chamber
July 15, 2009

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in House Amendment No. 1 to **S.B. 708** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE COMPULSORY SCHOOL ATTENDANCE LAW.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

MESSAGES FROM THE SENATE

The following are received from the Senate:

H.B. 1255 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT WHEN SENTENCING A DEFENDANT CONVICTED OF A SEX OFFENSE AND UPON REQUEST OF THE DISTRICT ATTORNEY, THE COURT MAY ENTER A PERMANENT NO CONTACT ORDER PROHIBITING ANY FUTURE CONTACT OF A CONVICTED SEX OFFENDER WITH THE CRIME VICTIM IF THE COURT DETERMINES THAT APPROPRIATE GROUNDS EXIST FOR THE ORDER, is returned for concurrence in the Senate committee substitute bill.

July 16, 2009

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of July 20.

H.B. 1256 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE CRIMINAL OFFENSE OF LARCENY OF A MOTOR VEHICLE PART, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of July 20.

H.B. 1433 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE IMMUNITY FROM LIABILITY OF PERSONS USING AUTOMATED EXTERNAL DEFIBRILLATORS IN EMERGENCY SITUATIONS, is returned for concurrence in Senate committee substitute bill and referred to the Committee on Ways and Means/Broadband Connectivity.

CALENDAR

Action is taken on the following:

H.B. 385 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ALLOW THE GRAHAM COUNTY BOARD OF EDUCATION TO PERMIT THE USE OF PUBLIC SCHOOL ACTIVITY BUSES TO SERVE THE TRANSPORTATION NEEDS OF THE STECOAH VALLEY CENTER DURING PERIODIC FIELD TRIPS.

On motion of Representative West and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of July 22.

Senate Committee Substitute for **H.B. 67** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE COVERING OF THE STATE NAME, YEAR STICKER, OR MONTH STICKER ON A STATE LICENSE PLATE BY A LICENSE PLATE FRAME.

On motion of Representative Cole, the House does not concur in the Senate committee substitute bill by electronic vote (118-0).

Senate Committee Substitute for **H.B. 506** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFICATIONS TO THE ENTITLEMENT TO COUNSEL AND THE PROCEDURES FOR APPOINTMENT.

July 16, 2009

On motion of Representative Goodwin, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (117-0), and the bill is ordered enrolled and presented to the Governor.

H.B. 1389 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ANY CITY AND ANY COUNTY TO DESIGNATE AN AREA WITHIN THE CITY AND THE COUNTY RESPECTIVELY WITHIN WHICH DESIGNATED AREA LOCAL GOVERNMENT OFFICIALS AND FREE AND WILLING PROPERTY OWNERS MAY ENTER INTO LOAN AGREEMENTS WHEREBY THE LOANS ARE TO BE REPAID BY CONTRACTUAL ASSESSMENTS, TO FINANCE THE INSTALLATION OF DISTRIBUTED GENERATION RENEWABLE ENERGY SOURCES OR ENERGY EFFICIENCY IMPROVEMENTS THAT ARE PERMANENTLY AFFIXED TO REAL PROPERTY, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Adams, K. Alexander, Allen, Avila, Barnhart, Bell, Blackwell, Blackwood, Blust, Bordsen, Braxton, Brisson, Brubaker, Bryant, Burris-Floyd, Carney, Coates, Cole, Cotham, Crawford, Current, Daughtry, Dickson, Dockham, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Frye, Gibson, Gill, Gillespie, Glazier, Goforth, Goodwin, Grady, Guice, Gulley, Haire, Hall, Harrell, Harrison, Hill, Hilton, Holliman, Howard, Hughes, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Lewis, Love, Lucas, Luebke, Mackey, Martin, McComas, McCormick, McElraft, McGee, McLawhorn, Michaux, Mobley, Moore, Neumann, Owens, Parmon, Pierce, Randleman, Rapp, Ross, Samuelson, Setzer, Spear, Stam, Steen, Stewart, Sutton, Tarleton, Tillis, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 105.

Voting in the negative: Representatives Boles, Brown, Burr, Cleveland, Folwell, Holloway, Killian, Langdon, Mills, Rhyne, Sager, Starnes, and Stevens - 13.

Excused absence: Representative M. Alexander.

Representative Moore requests and is granted permission to change his vote from "aye" to "no". The adjusted vote total is (104-14).

S.B. 69 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE CERTAIN PARTS OF A RULE ADOPTED BY THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY

July 16, 2009

RELATING TO ROTATION WRECKER SERVICES VOID AND UNENFORCEABLE AND TO DIRECT THE SECRETARY TO ADOPT RULES CONSISTENT WITH THIS ACT AND TO AMEND THE DUTIES OF THE HIGHWAY PATROL, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in the House committee substitute bill.

Those voting in the affirmative are: Representatives Adams, K. Alexander, Allen, Avila, Barnhart, Bell, Blackwell, Blackwood, Blust, Boles, Bordsen, Braxton, Brisson, Brown, Brubaker, Bryant, Burr, Burris-Floyd, Carney, Cleveland, Coates, Cole, Cotham, Crawford, Current, Daughtry, Dickson, Dockham, Dollar, Earle, England, Farmer-Butterfield, Fisher, E. Floyd, Folwell, Frye, Gibson, Gill, Gillespie, Glazier, Goforth, Goodwin, Grady, Guice, Gulley, Haire, Hall, Harrell, Harrison, Hill, Hilton, Holliman, Holloway, Howard, Hughes, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Killian, Langdon, Lewis, Love, Lucas, Luebke, Mackey, Martin, McComas, McCormick, McElraft, McGee, McLawhorn, Michaux, Mills, Mobley, Moore, Neumann, Owens, Parmon, Pierce, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Setzer, Spear, Stam, Starnes, Steen, Stevens, Stewart, Sutton, Tarleton, Tillis, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 117.

Voting in the negative: None.

Excused absence: Representative M. Alexander.

Representative Faison requests and is granted permission to be recorded as voting "aye." This request is granted. The adjusted vote total is (118-0).

S.B. 304 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE AMOUNT THE STATE MAY FINANCE UNDER GUARANTEED ENERGY SAVINGS CONTRACTS AND TO MODIFY THE REPORTING REQUIREMENTS, passes its third reading, by the following vote, and is ordered enrolled and presented to the Governor.

Those voting in the affirmative are: Representatives Adams, K. Alexander, Allen, Avila, Barnhart, Bell, Blackwood, Blust, Bordsen, Braxton, Brisson, Bryant, Burr, Burris-Floyd, Carney, Coates, Cole, Cotham, Crawford, Current, Daughtry, Dickson, Dockham, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Frye, Gibson, Gill, Gillespie, Glazier, Goforth, Goodwin, Grady, Guice, Gulley, Haire, Hall, Harrell, Harrison, Hill, Hilton, Holliman, Holloway, Howard, Hughes, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Lewis, Love, Lucas,

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Luebke, Mackey, Martin, McComas, McElraft, McGee, McLawhorn, Michaux, Mobley, Moore, Neumann, Owens, Parmon, Pierce, Randleman, Rapp, Rhyne, Ross, Samuelson, Setzer, Spear, Stam, Steen, Stewart, Sutton, Tarleton, Tillis, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 104.

Voting in the negative: Representatives Blackwell, Boles, Brown, Brubaker, Cleveland, Folwell, Hurley, Killian, Langdon, McCormick, Mills, Sager, Starnes, and Stevens - 14.

Excused absence: Representative M. Alexander.

S.B. 606 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PROCEDURE FOR PROVIDING NOTICE TO CREDITORS WITHOUT ESTATE ADMINISTRATION WHEN A DECEDENT DIES LEAVING NO PROPERTY SUBJECT TO PROBATE AND TO MAKE A TECHNICAL CORRECTION TO THE PROVISION PROVIDING FOR COSTS IN THE ADMINISTRATION OF ESTATES, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House Committee Substitute Bill No. 2.

Those voting in the affirmative are: Representatives Adams, K. Alexander, Allen, Avila, Barnhart, Bell, Blackwell, Blackwood, Blust, Boles, Bordsen, Braxton, Brisson, Brown, Brubaker, Bryant, Burris-Floyd, Carney, Coates, Cole, Cotham, Crawford, Current, Daughtry, Dickson, Dockham, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Folwell, Frye, Gibson, Gill, Gillespie, Glazier, Goforth, Goodwin, Grady, Guice, Gulley, Haire, Hall, Harrell, Harrison, Hill, Hilton, Holliman, Holloway, Howard, Hughes, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Langdon, Lewis, Love, Lucas, Luebke, Mackey, Martin, McComas, McCormick, McElraft, McGee, McLawhorn, Michaux, Mills, Mobley, Moore, Neumann, Owens, Parmon, Pierce, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Setzer, Spear, Stam, Starnes, Steen, Stevens, Stewart, Sutton, Tarleton, Tillis, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 114.

Voting in the negative: Representatives Burr, Cleveland, Hurley, and Killian - 4.

Excused absence: Representative M. Alexander.

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S.B. 618, A BILL TO BE ENTITLED AN ACT TO ALLOW ALL MUNICIPALITIES TO PARTICIPATE IN URBAN AREA REVITALIZATION PROJECTS UNDER THE MUNICIPAL SERVICE DISTRICT ACT OF 1973, passes its third reading, by the following vote, and is ordered enrolled and presented to the Governor.

Those voting in the affirmative are: Representatives Adams, K. Alexander, Allen, Avila, Barnhart, Bell, Blackwell, Blackwood, Blust, Boles, Bordsen, Braxton, Brisson, Brown, Brubaker, Bryant, Burr, Burris-Floyd, Carney, Cleveland, Coates, Cole, Cotham, Crawford, Current, Daughtry, Dickson, Dockham, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Folwell, Frye, Gibson, Gill, Gillespie, Glazier, Goforth, Goodwin, Grady, Guice, Gulley, Haire, Hall, Harrell, Harrison, Hill, Hilton, Holliman, Holloway, Howard, Hughes, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Killian, Langdon, Lewis, Love, Lucas, Luebke, Mackey, Martin, McComas, McElraft, McGee, McLawhorn, Michaux, Mills, Mobley, Moore, Neumann, Owens, Parmon, Pierce, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Setzer, Spear, Stam, Starnes, Steen, Stevens, Stewart, Sutton, Tarleton, Tillis, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 117.

Voting in the negative: Representative McCormick.

Excused absence: Representative M. Alexander.

S.B. 834 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT REWRITING THE LAWS REGULATING SANITARIANS AND AUTHORIZING THE STATE BOARD OF SANITARIAN EXAMINERS TO IMPOSE AN APPLICATION FEE, AND TO INCREASE CERTAIN FEES, passes its third reading, as amended, by the following vote, and is ordered engrossed and sent to the Senate for concurrence in the House committee substitute bill.

Those voting in the affirmative are: Representatives Adams, K. Alexander, Allen, Avila, Barnhart, Bell, Blackwell, Blackwood, Bordsen, Braxton, Brisson, Brubaker, Bryant, Burris-Floyd, Carney, Coates, Cole, Cotham, Crawford, Current, Daughtry, Dickson, Dockham, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Gibson, Gill, Glazier, Goforth, Goodwin, Grady, Guice, Gulley, Haire, Hall, Harrell, Harrison, Hill, Holliman, Howard, Hughes, Iler, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Langdon, Lewis, Love, Lucas, Luebke, Mackey, Martin, McComas, McElraft, McGee, McLawhorn, Michaux, Mobley, Neumann, Owens, Parmon, Pierce, Randleman, Rapp, Rhyne, Ross, Samuelson, Spear,

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Stam, Starnes, Steen, Stewart, Sutton, Tarleton, Tillis, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wilkins, Williams, Womble, Wray, and Yongue - 98.

Voting in the negative: Representatives Blust, Boles, Brown, Burr, Cleveland, Folwell, Frye, Gillespie, Hilton, Holloway, Hurley, Ingle, Killian, McCormick, Mills, Moore, Sager, Setzer, Stevens, and Wiley - 20.

Excused absence: Representative M. Alexander.

S.B. 660 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE AN ALTERNATIVE METHOD OF DETERMINING PROPERTY DAMAGES AS A PART OF MOTOR VEHICLE LIABILITY INSURANCE.

Representative Moore offers Amendment No. 2 which is adopted by electronic vote (116-1).

The bill, as amended, passes its third reading, by electronic vote (116-2), and is ordered engrossed and sent to the Senate for concurrence in House Committee Substitute Bill No. 2.

S.B. 293 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE QUALIFICATIONS FOR PROSPECTIVE JURORS AND TO AUTHORIZE THE REGISTER OF DEEDS TO STORE AN ELECTRONIC COPY OF THE JUROR MASTER LIST.

Representative Faison moves that the bill be withdrawn from the Calendar and re-referred to the Committee on Ways and Means/Broadband Connectivity.

Representative Glazier is recognized for a motion of higher precedence.

The Speaker rules that the motion is in order.

Representative Glazier moves that the bill be withdrawn from the Calendar and placed on the Calendar of July 21. The motion carries by electronic vote (64-54).

S.B. 514 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE CERTAIN MAGISTRATES WITH THE AUTHORITY TO PROVIDE FOR THE APPOINTMENT OF COUNSEL TO INDIGENT PERSONS WHEN AUTHORIZED BY THE CHIEF DISTRICT JUDGE, passes its second reading, by electronic vote (106-6), and there being no objection is read a third time.

July 16, 2009

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

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

S.B. 698 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT REQUIRING THAT CITIES, COUNTIES, SANITARY DISTRICTS, AND WATER AND SEWER AUTHORITIES GIVE ELECTRONIC NOTICE OF THE IMPOSITION OF CERTAIN NEW FEES AND INCREASES IN CERTAIN EXISTING FEES AND AN OPPORTUNITY TO BE HEARD WHEN THE IMPOSITION OR INCREASE OF THOSE FEES IS CONSIDERED, passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

Representative Justice offers Amendment No. 1 which is adopted by electronic vote (113-0).

The bill, as amended, passes its third reading by electronic vote (112-0), and is ordered engrossed and sent to the Senate for concurrence in House Committee Substitute Bill No. 2.

S.B. 831 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO EXTEND CERTAIN GOVERNMENT APPROVALS AFFECTING THE DEVELOPMENT OF REAL PROPERTY WITHIN THE STATE.

Pursuant to Rule 24.1A, Representative Killian requests that he be excused from voting on this bill. This request is granted.

The bill passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in the House Committee Substitute Bill No. 2.

S.B. 713 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE CRIMINAL OFFENSE OF REMOVING, DESTROYING, OR CIRCUMVENTING THE OPERATION OF AN ELECTRONIC MONITORING DEVICE.

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

July 16, 2009

The bill, as amended, passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

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

CONFEREES APPOINTED

The Speaker appoints the following conferees on Senate Committee Substitute for **H.B. 67** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE COVERING OF THE STATE NAME, YEAR STICKER, OR MONTH STICKER ON A STATE LICENSE PLATE BY A LICENSE PLATE FRAME: Representative Cole, Chair; Representatives Carney, Martin, and McComas.

The Senate is so notified by Special Message.

CONFERENCE REPORT

Representative Glazier sends forth the Conference Report on **H.B. 1523** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REWRITE THE NORTH CAROLINA MORTGAGE LENDING ACT IN ORDER TO CONFORM TO THE REQUIREMENTS OF FEDERAL LAW.

Without objection, the Conference Report is placed on the Calendar for immediate consideration.

Representative Glazier moves the adoption of the following Conference Report.

Senate Committee Substitute for H.B. 1523

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 1523, A BILL TO BE ENTITLED AN ACT TO REWRITE THE NORTH CAROLINA MORTGAGE LENDING ACT IN ORDER TO CONFORM TO THE REQUIREMENTS OF FEDERAL LAW, Senate Commerce Committee Substitute Adopted 6/3/09 Fourth Edition Engrossed 6/10/09, submit the following report:

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The House and Senate agree to the following amendment to the Senate Committee Substitute, Senate Commerce Committee Substitute Adopted 6/3/09, Fourth Edition Engrossed 6/10/09, and the House concurs in the Senate Committee Substitute as amended:

On page 7, lines 44 – 45, by inserting the following between the lines:

"(8) Any person who, as seller, receives in one calendar year no more than five residential mortgage loans as security for purchase money obligations, unless the United States Department of Housing and Urban Development has expressly and definitively determined that such persons are loan originators as the term is defined by §1503 of Title V of the Housing and Economic Recovery Act of 2008, Public Law 110-289, and such determination is in effect on July 31, 2010."

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

Date conferees approved report: July 16, 2009.

*Conferees for the
Senate*

S/ Dan Blue, Chair
S/ R. C. Soles, Jr.
S/ Martin Nesbitt, Jr.
S/ Tom Apodaca

*Conferees for the
House of Representatives*

S/ Rick Glazier, Chair
S/ Bill Faison
S/ Jennifer Weiss
S/ Jimmy L. Love, Sr.
S/ Jane Whilden
S/ Harold Brubaker

The Conference Report is adopted, by electronic vote (92-20), and the Senate is so notified by Special Message.

VOTE ADJUSTED

On motion of Representative Owens, the Rules are suspended in order that Representative Jones may be recorded as voting "aye" on the third reading of **S.B. 461** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROHIBIT SEEKING OR IMPOSING THE DEATH PENALTY ON THE BASIS OF RACE; TO ESTABLISH A PROCESS BY WHICH RELEVANT EVIDENCE MAY BE USED TO ESTABLISH THAT RACE WAS A SIGNIFICANT FACTOR IN SEEKING OR IMPOSING THE DEATH PENALTY WITHIN THE COUNTY, THE PROSECUTORIAL DISTRICT, THE JUDICIAL DIVISION, OR THE

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STATE, TO IDENTIFY TYPES OF EVIDENCE THAT MAY BE CONSIDERED BY THE COURT WHEN CONSIDERING WHETHER RACE WAS A BASIS FOR SEEKING OR IMPOSING THE DEATH PENALTY, INCLUDING STATISTICAL EVIDENCE, AND TO AUTHORIZE THE DEFENDANT TO RAISE THIS CLAIM AT THE PRETRIAL CONFERENCE OR IN POSTCONVICTION PROCEEDINGS; TO PROVIDE THAT THE DEFENDANT HAS THE BURDEN OF PROVING THAT RACE WAS A SIGNIFICANT FACTOR IN SEEKING OR IMPOSING THE DEATH PENALTY AND TO PROVIDE THAT THE STATE MAY OFFER EVIDENCE TO REBUT THE CLAIMS OR EVIDENCE OF THE DEFENDANT AND IN DOING SO TO USE STATISTICAL EVIDENCE AS WELL AS ANY OTHER EVIDENCE THE COURT DEEMS RELEVANT AND MATERIAL; TO PROVIDE THAT IF RACE IS FOUND TO BE A SIGNIFICANT FACTOR IN THE IMPOSITION OF THE DEATH PENALTY, THE DEATH SENTENCE SHALL BE VACATED AND THE DEFENDANT RESENTENCED TO LIFE IMPRISONMENT WITHOUT THE POSSIBILITY OF PAROLE; TO PROVIDE THAT THIS ACT IS EFFECTIVE WHEN IT BECOMES LAW AND APPLIES RETROACTIVELY, THAT MOTIONS UNDER THIS ACT FOR THOSE CURRENTLY UNDER A DEATH SENTENCE SHALL BE FILED WITHIN ONE YEAR OF THE EFFECTIVE DATE OF THIS ACT, AND THAT MOTIONS FOR THOSE WHOSE DEATH SENTENCE IS IMPOSED ON OR AFTER THE EFFECTIVE DATE OF THIS ACT SHALL BE FILED AS PROVIDED IN THIS ACT, taken on July 15, 2009. The adjusted vote total is (62-55).

BILL WITHDRAWN FROM COMMITTEE

On motion of Representative Owens and without objection, **H.B. 1110** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY PROCEDURES IN CIVIL ACTIONS FOR ALIENATION OF AFFECTION AND CRIMINAL CONVERSATION, is withdrawn from the Committee on Judiciary II and pursuant to Rule 36(b), is placed on the Calendar.

On motion of Representative Owens and without objection, **H.B. 1464** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY DOMESTIC VIOLENCE LAWS REGARDING WHEN A LAW ENFORCEMENT OFFICER SHALL ARREST A PERSON WHO HAS KNOWINGLY VIOLATED A VALID PROTECTIVE ORDER DESPITE THE 2006 HOLDING BY THE NORTH CAROLINA COURT OF APPEALS IN COCKERHAM-ELLERBEE V. THE TOWN OF JONESVILLE, is withdrawn from the Committee on Ways and Means/Broadband Connectivity and pursuant to Rule 36(b), is placed on the Calendar.

July 16, 2009

On motion of Representative Owens, seconded by Representative Killian, the House adjourns at 2:40 p.m. to reconvene Monday, July 20, 2009, at 7:00 p.m.

ONE HUNDREDTH DAY

HOUSE OF REPRESENTATIVES
Monday, July 20, 2009

The House meets at 7:00 p.m. pursuant to adjournment and is called to order by Representative William L. Wainwright, Speaker Pro Tempore.

The following prayer is offered by the Reverend John Hartman, Wake Forest Presbyterian Church, Wake Forest, North Carolina:

"Almighty God:

"We thank You for this gathering this evening and for the privilege we have in serving Your people as we work and wrestle together in our State's capital.

"We especially thank You for those men and women whom You have called to hold public office and work in governmental affairs for this great State.

"We ask that You bless each one of them in all the things they think, and do, and say.

"Give to each one of them the vision of Abraham, the leadership of Moses, the courage of David, the wisdom of Solomon, the loyalty of Ruth, the patience of Job, the humility of Mary, the mind of Paul - and then, a heart and compassion like that of Jesus Christ.

"God, help all of these men and women to use their authority for righteousness' sake; that in serving You faithfully, they may promote the common good for all of the people of North Carolina.

"And we pray all these things in God's holy name and love. Amen."

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The Chair leads the Body in the Pledge of Allegiance.

Representative Owens, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of July 16 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Speaker Hackney; Representatives Barnhart, Boles, Earle, Folwell, Gibson, Haire, Harrison, Langdon, McElraft, and Rhyne for today.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Ross, Chair, for the Committee on Judiciary I:

S.B. 513 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE SERVICE BY MAIL OF NOTICES OF HEARINGS ON VIOLATIONS OF UNSUPERVISED PROBATION, with a favorable report as to House Committee Substitute Bill No. 2, which changes the title, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(b), House Committee Substitute Bill No. 2 is placed on the Calendar of July 21. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

S.B. 1078 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT WHEN A PROBATIONER IS ARRESTED AND CHARGED WITH THE COMMISSION OF A FELONY A JUDICIAL OFFICIAL MUST DETERMINE WHETHER THE PROBATIONER POSES A DANGER TO THE PUBLIC BEFORE DETERMINING CONDITIONS OF PRETRIAL RELEASE, AND TO PROVIDE THAT WHEN A PROBATIONER IS CHARGED WITH A VIOLATION OF PROBATION, AND HAS A PENDING FELONY CHARGE, A JUDICIAL OFFICIAL MUST DETERMINE WHETHER THE PROBATIONER POSES A DANGER TO THE PUBLIC AND IF THE PROBATIONER IS A DANGER TO THE PUBLIC THE JUDICIAL OFFICIAL MUST DENY RELEASE ON THE PROBATION VIOLATION CHARGE, with a favorable report as to House Committee Substitute Bill No. 2, which changes the title, unfavorable as to House Committee Substitute Bill No. 1.

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Pursuant to Rule 36(b), House Committee Substitute Bill No. 2 is placed on the Calendar of July 21. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

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

H.B. 1570, A BILL TO BE ENTITLED AN ACT TO AMEND THE ALLOCATION AMONG LOCAL GOVERNMENTS OF THE TENNESSEE VALLEY AUTHORITY PAYMENT IN LIEU OF TAXES, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of July 21. The original bill is placed on the Unfavorable Calendar.

H.B. 1637 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODERNIZE THE RECORD KEEPING OF PRECIOUS METALS PURCHASES BY DEALERS, TO SUBJECT ALL DEALERS IN PRECIOUS METALS TO SIMILAR RECORD-KEEPING REQUIREMENTS, TO INCREASE PRECIOUS METALS PERMITTING FEES, TO REQUIRE THAT A CRIMINAL HISTORY RECORD CHECK BE CONDUCTED ON EMPLOYEES OF PRECIOUS METALS DEALERS, AND TO MAKE VARIOUS OTHER CHANGES TO THE PRECIOUS METALS PERMITTING STATUTES, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(b), Committee Substitute Bill No. 2 is placed on the Calendar of July 21. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

S.B. 107 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE OYSTER AND HARD CLAM FISHERY MANAGEMENT PLAN, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of July 21.

S.B. 367 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE BILLINGS IN EXCESS OF COSTS FROM THE FRANCHISE TAX CAPITAL BASE FOR TAXPAYERS USING THE PERCENTAGE OF COMPLETION METHOD OF REVENUE RECOGNITION, with a favorable report.

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Pursuant to Rule 36(b), the bill is placed on the Calendar of July 21.

S.B. 368 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES TO THE MOTOR VEHICLE LAWS, AS REQUESTED BY THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY, with a favorable report as to House Committee Substitute Bill No. 2, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(b), House Committee Substitute Bill No. 2 is placed on the Calendar of July 21. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

S.B. 509 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL, CLARIFYING, AND ADMINISTRATIVE CHANGES TO THE TAX AND RELATED LAWS, with a favorable report as to the House committee substitute bill, unfavorable as to the Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of July 21. The Senate committee substitute bill is placed on the Unfavorable Calendar.

S.B. 909, A BILL TO BE ENTITLED AN ACT EXTINGUISHING THE LIABILITY OF RETAILERS FOR SALES TAX OVERCOLLECTIONS MADE IN RELIANCE ON WRITTEN ADVICE OF THE SECRETARY OF REVENUE, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the original bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of July 21. The original bill is placed on the Unfavorable Calendar.

S.B. 931 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE RECIPROCITY TO A PERSON WHO HOLDS ANY COMMERCIAL DRIVERS LICENSE RECOGNIZED BY THE FEDERAL GOVERNMENT, TO EXPAND THE DEFINITION OF CONVICTION FOR OUT-OF-STATE VIOLATIONS, TO EXPAND THE DEFINITION OF EMPLOYER WITH REGARDS TO COMMERCIAL DRIVERS LICENSES, TO ADD A DISQUALIFYING VIOLATION TO COMMERCIAL DRIVERS LICENSES, TO INCREASE CIVIL PENALTIES,

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TO EXPAND EMPLOYER REPORTING RESPONSIBILITIES, AND TO MODIFY REQUIREMENTS FOR CONVICTIONS TEN YEARS OLD OR OLDER, with a favorable report as to House Committee Substitute Bill No. 2, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(b), House Committee Substitute Bill No. 2 is placed on the Calendar of July 21. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

S.B. 935 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT AMENDING THE MARRIAGE AND FAMILY THERAPY LICENSURE LAWS AND AUTHORIZING THE NORTH CAROLINA MARRIAGE AND FAMILY THERAPY LICENSURE BOARD TO INCREASE FEES, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of July 21.

By Representative Allen, Chair, for the Committee on Environment and Natural Resources:

S.B. 1004 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND BY ONE YEAR A COMPLIANCE DATE FOR SULFUR DIOXIDE EMISSION REDUCTIONS FOR INVESTOR-OWNED PUBLIC UTILITIES THAT CONVERT COAL-FIRED GENERATING UNITS TO UNITS THAT USE ONLY NATURAL GAS AS FUEL, with a favorable report as to House Committee Substitute Bill No. 2, which changes the title, unfavorable as to House Committee Substitute Bill No. 1.

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

ENROLLED BILLS

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

S.B. 304, AN ACT TO INCREASE THE AMOUNT THE STATE MAY FINANCE UNDER GUARANTEED ENERGY SAVINGS CONTRACTS AND TO MODIFY THE REPORTING REQUIREMENTS.

S.B. 618, AN ACT TO ALLOW ALL MUNICIPALITIES TO PARTICIPATE IN URBAN AREA REVITALIZATION PROJECTS UNDER THE MUNICIPAL SERVICE DISTRICT ACT OF 1973.

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H.B. 506, AN ACT TO CLARIFY RESPONSIBILITY FOR PAYMENT OF WITNESS FEES AND GUARDIAN AD LITEM FEES IN INCOMPETENCY PROCEEDINGS; AUTHORIZE APPOINTMENT OF A GUARDIAN AD LITEM FOR A PERSON WHO IS ADJUDICATED INCOMPETENT; PROVIDE FOR APPOINTMENT OF COUNSEL FOR AN INDIGENT PERSON IN CERTAIN PROCEEDINGS INVOLVING SATELLITE-BASED MONITORING OF SEX OFFENDERS; PROVIDE FOR REPRESENTATION FOR THE DEPARTMENT OF CORRECTION AND APPOINTMENT OF COUNSEL FOR INDIGENT OFFENDERS IN SATELLITE-BASED MONITORING PROCEEDINGS; AND PROVIDE FOR APPOINTMENT OF COUNSEL BY THE OFFICE OF INDIGENT DEFENSE SERVICES IN CAPITAL CASES.

CHAPTERED BILLS

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

H.B. 564, AN ACT TO MODIFY THE AUTHORIZATION FOR WILSON COUNTY TO LEVY AN OCCUPANCY TAX. (S.L. 2009-297)

H.B. 772, AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF HUNTERSVILLE. (S.L. 2009-298)

S.B. 799, AN ACT TO INCREASE TRANSPARENCY OF STATE FACILITIES THAT PROVIDE MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES BY REQUIRING THE DISCLOSURE OF CERTAIN INFORMATION ABOUT DEATH REPORTS, FACILITY POLICE REPORTS, AND INCIDENT REPORTS. (S.L. 2009-299)

H.B. 885, AN ACT TO PROHIBIT PERSONS FROM PICKETING DIRECTED AT A SINGLE RESIDENCE IN A MANNER THAT WOULD CAUSE FEAR OR SUBSTANTIAL EMOTIONAL DISTRESS. (S.L. 2009-300)

H.B. 877, AN ACT TO PROVIDE THAT AN INDIVIDUAL WILL NOT BE DENIED UNEMPLOYMENT COMPENSATION SOLELY BECAUSE THE INDIVIDUAL IS SEEKING ONLY PART-TIME WORK, TO REMOVE DISQUALIFYING CONDITIONS RELATED TO SEPARATING FROM WORK FOR COMPELLING FAMILY REASONS INCLUDING DOMESTIC VIOLENCE, ILLNESS, OR DISABILITY, AND TO REPEAL THE TWO-WEEK DISQUALIFICATION FOR UNEMPLOYMENT COMPENSATION BENEFITS AS A RESULT OF LEAVING

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WORK TO ACCOMPANY A SPOUSE TO A NEW PLACE OF RESIDENCE FOR WORK IN A DIFFERENT LOCATION AND TO MAKE THOSE BENEFITS NONCHARGEABLE TO THE EMPLOYER. (S.L. 2009-301)

H.B. 1330, AN ACT PROHIBITING PUBLIC UTILITIES, ELECTRIC MEMBERSHIP CORPORATIONS, TELEPHONE MEMBERSHIP CORPORATIONS, AND CITIES AND COUNTIES THAT OPERATE PUBLIC ENTERPRISES FROM USING CERTAIN DEBT COLLECTION PRACTICES THAT RESULT IN A CUSTOMER BEING LIABLE FOR THE PAST DUE AND UNPAID DEBTS OF ANOTHER PERSON. (S.L. 2009-302)

H.B. 684, AN ACT TO MAKE A CHANGE TO THE MEMBERSHIP OF THE NORTH CAROLINA AGRICULTURAL DEVELOPMENT AND FARMLAND PRESERVATION TRUST FUND ADVISORY COMMITTEE, AND TO MAKE TECHNICAL CHANGES. (S.L. 2009-303)

S.B. 467, AN ACT TO ASSIST OWNERS IN RECOVERING LOST PETS, RELIEVE OVERCROWDING AT ANIMAL SHELTERS, AND FACILITATE ADOPTIONS OF ANIMALS FROM SHELTERS. (S.L. 2009-304)

S.B. 689, AN ACT TO MODIFY THE REPORTING REQUIREMENTS FOR THE DEPARTMENT OF PUBLIC INSTRUCTION AND THE STATE BOARD OF EDUCATION AND TO CLARIFY THE LAW REGARDING BUILDING CODE STANDARDS FOR BUILDINGS USED BY HIGH SCHOOL STUDENTS ATTENDING CLASSES ON COLLEGE OR UNIVERSITY CAMPUSES. (S.L. 2009-305)

S.B. 835, AN ACT TO EXTEND THE LEGISLATIVE COMMISSION ON GLOBAL CLIMATE CHANGE. (S.L. 2009-306)

H.B. 1132, AN ACT TO AMEND THE LAW CONCERNING RENEWAL OF A CONCEALED HANDGUN PERMIT, AND TO PROVIDE THAT A FORMER SWORN LAW ENFORCEMENT OFFICER WHO HAS FIFTEEN OR MORE AGGREGATE YEARS OF PART-TIME OR AUXILIARY LAW ENFORCEMENT SERVICE MAY BE EXEMPT FROM THE FIREARMS SAFETY AND TRAINING COURSE REQUIREMENT FOR A CONCEALED HANDGUN PERMIT IF HE OR SHE WAS A QUALIFIED SWORN LAW ENFORCEMENT OFFICER IMMEDIATELY BEFORE RETIRING AND HAS BEEN RETIRED AS A SWORN LAW ENFORCEMENT OFFICER TWO YEARS OR LESS FROM THE DATE OF THE PERMIT APPLICATION. (S.L. 2009-307)

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H.B. 852, AN ACT TO DEFER A PORTION OF THE PROPERTY TAX DUE ON REAL PROPERTY HELD FOR SALE BY A BUILDER. (S.L. 2009-308)

S.B. 605, AN ACT TO PROVIDE FOR THE DEPOSIT OF MONEY OF A WARD'S ESTATE INTO ANY FINANCIAL INSTITUTION AND TO MAKE OTHER CLARIFYING CHANGES. (S.L. 2009-309)

H.B. 182, AN ACT TO ALLOW THE PLACEMENT OF TRAFFIC TABLES OR TRAFFIC CALMING DEVICES ON THOSE PORTIONS OF STATE ROADS WITHIN A RESIDENTIAL SUBDIVISION. (S.L. 2009-310)

H.B. 1449, AN ACT TO MAKE VARIOUS REVISIONS TO THE JUVENILE CODE. (S.L. 2009-311)

S.B. 1021, AN ACT TO PROTECT OWNERS OF ABANDONED PROPERTY BY REGULATING PROPERTY FINDERS. (S.L. 2009-312)

H.B. 535, AN ACT TO REQUIRE HEALTH INSURERS, INCLUDING THE STATE HEALTH PLAN, TO PROVIDE COVERAGE FOR THE DIAGNOSIS AND TREATMENT OF LYMPHEDEMA. (S.L. 2009-313)

H.B. 1299, AN ACT AMENDING THE LAWS PERTAINING TO CUSTODY OF A MINOR CHILD BY DEFINING VISITATION TO INCLUDE VISITATION BY ELECTRONIC COMMUNICATION. (S.L. 2009-314)

H.B. 1189, AN ACT REQUIRING PHYSICIANS OR ELIGIBLE PSYCHOLOGISTS CONDUCTING EXAMINATIONS TO INFORM THE LOCAL MANAGEMENT ENTITY THAT AN INDIVIDUAL HAS BEEN SCHEDULED FOR AN APPOINTMENT WITH AN OUTPATIENT TREATMENT PHYSICIAN OR CENTER; TO ALLOW FIRST COMMITMENTS TO BE CONDUCTED VIA TELEMEDICINE; AND PERTAINING TO SECURITY FORCES AT CERTAIN MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES FACILITIES. (S.L. 2009-315)

H.B. 1187, AN ACT TO MAKE TECHNICAL CHANGES TO THE HEALTH STATUTES PERTAINING TO HEALTH CARE PERSONNEL AND HEALTH CARE FACILITIES. (S.L. 2009-316)

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H.B. 447, AN ACT TO EXTEND THE EXEMPTION FROM STATUTORY COPY COSTS TO PRISONER LEGAL SERVICES AND OTHER ATTORNEYS WORKING UNDER CONTRACT WITH THE OFFICE OF INDIGENT DEFENSE SERVICES. (S.L. 2009-317)

S.B. 481, AN ACT TO ALLOW A TRUSTEE TO APPOINT TRUST PROPERTY TO ANOTHER TRUST FOR THE SAME BENEFICIARY. (S.L. 2009-318)

H.B. 882, AN ACT TO ALLOW THE DIVISION OF MOTOR VEHICLES TO REFUSE TO REGISTER A VEHICLE IF THE VEHICLE IS NOT IN COMPLIANCE WITH THE INSPECTIONS REQUIREMENTS, TO REQUIRE PROOF OF FINANCIAL RESPONSIBILITY FOR A THREE-DAY TRIP PERMIT, AND TO MAKE TECHNICAL CHANGES TO THE INSPECTION PROGRAM STATUTES. (S.L. 2009-319)

H.B. 1347, AN ACT TO AUTHORIZE THE CHIEF COURT COUNSELOR IN EACH DISTRICT TO DELEGATE CERTAIN RESPONSIBILITIES. (S.L. 2009-320)

H.B. 661, AN ACT TO ALLOW CITY MANAGERS IN CERTAIN SMALLER MUNICIPALITIES TO SERVE AS MEMBERS OF BOARDS OF EDUCATION. (S.L. 2009-321)

H.B. 1100, AN ACT TO DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ESTABLISH STORMWATER CONTROL BEST MANAGEMENT PRACTICES AND PROCESS WATER TREATMENT PROCESSES FOR COMPOSTING OPERATIONS FOR THE PURPOSE OF PROTECTING WATER QUALITY. (S.L. 2009-322)

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for **H.B. 115** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO RENAME THE NORTH CAROLINA COUNCIL FOR WOMEN/DOMESTIC VIOLENCE COMMISSION AND CLARIFY ITS ROLE AND RESPONSIBILITIES, TO EXPAND THE ROLE OF THE NORTH CAROLINA COUNCIL FOR WOMEN AND DESIGNATE THE QUALIFICATIONS FOR MEMBERSHIP, TO REVISE THE MEMBERSHIP AND STAFFING OF THE NORTH CAROLINA DOMESTIC VIOLENCE COMMISSION, TO AMEND THE PROCEDURE FOR OBTAINING A DOMESTIC VIOLENCE

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PROTECTIVE ORDER OR CIVIL NO-CONTACT ORDER, TO SUPPORT A STATEWIDE DOMESTIC VIOLENCE PROTECTIVE ORDER NOTIFICATION SYSTEM AND INVESTIGATE THE COSTS, AND TO STUDY STATE OVERSIGHT AND COORDINATION OF SERVICES FOR VICTIMS OF SEXUAL VIOLENCE, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMITTEE ON DOMESTIC VIOLENCE, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of July 21.

Upon concurrence the Senate committee substitute bill changes the title.

H.B. 378 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STATUTORILY ESTABLISH THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY, DIVISION OF EMERGENCY MANAGEMENT, AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON EMERGENCY PREPAREDNESS AND DISASTER MANAGEMENT RECOVERY, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of July 21.

Senate Committee Substitute for **H.B. 667** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE STATE'S ABC LAWS TO CREATE AN EXEMPTION FOR ACCREDITED COMMUNITY COLLEGES, COLLEGES, AND UNIVERSITIES FOR THE MANUFACTURE, POSSESSION, AND CONSUMPTION OF ALCOHOLIC BEVERAGES FOR THE PURPOSE OF CONDUCTING SCIENTIFIC, CHEMICAL, PHARMACEUTICAL, MECHANICAL, INDUSTRIAL, AND EDUCATIONAL RESEARCH, TO ALLOW WINE PRODUCERS AND WINERIES HOLDING AN OFF-PREMISES UNFORTIFIED WINERY PERMIT TO SELL UNFORTIFIED WINE AT THEIR PREMISES DURING BUSINESS HOURS, AND TO ALLOW WINERIES TO SELL THEIR WINE AT AN ADDITIONAL LOCATION IN THE COUNTY UNDER SPECIFIED CONDITIONS, is returned for concurrence in the Senate committee substitute bill and referred to the Committee on Alcoholic Beverage Control.

Upon concurrence the Senate committee substitute bill changes the title.

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Senate Committee Substitute for **H.B. 816** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW REGARDING THE SPECIAL SEPARATION ALLOWANCE PROVIDED TO LAW ENFORCEMENT OFFICERS UNDER THE LOCAL GOVERNMENTAL RETIREMENT SYSTEM, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of July 21.

Upon concurrence the Senate committee substitute bill changes the title.

Senate Committee Substitute for **H.B. 951**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE COUNTY BOARD OF COMMISSIONERS TO APPOINT A LICENSED OPTOMETRIST FROM ANOTHER COUNTY TO THE COUNTY BOARD OF HEALTH UNDER CERTAIN CIRCUMSTANCES, is returned for concurrence in the Senate committee substitute bill and referred to the Committee on Health.

Upon concurrence the Senate committee substitute bill changes the title.

Senate Committee Substitute for **H.B. 991**, A BILL TO BE ENTITLED AN ACT RELATING TO THE AUTHORITY OF MONTGOMERY COUNTY TO COLLECT MONEY OWED TO THE COUNTY FOR WATER SYSTEM FEES, is returned for concurrence in the Senate committee substitute bill and referred to the Committee on Local Government I.

Upon concurrence the Senate committee substitute bill changes the title.

Senate Committee Substitute for **H.B. 996**, A BILL TO BE ENTITLED AN ACT TO REPEAL A REQUIREMENT THAT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES STUDY THE FEASIBILITY OF OPERATING A LICENSED ADULT CARE HOME IN A PUBLIC HOUSING FACILITY, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of July 21.

Upon concurrence the Senate committee substitute bill changes the title.

H.B. 1005 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE DEPARTMENT OF TRANSPORTATION TO PARTICIPATE IN FUNDING FIXED RAIL PROJECTS THAT DO

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NOT INCLUDE FEDERAL FUNDS, is returned for concurrence in the Senate committee substitute bill and referred to the Committee on Transportation.

H.B. 1077 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE VENUE RULES AND THE AUTHORITY OF MAGISTRATES FOR MUNICIPALITIES LYING IN FOUR OR MORE COUNTIES, EACH OF WHICH IS IN A DIFFERENT JUDICIAL DISTRICT, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of July 21.

H.B. 1222 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO UPDATE THE RATE SPREAD AND HIGH-COST HOME LOANS STATUTES, AND TO MAKE A CONFORMING CHANGE TO THE EMERGENCY PROGRAM TO REDUCE HOME FORECLOSURES ACT, is returned for concurrence in the Senate committee substitute bill and referred to the Committee on Financial Institutions.

H.B. 1595 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE NORTH CAROLINA ALCOHOLIC BEVERAGE CONTROL COMMISSION TO ISSUE MALT BEVERAGE SPECIAL EVENT PERMITS AND MALT BEVERAGE TASTING PERMITS IN THE SAME OR SIMILAR MANNER AS WINE, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of July 21.

S.B. 116 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE VARIOUS SPECIAL REGISTRATION PLATES, is read the first time and referred to the Committee on Transportation and, if favorable, to the Committee on Finance.

S.B. 488, A BILL TO BE ENTITLED AN ACT TO MAKE THE INCREASE IN SENTENCE LENGTHS BETWEEN PRIOR RECORD LEVELS MORE PROPORTIONATE USING A SET PERCENTAGE INCREMENT, is read the first time and referred to the Committee on Judiciary II and, if favorable, to the Committee on Appropriations.

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S.B. 489, A BILL TO BE ENTITLED AN ACT TO RESTRUCTURE THE PRIOR RECORD LEVEL POINT RANGES IN ORDER TO EXPAND THE POINTS IN PRIOR RECORD LEVEL I AND TO EVEN OUT THE REMAINING RANGES, is read the first time and referred to the Committee on Judiciary II and, if favorable, to the Committee on Appropriations.

S.B. 1083 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE LITTLE TENNESSEE RIVER BASIN ADVISORY COMMISSION, is read the first time and referred to the Committee on Water Resources and Infrastructure and, if favorable, to the Committee on Public Utilities and, if favorable, to the Committee on Finance.

CALENDAR

Action is taken on the following:

H.B. 1183 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES IN THE LAWS GOVERNING HEALTH INSURANCE AND MANAGED CARE; TO CHANGE CERTAIN HEALTH INSURANCE LAWS TO COMPORT WITH RECENT CONGRESSIONAL ENACTMENTS; TO MAKE A TECHNICAL CORRECTION IN A CREDIT INSURANCE LAW; TO CONFORM MOTOR VEHICLE INSPECTION COMPLIANCE REQUIREMENT WITH DISCONTINUATION OF STICKERS; AND TO REPEAL THE EXPIRATION DATE OF THE INTERSTATE INSURANCE PRODUCT REGULATION COMPACT ACT.

On motion of Representative Goforth, the House concurs in the Senate committee substitute bill, by electronic vote (104-3), and the bill is ordered enrolled and presented to the Governor.

H.B. 1255 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT WHEN SENTENCING A DEFENDANT CONVICTED OF A SEX OFFENSE AND UPON REQUEST OF THE DISTRICT ATTORNEY, THE COURT MAY ENTER A PERMANENT NO CONTACT ORDER PROHIBITING ANY FUTURE CONTACT OF A CONVICTED SEX OFFENDER WITH THE CRIME VICTIM IF THE COURT DETERMINES THAT APPROPRIATE GROUNDS EXIST FOR THE ORDER.

On motion of Representative Holloway, the House concurs in the Senate committee substitute bill, by electronic vote (108-0), and the bill is ordered enrolled and presented to the Governor.

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H.B. 1256 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE CRIMINAL OFFENSE OF LARCENY OF A MOTOR VEHICLE PART.

On motion of Representative Holloway, the House concurs in the Senate committee substitute bill, by electronic vote (108-0), and the bill is ordered enrolled and presented to the Governor.

H.B. 1314 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPROVE THE INSURANCE COMMISSIONER'S ABILITY TO MONITOR THE FINANCIAL CONDITION OF INSURERS.

On motion of Representative Goforth, the House concurs in the Senate committee substitute bill, by electronic vote (108-0), and the bill is ordered enrolled and presented to the Governor.

S.B. 465, A BILL TO BE ENTITLED AN ACT AMENDING THE STATE FAIR HOUSING ACT, passes its second reading, by electronic vote (104-4), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

S.B. 1091, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING TRAFFICKING IN METHAMPHETAMINE AND AMPHETAMINE TO CLARIFY THAT THE CHARGE OF TRAFFICKING IS BASED ON THE WEIGHT OF THE ENTIRE POWDER OR LIQUID MIXTURE RATHER THAN THE WEIGHT OF THE ACTUAL AMOUNT OF THE CONTROLLED SUBSTANCE IN THE POWDER OR LIQUID MIXTURE.

On motion of Representative R. Warren and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of July 23.

INTRODUCTION OF PAGES

Pages for the week of July 20 are introduced to the membership. They are: Sarah Biddix of Wake; Edwin Borden of Wake; Hannah Bowen of Beaufort; Tiffany Currin of Vance; Breanna Gawron of Brunswick; Sarah Henderson of Wake; Ilyse Hines of Cumberland; Samuel Hobgood of Orange; Taylor Jackson of Mecklenburg; Lindsay Jordan of New Hanover; Katherine Kennedy of Wake; Andrew Kowal of Cumberland; Nathaniel

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Murry of Cumberland; Cara Read of Forsyth; Rebecca Rouse of Mecklenburg; Lauren Smith of Mecklenburg; Paula Sujkowski of Wake; Joseph Surles of Wake; Stephen Talley of Brunswick; Ann Tucker of Wake; Emily Williams of Edgecombe; and Rowland Yeargan of Wake.

On motion of Representative Owens, seconded by Representative Weiss, the House adjourns at 7:32 p.m. to reconvene July 21 at 3:00 p.m.

ONE HUNDRED FIRST DAY

HOUSE OF REPRESENTATIVES
Tuesday, July 21, 2009

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

The following prayer is offered by the Reverend Bruce E. Stanley, Methodist Home for Children, Raleigh, North Carolina:

"O Lord of us all:

"We pray this day that we might become unraveled. Unravel our feelings of frustration and contentiousness. Unravel our disagreements and disputes.

"Unwind the common threads of love, compassion, trust, hope and confidence in You. Extend these beautiful cords to us all, that we might be wrapped up not in self-concern but wrapped up in selfless service to all in Your name. Amen."

Representative Owens, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of July 20 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Haire, Harrison, and Rhyne for today.

ENROLLED BILLS

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

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S.B. 465, AN ACT AMENDING THE STATE FAIR HOUSING ACT.

H.B. 1084, AN ACT TO AMEND THE LIQUEFIED PETROLEUM GAS LAW TO CREATE CLASSES OF DEALERS FOR THE PURPOSE OF INSURANCE REQUIREMENTS, TO CLARIFY THE AUTHORITY TO CONDUCT INSPECTIONS, TO INCREASE CIVIL PENALTIES, AND TO MAKE TECHNICAL CHANGES.

H.B. 1159, AN ACT TO CLARIFY THE LAWS ON INSURANCE BUSINESS ENTITY LICENSES; TO PROVIDE FOR ELECTRONIC FILINGS WITH THE DEPARTMENT OF INSURANCE; AND TO CLARIFY THE LAW ON APPOINTMENT OF AGENTS BY INSURANCE COMPANIES.

H.B. 1183, AN ACT TO MAKE VARIOUS CHANGES IN THE LAWS GOVERNING HEALTH INSURANCE AND MANAGED CARE; TO CHANGE CERTAIN HEALTH INSURANCE LAWS TO COMPORT WITH RECENT CONGRESSIONAL ENACTMENTS; TO MAKE A TECHNICAL CORRECTION IN A CREDIT INSURANCE LAW; TO CONFORM MOTOR VEHICLE INSPECTION COMPLIANCE REQUIREMENT WITH DISCONTINUATION OF STICKERS; AND TO REPEAL THE EXPIRATION DATE OF THE INTERSTATE INSURANCE PRODUCT REGULATION COMPACT ACT.

H.B. 1228, AN ACT TO CLARIFY THE AUTHORITY OF THE ABC COMMISSION TO ADOPT RULES CONCERNING PRIVATE CLUBS.

H.B. 1255, AN ACT TO PROVIDE THAT WHEN SENTENCING A DEFENDANT CONVICTED OF A SEX OFFENSE AND UPON REQUEST OF THE DISTRICT ATTORNEY, THE COURT MAY ENTER A PERMANENT NO CONTACT ORDER PROHIBITING ANY FUTURE CONTACT OF A CONVICTED SEX OFFENDER WITH THE CRIME VICTIM IF THE COURT DETERMINES THAT APPROPRIATE GROUNDS EXIST FOR THE ORDER.

H.B. 1256, AN ACT TO CREATE THE CRIMINAL OFFENSE OF LARCENY OF A MOTOR VEHICLE PART.

H.B. 1314, AN ACT TO IMPROVE THE INSURANCE COMMISSIONER'S ABILITY TO MONITOR THE FINANCIAL CONDITION OF INSURERS.

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CALENDAR

Action is taken on the following:

H.B. 1570 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE ALLOCATION AMONG LOCAL GOVERNMENTS OF THE TENNESSEE VALLEY AUTHORITY PAYMENT IN LIEU OF TAXES.

On motion of Representative Owens and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of July 23.

H.B. 1637 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MODERNIZE THE RECORD KEEPING OF PRECIOUS METALS PURCHASES BY DEALERS, TO SUBJECT ALL DEALERS IN PRECIOUS METALS TO SIMILAR RECORD-KEEPING REQUIREMENTS, TO INCREASE PRECIOUS METALS PERMITTING FEES, TO REQUIRE THAT A CRIMINAL HISTORY RECORD CHECK BE CONDUCTED ON EMPLOYEES OF PRECIOUS METALS DEALERS, AND TO MAKE VARIOUS OTHER CHANGES TO THE PRECIOUS METALS PERMITTING STATUTES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Avila, Barnhart, Bell, Blackwell, Blackwood, Blust, Boles, Bordsen, Braxton, Brisson, Brubaker, Bryant, Burris-Floyd, Carney, Coates, Cole, Cotham, Crawford, Current, Daughtry, Dickson, Dockham, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Frye, Gibson, Gill, Glazier, Goforth, Goodwin, Grady, Guice, Gulley, Hall, Harrell, Hill, Hilton, Holliman, Holloway, Howard, Hughes, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Langdon, Love, Lucas, Luebke, Mackey, Martin, McComas, McCormick, McElraft, McGee, McLawhorn, Michaux, Mills, Mobley, Moore, Neumann, Owens, Parmon, Pierce, Randleman, Rapp, Ross, Sager, Samuelson, Setzer, Spear, Stam, Starnes, Steen, Stevens, Stewart, Sutton, Tarleton, Tillis, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 109.

Voting in the negative: Representatives Brown, Burr, Cleveland, Folwell, Gillespie, and Killian - 6.

Excused absences: Representatives Haire, Harrison, and Rhyne - 3.

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S.B. 107 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE OYSTER AND HARD CLAM FISHERY MANAGEMENT PLAN, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Avila, Barnhart, Bell, Blackwell, Blackwood, Blust, Boles, Bordsen, Braxton, Brisson, Brown, Brubaker, Bryant, Burr, Burris-Floyd, Carney, Cleveland, Coates, Cotham, Crawford, Current, Daughtry, Dickson, Dockham, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Folwell, Frye, Gibson, Gill, Gillespie, Glazier, Goforth, Goodwin, Guice, Gulley, Hall, Harrell, Hill, Hilton, Holliman, Holloway, Howard, Hughes, Hurley, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Justus, Killian, Langdon, Lewis, Love, Lucas, Luebke, Mackey, Martin, McComas, McCormick, McElraft, McLawhorn, Michaux, Mills, Mobley, Neumann, Owens, Parmon, Pierce, Randleman, Rapp, Ross, Samuelson, Setzer, Spear, Stam, Stewart, Sutton, Tarleton, Tillis, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 106.

Voting in the negative: Representatives Grady, Iler, Justice, McGee, Moore, Starnes, Steen, and Stevens - 8.

Excused absences: Representatives Haire, Harrison, and Rhyne - 3.

Representative Sager requests and is granted permission to be recorded as voting "no". The adjusted vote total is (106-9).

S.B. 509 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL, CLARIFYING, AND ADMINISTRATIVE CHANGES TO THE TAX AND RELATED LAWS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Avila, Barnhart, Bell, Blackwell, Blackwood, Blust, Boles, Bordsen, Braxton, Brisson, Brown, Brubaker, Bryant, Burr, Burris-Floyd, Carney, Cleveland, Coates, Cole, Cotham, Crawford, Current, Daughtry, Dickson, Dockham, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Folwell, Frye, Gibson, Gill, Gillespie, Glazier, Goforth, Goodwin, Grady, Guice, Gulley, Hall, Harrell, Hill, Hilton, Holliman, Holloway, Howard, Hughes, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Killian, Langdon, Lewis, Love,

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Lucas, Luebke, Mackey, Martin, McComas, McCormick, McElraft, McGee, McLawhorn, Michaux, Mills, Mobley, Moore, Neumann, Owens, Parmon, Pierce, Randleman, Rapp, Ross, Sager, Samuelson, Setzer, Spear, Stam, Starnes, Steen, Stevens, Stewart, Sutton, Tarleton, Tillis, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 116.

Voting in the negative: None.

Excused absences: Representatives Haire, Harrison, and Rhyne - 3.

S.B. 935 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT AMENDING THE MARRIAGE AND FAMILY THERAPY LICENSURE LAWS AND AUTHORIZING THE NORTH CAROLINA MARRIAGE AND FAMILY THERAPY LICENSURE BOARD TO INCREASE FEES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Avila, Barnhart, Bell, Blackwell, Blackwood, Bordsen, Braxton, Brisson, Brubaker, Bryant, Carney, Coates, Cotham, Crawford, Current, Daughtry, Dickson, Dockham, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Gibson, Gill, Glazier, Goforth, Goodwin, Grady, Guice, Gulley, Hall, Harrell, Hill, Holliman, Howard, Hughes, Iler, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Langdon, Lewis, Love, Lucas, Luebke, Mackey, Martin, McComas, McElraft, McGee, McLawhorn, Michaux, Mobley, Neumann, Owens, Parmon, Pierce, Randleman, Rapp, Ross, Samuelson, Spear, Stam, Starnes, Stewart, Sutton, Tarleton, Tillis, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wilkins, Williams, Womble, Wray, and Yongue - 93.

Voting in the negative: Representatives Blust, Boles, Brown, Burr, Burris-Floyd, Cleveland, Folwell, Frye, Gillespie, Hilton, Holloway, Hurley, Ingle, Killian, McCormick, Mills, Moore, Sager, Setzer, Steen, Stevens, and Wiley - 22.

Excused absences: Representatives Haire, Harrison, and Rhyne - 3.

Representative Cole requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (94-22).

S.B. 368 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES TO THE MOTOR VEHICLE LAWS, AS REQUESTED BY THE DEPARTMENT

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OF CRIME CONTROL AND PUBLIC SAFETY, passes its second reading, by electronic vote (112-4), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House Committee Substitute Bill No. 2.

Representative Owens moves, seconded by Representative Pierce, that the House adjourn, subject to the receipt of Committee Reports, the receipt of Conference Reports, and the receipt of Messages from the Senate, to reconvene July 22 at 2:00 p.m.

The motion carries.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

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

By Representative Sutton, Chair, for the Committee on Judiciary III:

S.B. 38 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CONTINUALLY APPLY THE SPECIAL RULES FOLLOWING A FEDERAL DECENNIAL CENSUS TO MUNICIPAL REDISTRICTING AFTER THAT CENSUS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of July 22.

S.B. 643, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PROSPECTIVE EMPLOYEE REQUIRED TO SUBMIT TO A CONTROLLED SUBSTANCE EXAMINATION WHOSE FIRST SCREENING TEST PRODUCES A POSITIVE RESULT MAY WAIVE A SECOND EXAMINATION THAT IS INTENDED TO CONFIRM THE RESULTS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of July 22.

S.B. 687 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXEMPT PLUMBING CONTRACTORS FROM WELL CONTRACTOR CERTIFICATION REQUIREMENTS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of July 22.

By Representative Ross, Chair, for the Committee on Judiciary I:

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S.B. 464 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REQUIRING THE COLLECTION OF TRAFFIC LAW ENFORCEMENT STATISTICS IN ORDER TO PREVENT RACIAL PROFILING AND TO PROVIDE FOR THE CARE OF MINOR CHILDREN WHEN PRESENT AT THE ARREST OF CERTAIN ADULTS, with a favorable report as to the House committee substitute bill, unfavorable as to the Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of July 22. The Senate committee substitute bill is placed on the Unfavorable Calendar.

S.B. 882 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY AND REFORM THE STATUTES OF LIMITATION AND REPOSE IN PRODUCT LIABILITY ACTIONS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of July 22.

By Representatives Earle, England, and Insko, Chairs, for the Appropriations Subcommittee on Health and Human Services, with approval of standing committee Chairs for report to be made directly to the floor of the House:

H.B. 137 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE CAPITAL TRIAL, SENTENCING, AND POST-CONVICTION PROCEDURES FOR A PERSON WITH A SEVERE MENTAL DISABILITY, reported to the Standing Committee on Appropriations, with no action taken.

H.B. 589 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REQUIRE HEALTH BENEFIT PLANS AND THE STATE HEALTH PLAN TO COVER HEARING AIDS AND REPLACEMENT HEARING AIDS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of July 22.

H.B. 1280, A BILL TO BE ENTITLED AN ACT CLARIFYING VARIOUS PROVISIONS UNDER THE LAWS PERTAINING TO THE FEDERAL WORK FIRST PROGRAM, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of July 22.

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By Representatives Michaux, Adams, M. Alexander, Crawford, Jeffus, Tolson, and Yongue, Chairs, for the Committee on Appropriations:

H.B. 524 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO CLARIFY SIGNATORIES ON VOLUNTARY ANNEXATION REQUESTS; TO REQUIRE VOLUNTARY ANNEXATION ON REQUEST OF SEVENTY-FIVE PERCENT OF PROPERTY OWNERS IN DISTRESSED AREAS; TO PERMIT VOLUNTARY ANNEXATION ON REQUEST OF SEVENTY-FIVE PERCENT OF RESIDENT HOUSEHOLDS IN DISTRESSED AREAS; TO PROHIBIT THE USE OF STREETS OR STREET RIGHT-OF-WAYS TO ESTABLISH CONTIGUITY FOR PURPOSES OF VOLUNTARY AND INVOLUNTARY ANNEXATION; TO INCREASE FROM FIVE THOUSAND TO TEN THOUSAND THE MUNICIPAL POPULATION THRESHOLD FOR DETERMINING THE PROCEDURE FOR INVOLUNTARY ANNEXATION; TO REQUIRE THE PROVISION OF AT LEAST TWO MEANINGFUL SERVICES WITHIN EXISTING CORPORATE BOUNDARIES PRIOR TO INITIATING AN INVOLUNTARY ANNEXATION; TO REQUIRE THE EXTENSION OF WATER AND SEWER LINES WITHIN THREE YEARS OF THE ANNEXATION TO ALL PROPERTIES WITHIN THE ANNEXED AREA; TO REQUIRE FINANCIAL IMPACT STATEMENTS SUBMITTED WITH A PROPOSED ANNEXATION TO BE BASED UPON A FIVE-YEAR PERIOD; TO ALLOW INVOLUNTARY ANNEXATION OF AREAS COMPLETELY SURROUNDED BY THE MUNICIPAL CORPORATE LIMITS; TO PROHIBIT INVOLUNTARY ANNEXATION OF AREAS BEING SERVED BY A WATER AND SEWER SYSTEM OPERATED BY A MUNICIPALITY OTHER THAN THE ANNEXING MUNICIPALITY; TO INCREASE THE URBAN DENSITY STANDARDS FOR INVOLUNTARY ANNEXATION BY MUNICIPALITIES BY REQUIRING AT LEAST SIXTY-FIVE PERCENT OF THE LOTS TO BE IN USE AND THE RESIDENTIAL LOTS TO BE AT LEAST TWO AND ONE-HALF ACRES IN SIZE; BY ADDING AN URBAN DENSITY TEST OF RESIDENTIAL POPULATION EQUAL TO AT LEAST TWO AND THREE-TENTHS PERSONS PER ACRE FOR INVOLUNTARY ANNEXATION BY SMALL MUNICIPALITIES; TO REQUIRE ALL OF A SUBDIVISION TO BE ANNEXED IF THE ANNEXATION IS INVOLUNTARY; TO AMEND THE PROCEDURE FOR ANNEXATION TO CLARIFY THE TIME LINE AND PROVIDE ADDITIONAL INFORMATION TO THE PROPERTY OWNERS AT THE PUBLIC HEARING AND PUBLIC INFORMATIONAL MEETING; TO REQUIRE THE NOTICE OF PUBLIC HEARING TO BE SENT TO PROPERTY OWNERS BY CERTIFIED MAIL; TO REQUIRE THE EFFECTIVE DATE OF VOLUNTARY CONTIGUOUS AND INVOLUNTARY ANNEXATION TO BE THE JUNE 30 NEXT FOLLOWING

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THE ADOPTION OF THE ANNEXATION; TO REQUIRE MUNICIPALITIES TO REPORT TO THE LOCAL GOVERNMENT COMMISSION ON THE PROVISION OF MEANINGFUL SERVICES FOLLOWING THE ADOPTION OF AN ANNEXATION ORDINANCE; TO EXTEND THE TIME PERIOD A PROPERTY OWNER MAY APPEAL TO THE COURTS FOLLOWING AN INVOLUNTARY ANNEXATION ORDINANCE FROM SIXTY DAYS TO NINETY DAYS; TO ALLOW THE COURT TO ACCEPT ARGUMENT REGARDING THE PROVISION OF MEANINGFUL SERVICE TO THE NEWLY ANNEXED AREA; TO PROVIDE OVERSIGHT OF INVOLUNTARY ANNEXATION THROUGH A REFERENDUM, THAT MUST COINCIDE WITH A GENERAL MUNICIPAL ELECTION, OF REGISTERED VOTERS OF THE MUNICIPALITY AND THE PROPOSED ANNEXATION AREA UPON A VERIFIED PETITION SIGNED BY AT LEAST FIFTEEN PERCENT OF THE TOTAL OF THE REGISTERED VOTERS OF THE MUNICIPALITY AND THE PROPOSED ANNEXATION AREA AS SHOWN BY THE REGISTRATION; TO REQUIRE OVERSIGHT OF INVOLUNTARY ANNEXATIONS BY THE LOCAL GOVERNMENT COMMISSION BY REQUIRING A FISCAL FEASIBILITY ASSESSMENT; TO REQUIRE THE LOCAL GOVERNMENT COMMISSION TO PROHIBIT FURTHER ANNEXATION IF THE ANNEXING MUNICIPALITY DOES NOT PROVIDE SERVICES IN ACCORDANCE WITH AN INVOLUNTARY ANNEXATION WITHIN THREE YEARS; TO REQUIRE THE LOCAL GOVERNMENT COMMISSION TO ABATE PROPERTY TAXES FOR PROPERTY OWNERS WITHOUT THE REQUIRED SERVICES WITHIN THREE YEARS OF AN INVOLUNTARY ANNEXATION; TO REQUIRE THE LOCAL GOVERNMENT COMMISSION TO REPORT ANNUALLY TO THE GENERAL ASSEMBLY ON INVOLUNTARY ANNEXATIONS; TO AUTHORIZE MUNICIPALITIES TO CONTRACT WITH PROPERTY OWNERS FOR THE EXTENSION OF WATER SERVICE AND SEWER SERVICE AND NONAPPEAL OF AN INVOLUNTARY ANNEXATION, WHICH MAY RUN WITH THE LAND; TO PERMIT THE PAYMENT OF ASSESSMENTS FOR THE INSTALLATION OF WATER OR SEWER SERVICE FOLLOWING AN INVOLUNTARY ANNEXATION OVER A TWENTY-YEAR PERIOD; TO ALLOW THE PAYMENT OF TAP FEES OVER A FIVE-YEAR PERIOD; TO GIVE PRIORITY TO A MUNICIPALITY ANNEXING A DISTRESSED AREA WHEN THAT MUNICIPALITY APPLIES FOR COMMUNITY DEVELOPMENT BLOCK GRANTS AND LOANS OR GRANTS FROM THE WASTEWATER RESERVE OR DRINKING WATER RESERVE, with a favorable report as to Committee Substitute Bill No. 3, which changes the title, unfavorable as to Committee Substitute Bill No. 2.

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Pursuant to Rule 36(b), Committee Substitute Bill No. 3 is placed on the Calendar of July 22. Committee Substitute Bill No. 2 is placed on the Unfavorable Calendar.

H.B. 1160 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ALLOW CERTAIN FIREFIGHTERS THE OPPORTUNITY TO CONTINUE AS MEMBERS OF THE FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND BY MAKING RETROACTIVE PAYMENTS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of July 22.

By Representatives Bell and Lucas, Chairs, for the Committee on Education:

S.B. 137 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A DEPENDENT RELATIVE OF A MEMBER OF THE ARMED SERVICES CONTINUES TO BE ELIGIBLE FOR IN-STATE TUITION IF THE ACTIVE DUTY MEMBER IS KILLED IN COMBAT OR DIES DURING ACTIVE MILITARY DUTY WHILE ASSIGNED TO NORTH CAROLINA, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the Senate committee substitute bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Appropriations.

The House committee substitute bill is re-referred to the Committee on Appropriations. The Senate committee substitute bill is placed on the Unfavorable Calendar.

S.B. 195, A BILL TO BE ENTITLED AN ACT TO DIRECT THE UNIVERSITY OF NORTH CAROLINA INSTITUTE ON AGING, AND THE DIVISION OF AGING AND ADULT SERVICES, DEPARTMENT OF HEALTH AND HUMAN SERVICES, TO TAKE A LEADERSHIP ROLE IN HELPING NORTH CAROLINA PREPARE FOR INCREASED NUMBERS OF OLDER ADULTS, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of July 22.

S.B. 894 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE EMPLOYMENT SECURITY LAWS RELATING TO THE DEFINITION OF SUBSTITUTE TEACHER AND OTHER SCHOOL-RELATED POSITIONS IN DETERMINING ELIGIBILITY FOR UNEMPLOYMENT INSURANCE BENEFITS AND RELATING

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TO DISQUALIFICATION FOR BENEFITS DUE TO INABILITY TO OBTAIN A LICENSE OR CERTIFICATION NECESSARY FOR THE PERFORMANCE OF AN INDIVIDUAL'S EMPLOYMENT, with a favorable report as to the House committee substitute bill, unfavorable as to the Senate committee substitute bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Finance.

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

SPECIAL MESSAGE FROM THE SENATE

2009 GENERAL ASSEMBLY FIRST SESSION

Senate Chamber
July 21, 2009

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees for **H.B. 1523** (Conference Report), A BILL TO BE ENTITLED AN ACT TO REWRITE THE NORTH CAROLINA MORTGAGE LENDING ACT IN ORDER TO CONFORM TO THE REQUIREMENTS OF FEDERAL LAW.

Pursuant to your message that your Honorable Body has adopted the report of the conferees, the Speaker may order the bill enrolled.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

The bill is ordered enrolled and sent to the Governor by Special Message.

MESSAGES FROM THE SENATE

The following are received from the Senate:

H.B. 121 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW ALL UNITS OF LOCAL GOVERNMENT TO REGULATE GOLF CARTS, is returned for concurrence in the Senate committee substitute bill and referred to the Committee on Local Government I.

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H.B. 1058 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE STATUTORY HOMESTEAD EXEMPTION, is returned for concurrence in the Senate committee substitute bill and referred to the Committee on Finance.

H.B. 1196 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO DEDICATE AND ACCEPT CERTAIN PROPERTIES AS PART OF THE STATE NATURE AND HISTORIC PRESERVE AND TO REMOVE CERTAIN LANDS FROM THE STATE NATURE AND HISTORIC PRESERVE, is returned for concurrence in Senate Committee Substitute Bill No. 2 and referred to the Committee on Environment and Natural Resources.

H.B. 1296 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE DRUG, SUPPLIES, AND MEDICAL DEVICE REPOSITORY PROGRAM IN THE NORTH CAROLINA BOARD OF PHARMACY, is returned for concurrence in the Senate committee substitute bill and referred to the Committee on Health.

CONFERENCE REPORTS

Representative Cole sends forth the Conference Report on **S.B. 863** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE PURCHASE OF CREDITABLE SERVICE BY MEMBERS OF THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM FOR CERTAIN PERIODS OF NONQUALIFIED EMPLOYMENT. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of July 22.

Representative Bell sends forth the Conference Report on **S.B. 658** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE MEMBERSHIP OF THE SUPPLEMENTAL RETIREMENT BOARD OF TRUSTEES AND TO PROVIDE THAT THE FURLOUGH OF A MEMBER OF THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM SHALL NOT DIMINISH THE EMPLOYEE'S STATUS IN THE RETIREMENT SYSTEM. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of July 22.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following report from standing committee is presented:

By Representatives Bordsen and Mobley, Chairs, for the Committee on Juvenile Justice:

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S.B. 920 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW PROBATION OFFICERS TO ACCESS OFFENDERS' JUVENILE RECORDS, TO MAKE WARRANTLESS SEARCHES AND DRUG SCREENING REGULAR CONDITIONS OF SUPERVISION, TO ADD ADDITIONAL CONTROLLING MEASURES FOR OFFENDERS SUBJECT TO INTERMEDIATE PUNISHMENT, AND TO MAKE CLARIFYING AMENDMENTS TO STREAMLINE PROCEDURES FOR SUPERVISION OF OFFENDERS IN THE COMMUNITY, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the Senate committee substitute bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Judiciary III.

The House committee substitute bill is re-referred to the Committee on Judiciary III. The Senate committee substitute bill is placed on the Unfavorable Calendar.

The House stands adjourned at 4:38 p.m.

ONE HUNDRED SECOND DAY

HOUSE OF REPRESENTATIVES
Wednesday, July 22, 2009

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

The following prayer is offered by the Reverend Robert Seymour, retired minister, Chapel Hill, North Carolina:

"Creator God:

"Come into our midst as we convene another Session for our work together. Lift us above rigid partisanship. Generate within us gratitude for the opportunity that is ours to shape the future of North Carolina and to improve the quality of life for all people who live in our State. Grant us the wisdom we need to deal effectively and fairly with complex issues. And may we ever be mindful of Your priority requirements of each of us: to do justice, to love mercy, and to walk humbly with You - for these things we ask in Your holy name. Amen."

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Representative Owens, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of July 21 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Haire and Wray for today. Speaker Hackney; Representatives Braxton, Insko, Luebke, and Tucker are excused for a portion of the Session.

ENROLLED BILLS

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

H.B. 1523, AN ACT TO REWRITE THE NORTH CAROLINA MORTGAGE LENDING ACT IN ORDER TO CONFORM TO THE REQUIREMENTS OF FEDERAL LAW.

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

H.B. 688, AN ACT TO REMOVE THE CAP ON SATELLITE ANNEXATIONS FOR THE TOWN OF JAMESTOWN.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Luebke, Gibson, Wainwright, and Weiss, Chairs, for the Committee on Finance:

H.B. 512 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE INCENTIVES FOR RENEWABLE ENERGY AND ENERGY EFFICIENCY, with a favorable report as to Committee Substitute Bill No. 2, which changes the title, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(b), Committee Substitute Bill No. 2 is placed on the Calendar of July 23. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

H.B. 594 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE DISABLED VETERAN PROPERTY TAX HOMESTEAD EXCLUSION, with a favorable report.

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Pursuant to Rule 36(b), the bill is placed on the Calendar of July 23.

H.B. 1514, A BILL TO BE ENTITLED AN ACT TO EXPAND ECONOMICALLY DISTRESSED COUNTIES TO INCLUDE ALL TIER ONE AND TIER TWO COUNTIES AND TO INCREASE THE MAXIMUM EXPENDITURE OF FUNDS FROM THE INDUSTRIAL DEVELOPMENT FUND, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of July 23. The original bill is placed on the Unfavorable Calendar.

S.B. 346 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE A DESCRIBED AREA FROM THE CORPORATE LIMITS OF THE CITY OF KANNAPOLIS AND TO ASSIST CABARRUS COUNTY WITH THE EXPEDITING OF PUBLIC SCHOOL CONSTRUCTION, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of July 23. The Senate committee substitute bill is placed on the Unfavorable Calendar.

S.B. 405 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ASSIST COUNTIES AND THE DEPARTMENT OF REVENUE IN OBTAINING ACCURATE REAL PROPERTY SALES INFORMATION NEEDED FOR PROPERTY TAX APPRAISALS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of July 23.

S.B. 820 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE NEW MOTOR VEHICLE TITLING AND REGISTRATION CATEGORIES FOR MOTOR VEHICLES CLASSIFIED AS REPLICA VEHICLES, STREET RODS, AND CUSTOM VEHICLES, AND TO MAKE CORRESPONDING CHANGES, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of July 23.

S.B. 1073 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE NORTH CAROLINA ALARM SYSTEMS LICENSING ACT AND AUTHORIZING THE NORTH CAROLINA ALARM SYSTEMS LICENSING BOARD TO ESTABLISH A LATE

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REGISTRATION FEE, with a favorable report as to House Committee Substitute Bill No. 2, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(b), House Committee Substitute Bill No. 2 is placed on the Calendar of July 23. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representative Carney, Chair, for the Committee on Transportation:

H.B. 855, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE REQUIREMENTS OF CONTRACTS ENTERED INTO BY THE DIVISION OF MOTOR VEHICLES FOR THE PURPOSES OF ISSUING LICENSE PLATES THROUGH PRIVATE OR LOCAL GOVERNMENT ENTITIES, with a favorable report as to the committee substitute bill, unfavorable as to the original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

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

H.B. 1005 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE DEPARTMENT OF TRANSPORTATION TO PARTICIPATE IN FUNDING FIXED RAIL PROJECTS THAT DO NOT INCLUDE FEDERAL FUNDS, with recommendation that the House concur.

Pursuant to Rule 36(b), the bill is placed on the Calendar of July 23.

By Representative Sutton, Chair, for the Committee on Judiciary III:

H.B. 1166 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES IN THE LAWS GOVERNING INSURANCE PRODUCERS AND BROKERS, BAIL BONDSMEN, MOTOR CLUBS, PREMIUM FINANCE COMPANIES, AND COLLECTION AGENCIES, with a favorable report as to Committee Substitute Bill No. 2, which changes the title, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(b), Committee Substitute Bill No. 2 is placed on the Calendar of July 23. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

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SUBCOMMITTEE REFERRAL

Representatives Michaux, Adams, M. Alexander, Crawford, Jeffus, Tolson, and Yongue, Chairs, for the Committee on Appropriations, refer **H.B. 137** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE CAPITAL TRIAL, SENTENCING, AND POST-CONVICTION PROCEDURES FOR A PERSON WITH A SEVERE MENTAL DISABILITY, to the Appropriations Subcommittee on Education.

MESSAGES FROM THE SENATE

The following are received from the Senate:

H.B. 456 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND ORGANIZATIONAL CHANGES TO THE LAW REGARDING THE LICENSURE AND INSPECTION OF FACILITIES FOR AGED AND DISABLED INDIVIDUALS, is returned for concurrence in the Senate committee substitute bill and referred to the Committee on Judiciary II.

H.B. 1452 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE ALL CITIES, COUNTIES, LOCAL BOARDS OF EDUCATION, UNIFIED GOVERNMENTS, SANITARY DISTRICTS, AND CONSOLIDATED CITY-COUNTIES TO ADOPT A CODE OF ETHICS FOR THE GOVERNING BOARD AND TO REQUIRE THE MEMBERS OF THOSE GOVERNING BOARDS TO RECEIVE EDUCATION ON ETHICS LAWS APPLICABLE TO LOCAL GOVERNMENT OFFICIALS, is returned for concurrence in Senate Amendments No. 1 and No. 2 and is referred to the Committee on Ethics.

S.B. 553 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF SWANNANOVA, SUBJECT TO A REFERENDUM, is read the first time and referred to the Committee on Local Government I and, if favorable, to the Committee on Finance.

GUEST

Representatives K. Alexander, M. Alexander, Blackwood, Burr, Carney, Cotham, Earle, Gibson, Gulley, Killian, Mackey, Samuelson, and Tillis escort Katherine Elizabeth Southard, Miss North Carolina, to the Well of the House, where she makes brief remarks.

The Speaker directs the Committee to escort Miss Southard from the Chamber.

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CALENDAR

Action is taken on the following:

H.B. 1637 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MODERNIZE THE RECORD KEEPING OF PRECIOUS METALS PURCHASES BY DEALERS, TO SUBJECT ALL DEALERS IN PRECIOUS METALS TO SIMILAR RECORD-KEEPING REQUIREMENTS, TO INCREASE PRECIOUS METALS PERMITTING FEES, TO REQUIRE THAT A CRIMINAL HISTORY RECORD CHECK BE CONDUCTED ON EMPLOYEES OF PRECIOUS METALS DEALERS, AND TO MAKE VARIOUS OTHER CHANGES TO THE PRECIOUS METALS PERMITTING STATUTES, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Avila, Barnhart, Bell, Blackwell, Blackwood, Blust, Boles, Bordsen, Braxton, Brisson, Brubaker, Bryant, Burr, Burris-Floyd, Carney, Coates, Cole, Cotham, Crawford, Current, Daughtry, Dickson, Dockham, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Frye, Gibson, Gill, Gillespie, Glazier, Goforth, Goodwin, Grady, Guice, Hall, Harrell, Hill, Hilton, Holliman, Holloway, Howard, Hughes, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Killian, Langdon, Lewis, Love, Lucas, Luebke, Mackey, Martin, McComas, McCormick, McElraft, McGee, McLawhorn, Michaux, Mills, Mobley, Moore, Neumann, Owens, Parmon, Pierce, Randleman, Rapp, Ross, Sager, Samuelson, Setzer, Spear, Stam, Starnes, Steen, Stevens, Stewart, Sutton, Tarleton, Tillis, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wiley, Wilkins, Williams, Womble, and Yongue - 111.

Voting in the negative: Representatives Brown, Cleveland, Folwell, and Gulley - 4.

Excused absences: Representatives Haire and Wray - 2.

Representative Harrison requests and is granted permission to be recorded as voting "aye". This request is granted. The adjusted vote total is (112-4).

S.B. 107 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE OYSTER AND HARD CLAM FISHERY MANAGEMENT PLAN, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE.

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Representative Cleveland offers Amendment No. 1 which is adopted by electronic vote (115-2).

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

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Avila, Barnhart, Bell, Blackwell, Blust, Boles, Bordsen, Braxton, Brisson, Brown, Brubaker, Bryant, Burr, Burris-Floyd, Carney, Cleveland, Coates, Cole, Cotham, Crawford, Current, Daughtry, Dickson, Dockham, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Folwell, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Grady, Guice, Gulley, Hall, Harrell, Harrison, Hill, Hilton, Holliman, Holloway, Howard, Hughes, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Killian, Langdon, Lewis, Love, Lucas, Luebke, Mackey, Martin, McComas, McCormick, McElraft, McGee, McLawhorn, Michaux, Mills, Mobley, Moore, Neumann, Owens, Parmon, Pierce, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Setzer, Spear, Stam, Starnes, Steen, Stevens, Stewart, Sutton, Tarleton, Tillis, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wiley, Wilkins, Williams, Womble, and Yongue - 115.

Voting in the negative: None.

Excused absences: Representatives Haire and Wray - 2.

S.B. 509 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL, CLARIFYING, AND ADMINISTRATIVE CHANGES TO THE TAX AND RELATED LAWS, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in the House committee substitute bill by Special Message.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Avila, Barnhart, Bell, Blackwell, Blackwood, Blust, Boles, Bordsen, Braxton, Brisson, Brown, Brubaker, Bryant, Burr, Burris-Floyd, Carney, Cleveland, Coates, Cole, Cotham, Crawford, Current, Daughtry, Dickson, Dockham, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Folwell, Frye, Gibson, Gill, Gillespie, Glazier, Goforth, Goodwin, Grady, Guice, Gulley, Hall, Harrell, Harrison, Hill, Hilton, Holliman, Holloway, Howard, Hughes, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Killian, Langdon, Lewis, Love, Lucas, Luebke, Mackey, Martin, McComas, McCormick, McElraft, McGee, McLawhorn, Michaux, Mills, Mobley, Moore, Neumann, Owens,

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Parmon, Pierce, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Setzer, Spear, Stam, Starnes, Steen, Stevens, Stewart, Sutton, Tarleton, Tillis, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wiley, Wilkins, Williams, Womble, and Yongue - 117.

Voting in the negative: None.

Excused absences: Representatives Haire and Wray - 2.

S.B. 935 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT AMENDING THE MARRIAGE AND FAMILY THERAPY LICENSURE LAWS AND AUTHORIZING THE NORTH CAROLINA MARRIAGE AND FAMILY THERAPY LICENSURE BOARD TO INCREASE FEES, passes its third reading, by the following vote, and is ordered enrolled and presented to the Governor.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Avila, Barnhart, Bell, Blackwell, Bordsen, Braxton, Brisson, Brubaker, Bryant, Burris-Floyd, Carney, Coates, Cole, Cotham, Crawford, Current, Daughtry, Dickson, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Gibson, Gill, Glazier, Goforth, Goodwin, Grady, Gulley, Hall, Harrell, Harrison, Hill, Hilton, Holliman, Howard, Hughes, Iler, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Langdon, Lewis, Love, Lucas, Luebke, Mackey, Martin, McComas, McElraft, McGee, McLawhorn, Michaux, Mobley, Neumann, Owens, Parmon, Pierce, Rapp, Rhyne, Ross, Samuelson, Spear, Stam, Starnes, Stewart, Sutton, Tarleton, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, Whilden, Wilkins, Williams, Womble, and Yongue - 91.

Voting in the negative: Representatives Blackwood, Blust, Boles, Brown, Burr, Cleveland, Dockham, Folwell, Frye, Gillespie, Guice, Holloway, Hurley, Ingle, Killian, McCormick, Mills, Moore, Randleman, Sager, Setzer, Steen, Stevens, Tillis, West, and Wiley - 26.

Excused absences: Representatives Haire and Wray - 2.

S.B. 513 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE SERVICE BY MAIL OF NOTICES OF HEARINGS ON VIOLATIONS OF UNSUPERVISED PROBATION, CLARIFYING PROCEDURES FOR COMMUNITY SERVICE STAFF NOTIFYING PERSONS OF WILLFUL VIOLATIONS, AND TO CLARIFY THE COURT'S AUTHORITY WHEN A NOTICE OF VIOLATION OF

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UNSUPERVISED PROBATION IS SERVED BY MAIL, passes its second reading, by electronic vote (117-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House Committee Substitute Bill No. 2 by Special Message.

S.B. 909 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT EXTINGUISHING THE LIABILITY OF RETAILERS FOR SALES TAX OVER-COLLECTIONS MADE IN RELIANCE ON WRITTEN ADVICE OF THE SECRETARY OF REVENUE, passes its second reading, by electronic vote (117-0), and there being no objection is read a third time.

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

S.B. 931 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE RECIPROCITY TO A PERSON WHO HOLDS ANY COMMERCIAL DRIVERS LICENSE RECOGNIZED BY THE FEDERAL GOVERNMENT, TO EXPAND THE DEFINITION OF CONVICTION FOR OUT-OF-STATE VIOLATIONS, TO EXPAND THE DEFINITION OF EMPLOYER WITH REGARDS TO COMMERCIAL DRIVERS LICENSES, TO ADD A DISQUALIFYING VIOLATION TO COMMERCIAL DRIVERS LICENSES, TO INCREASE CIVIL PENALTIES, TO EXPAND EMPLOYER REPORTING RESPONSIBILITIES, AND TO MODIFY REQUIREMENTS FOR CONVICTIONS TEN YEARS OLD OR OLDER, passes its second reading, by electronic vote (117-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House Committee Substitute Bill No. 2 by Special Message.

S.B. 1078 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE THE PROCEDURE FOR DETERMINING PRETRIAL RELEASE CONDITIONS WHEN A PROBATIONER IS ARRESTED AND CHARGED WITH THE COMMISSION OF A FELONY, AND TO PROVIDE THAT WHEN A PROBATIONER IS CHARGED WITH A VIOLATION OF PROBATION AND HAS A PENDING FELONY CHARGE, A JUDICIAL OFFICIAL MUST DETERMINE WHETHER THE PROBATIONER POSES A DANGER TO THE PUBLIC AND, IF THE PROBATIONER IS A DANGER TO THE

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PUBLIC, THE JUDICIAL OFFICIAL MUST DENY RELEASE ON THE PROBATION VIOLATION CHARGE, passes its second reading, by electronic vote (117-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House Committee Substitute Bill No. 2 by Special Message.

H.B. 589 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REQUIRE HEALTH BENEFIT PLANS AND THE STATE HEALTH PLAN TO COVER HEARING AIDS AND REPLACEMENT HEARING AIDS.

Representative England offers Amendment No. 1 which is adopted by electronic vote (116-0).

Representative Frye requests and is granted permission to be recorded as voting "aye". This request is granted. The adjusted vote total is (117-0).

The bill, as amended, passes its second reading, by electronic vote (117-0), and there being no objection is read a third time.

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

H.B. 1160 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ALLOW CERTAIN FIREFIGHTERS THE OPPORTUNITY TO CONTINUE AS MEMBERS OF THE FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND BY MAKING RETROACTIVE PAYMENTS, passes its second reading, by electronic vote (117-0), and there being no objection is read a third time.

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

H.B. 1280, A BILL TO BE ENTITLED AN ACT CLARIFYING VARIOUS PROVISIONS UNDER THE LAWS PERTAINING TO THE FEDERAL WORK FIRST PROGRAM, passes its second reading, by electronic vote (116-1), and there being no objection is read a third time.

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

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S.B. 38 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CONTINUALLY APPLY THE SPECIAL RULES FOLLOWING A FEDERAL DECENNIAL CENSUS TO MUNICIPAL REDISTRICTING AFTER THAT CENSUS, passes its second reading, by electronic vote (116-0), and there being no objection is read a third time.

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

S.B. 687 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXEMPT PLUMBING CONTRACTORS FROM WELL CONTRACTOR CERTIFICATION REQUIREMENTS, passes its second reading, by electronic vote (115-1), and there being no objection is read a third time.

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

S.B. 882 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY AND REFORM THE STATUTES OF LIMITATION AND REPOSE IN PRODUCT LIABILITY ACTIONS, passes its second reading, by electronic vote (112-4), and there being no objection is read a third time.

Representative Womble requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (113-4).

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

S.B. 1004 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR RETENTION OF FUEL AND FUEL-RELATED COST SAVINGS ASSOCIATED WITH THE PURCHASE OR CONSTRUCTION OF A CARBON OFFSET FACILITY, TO BRING CERTAIN DAMS USED IN CONNECTION WITH ELECTRIC GENERATING FACILITIES UNDER THE DAM SAFETY ACT, AND TO MAKE OTHER CHANGES TO LAWS GOVERNING THE GENERATION OF ELECTRICITY.

Representative Harrison offers Amendment No. 1 which is adopted by electronic vote (117-0).

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The bill, as amended, passes its second reading, by electronic vote (117-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House Committee Substitute Bill No. 2 by Special Message.

On motion of the Speaker, the House recesses at 3:15 p.m.

RECESS

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

H.B. 524 (Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO CLARIFY SIGNATORIES ON VOLUNTARY ANNEXATION REQUESTS; TO REQUIRE VOLUNTARY ANNEXATION ON REQUEST OF SEVENTY-FIVE PERCENT OF PROPERTY OWNERS IN DISTRESSED AREAS; TO PERMIT VOLUNTARY ANNEXATION ON REQUEST OF SEVENTY-FIVE PERCENT OF RESIDENT HOUSEHOLDS IN DISTRESSED AREAS; TO PROHIBIT THE USE OF STREETS OR STREET RIGHT-OF-WAYS TO ESTABLISH CONTIGUITY FOR PURPOSES OF VOLUNTARY AND INVOLUNTARY ANNEXATION; TO INCREASE FROM FIVE THOUSAND TO TEN THOUSAND THE MUNICIPAL POPULATION THRESHOLD FOR DETERMINING THE PROCEDURE FOR INVOLUNTARY ANNEXATION; TO REQUIRE THE PROVISION OF AT LEAST TWO MEANINGFUL SERVICES WITHIN EXISTING CORPORATE BOUNDARIES PRIOR TO INITIATING AN INVOLUNTARY ANNEXATION; TO REQUIRE THE EXTENSION OF WATER AND SEWER LINES WITHIN THREE YEARS OF THE ANNEXATION TO ALL PROPERTIES WITHIN THE ANNEXED AREA; TO REQUIRE FINANCIAL IMPACT STATEMENTS SUBMITTED WITH A PROPOSED ANNEXATION TO BE BASED UPON A FIVE-YEAR PERIOD; TO ALLOW INVOLUNTARY ANNEXATION OF AREAS COMPLETELY SURROUNDED BY THE MUNICIPAL CORPORATE LIMITS; TO PROHIBIT INVOLUNTARY ANNEXATION OF AREAS BEING SERVED BY A WATER AND SEWER SYSTEM OPERATED BY A MUNICIPALITY OTHER THAN THE ANNEXING MUNICIPALITY; TO INCREASE THE URBAN DENSITY STANDARDS FOR INVOLUNTARY ANNEXATION BY MUNICIPALITIES BY REQUIRING AT LEAST SIXTY-FIVE PERCENT OF THE LOTS TO BE IN USE AND THE RESIDENTIAL LOTS TO BE AT LEAST TWO AND ONE-HALF ACRES IN SIZE; BY ADDING AN URBAN DENSITY TEST OF RESIDENTIAL POPULATION EQUAL TO AT LEAST TWO

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AND THREE-TENTHS PERSONS PER ACRE FOR INVOLUNTARY ANNEXATION BY SMALL MUNICIPALITIES; TO REQUIRE ALL OF A SUBDIVISION TO BE ANNEXED IF THE ANNEXATION IS INVOLUNTARY; TO AMEND THE PROCEDURE FOR ANNEXATION TO CLARIFY THE TIME LINE AND PROVIDE ADDITIONAL INFORMATION TO THE PROPERTY OWNERS AT THE PUBLIC HEARING AND PUBLIC INFORMATIONAL MEETING; TO REQUIRE THE NOTICE OF PUBLIC HEARING TO BE SENT TO PROPERTY OWNERS BY CERTIFIED MAIL; TO REQUIRE THE EFFECTIVE DATE OF VOLUNTARY CONTIGUOUS AND INVOLUNTARY ANNEXATION TO BE THE JUNE 30 NEXT FOLLOWING THE ADOPTION OF THE ANNEXATION; TO REQUIRE MUNICIPALITIES TO REPORT TO THE LOCAL GOVERNMENT COMMISSION ON THE PROVISION OF MEANINGFUL SERVICES FOLLOWING THE ADOPTION OF AN ANNEXATION ORDINANCE; TO EXTEND THE TIME PERIOD A PROPERTY OWNER MAY APPEAL TO THE COURTS FOLLOWING AN INVOLUNTARY ANNEXATION ORDINANCE FROM SIXTY DAYS TO NINETY DAYS; TO ALLOW THE COURT TO ACCEPT ARGUMENT REGARDING THE PROVISION OF MEANINGFUL SERVICE TO THE NEWLY ANNEXED AREA; TO PROVIDE OVERSIGHT OF INVOLUNTARY ANNEXATION THROUGH A REFERENDUM, THAT MUST COINCIDE WITH A GENERAL MUNICIPAL ELECTION, OF REGISTERED VOTERS OF THE MUNICIPALITY AND THE PROPOSED ANNEXATION AREA UPON A VERIFIED PETITION SIGNED BY AT LEAST FIFTEEN PERCENT OF THE TOTAL OF THE REGISTERED VOTERS OF THE MUNICIPALITY AND THE PROPOSED ANNEXATION AREA AS SHOWN BY THE REGISTRATION; TO REQUIRE OVERSIGHT OF INVOLUNTARY ANNEXATIONS BY THE LOCAL GOVERNMENT COMMISSION BY REQUIRING A FISCAL FEASIBILITY ASSESSMENT; TO REQUIRE THE LOCAL GOVERNMENT COMMISSION TO PROHIBIT FURTHER ANNEXATION IF THE ANNEXING MUNICIPALITY DOES NOT PROVIDE SERVICES IN ACCORDANCE WITH AN INVOLUNTARY ANNEXATION WITHIN THREE YEARS; TO REQUIRE THE LOCAL GOVERNMENT COMMISSION TO ABATE PROPERTY TAXES FOR PROPERTY OWNERS WITHOUT THE REQUIRED SERVICES WITHIN THREE YEARS OF AN INVOLUNTARY ANNEXATION; TO REQUIRE THE LOCAL GOVERNMENT COMMISSION TO REPORT ANNUALLY TO THE GENERAL ASSEMBLY ON INVOLUNTARY ANNEXATIONS; TO AUTHORIZE MUNICIPALITIES TO CONTRACT WITH PROPERTY OWNERS FOR THE EXTENSION OF WATER SERVICE AND SEWER SERVICE AND NONAPPEAL OF AN INVOLUNTARY ANNEXATION, WHICH MAY RUN WITH THE LAND; TO AUTHORIZE CITIES AND COUNTIES TO DEVELOP BINDING UTILITY SERVICE PLANS; TO

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PERMIT THE PAYMENT OF ASSESSMENTS FOR THE INSTALLATION OF WATER OR SEWER SERVICE FOLLOWING AN INVOLUNTARY ANNEXATION OVER A TWENTY-YEAR PERIOD; TO ALLOW THE PAYMENT OF TAP FEES OVER A FIVE-YEAR PERIOD; TO GIVE PRIORITY TO A MUNICIPALITY ANNEXING A DISTRESSED AREA WHEN THAT MUNICIPALITY APPLIES FOR COMMUNITY DEVELOPMENT BLOCK GRANTS AND LOANS OR GRANTS FROM THE WASTEWATER RESERVE OR DRINKING WATER RESERVE.

Representative Goforth offers Amendment No. 1 which is adopted by electronic vote (110-0).

REPRESENTATIVE WAINWRIGHT, SPEAKER PRO TEMPORE, PRESIDING.

Representative Dollar offers Amendment No. 2 which is adopted by electronic vote (76-37).

SPEAKER HACKNEY PRESIDING.

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

Those voting in the affirmative are: Representatives Adams, Avila, Barnhart, Blackwell, Blackwood, Blust, Boles, Braxton, Brown, Brubaker, Bryant, Burr, Burris-Floyd, Cleveland, Coates, Cole, Crawford, Current, Daughtry, Dickson, Dockham, Dollar, England, Faison, E. Floyd, Folwell, Frye, Gibson, Gill, Gillespie, Glazier, Goforth, Grady, Guice, Gulley, Harrell, Harrison, Hill, Hilton, Holliman, Holloway, Howard, Hughes, Hurley, Iler, Ingle, Jeffus, Johnson, Jones, Justice, Justus, Killian, Langdon, Lewis, Lucas, Luebke, McComas, McCormick, McElraft, McGee, McLawhorn, Michaux, Mills, Moore, Neumann, Pierce, Randleman, Rapp, Rhyne, Sager, Samuelson, Setzer, Stam, Starnes, Steen, Stevens, Stewart, Sutton, Tillis, Tolson, Underhill, E. Warren, R. Warren, Weiss, West, Whilden, Wiley, Womble, and Yongue - 89.

Voting in the negative: Representatives K. Alexander, M. Alexander, Allen, Bell, Bordsen, Brisson, Carney, Cotham, Earle, Farmer-Butterfield, Fisher, Goodwin, Hall, Jackson, Love, Mackey, Martin, Mobley, Owens, Parmon, Ross, Spear, Tarleton, Tucker, Wainwright, Wilkins, and Williams - 27.

Excused absences: Representatives Haire, Insko, and Wray - 3.

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REPRESENTATIVE WAINWRIGHT, SPEAKER PRO TEMPORE,
PRESIDING.

SPECIAL MESSAGE FROM THE SENATE

The following Special Message is received from the Senate:

S.J.R. 1108, A JOINT RESOLUTION HONORING THE NORTH CAROLINA 4-H ON THE ONE HUNDREDTH ANNIVERSARY OF ITS FOUNDING, is read the first time.

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

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

The resolution passes its third reading and is ordered enrolled.

CONFERENCE REPORTS

Representative Bell moves the adoption of the following Conference Report.

House Committee Substitute for S.B. 658

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 658, A BILL TO BE ENTITLED AN ACT TO MODIFY THE MEMBERSHIP OF THE SUPPLEMENTAL RETIREMENT BOARD OF TRUSTEES AND TO PROVIDE THAT THE FURLOUGH OF A MEMBER OF THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM SHALL NOT DIMINISH THE EMPLOYEE'S STATUS IN THE RETIREMENT SYSTEM, House Committee Substitute Favorable 6/24/09, submit the following report:

The Senate and the House agree to the following amendments and the Senate concurs in House Committee Substitute Favorable 6/24/09, as amended:

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On page 1, line 34, by rewriting the line to read:

"**SECTION 2.** Notwithstanding any other provision of law and upon the one-time irrevocable election of the";

and on page 2, line 8, by adding the following at the end of the line:

"Notwithstanding the definition of "compensation" in G.S. 128-21(7a), any employer who elects to cover its furloughed employees through this provision shall be entitled to include earnings lost due to furloughs taken after January 1, 2009, and before July 1, 2009, in the reported compensation and contributions for either July or August, 2009. Any compensation and contributions lost due to furloughs must be reported to the Retirement Systems Division within 90 days of the beginning of the period in which the compensation and contributions will be included.";

and on page 2, line 10, by deleting the phrase "January 1, 2009." and substituting the phrase "January 1, 2009, and before July 1, 2010.".

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

Date conferees approved report: July 21, 2009.

*Conferees for the
Senate*

S/ Bob Atwater, Chair
S/ Tony Foriest
S/ Bob Rucho

*Conferees for the
House of Representatives*

S/ Larry M. Bell, Chair
S/ Russell E. Tucker
S/ W. A. (Winkie) Wilkins
S/ Wm. C. "Bill" McGee

The Conference Report is adopted, by electronic vote (113-1), and the Senate is so notified by Special Message.

Representative Cole moves the adoption of the following Conference Report.

Committee Substitute for S.B. 863

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 863, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE PURCHASE OF CREDIT-ABLE SERVICE BY MEMBERS OF THE LOCAL GOVERNMENTAL

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EMPLOYEES' RETIREMENT SYSTEM FOR CERTAIN PERIODS OF NONQUALIFIED EMPLOYMENT, Pensions & Retirement & Aging Committee Substitute Adopted 4/22/09, submit the following report:

The House recesses from House Amendment #1, and the House and Senate agree to the following amendment:

On page 1, line 24, by rewriting the line to read:

"**SECTION 2.** This act becomes effective July 1, 2009, and applies to nonqualified employment with an economic development organization performed on or before December 31, 2009. This act expires December 31, 2009, provided that any inchoate rights that may accrue to a member under this act shall not be diminished."

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

Date conferees approved report: July 21, 2009.

*Conferees for the
Senate*

S/ Phil Berger, Chair
S/ Tom Apodaca
S/ Tony Rand
S/ Don Vaughan

*Conferees for the
House of Representatives*

S/ Nelson Cole, Chair
S/ Wm. C. "Bill" McGee
S/ Russell E. Tucker

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

CALENDAR (continued)

H.B. 385 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ALLOW THE GRAHAM COUNTY BOARD OF EDUCATION TO PERMIT THE USE OF PUBLIC SCHOOL ACTIVITY BUSES TO SERVE THE TRANSPORTATION NEEDS OF THE STECOAH VALLEY CENTER DURING PERIODIC FIELD TRIPS.

On motion of Representative West, the House concurs in the Senate amendment, by electronic vote (112-1), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 115** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO RENAME THE NORTH CAROLINA COUNCIL FOR WOMEN/DOMESTIC VIOLENCE COMMISSION AND CLARIFY ITS ROLE AND RESPONSIBILITIES, TO

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EXPAND THE ROLE OF THE NORTH CAROLINA COUNCIL FOR WOMEN AND DESIGNATE THE QUALIFICATIONS FOR MEMBERSHIP, TO REVISE THE MEMBERSHIP AND STAFFING OF THE NORTH CAROLINA DOMESTIC VIOLENCE COMMISSION, TO AMEND THE PROCEDURE FOR OBTAINING A DOMESTIC VIOLENCE PROTECTIVE ORDER OR CIVIL NO-CONTACT ORDER, TO SUPPORT A STATEWIDE DOMESTIC VIOLENCE PROTECTIVE ORDER NOTIFICATION SYSTEM AND INVESTIGATE THE COSTS, AND TO STUDY STATE OVERSIGHT AND COORDINATION OF SERVICES FOR VICTIMS OF SEXUAL VIOLENCE, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMITTEE ON DOMESTIC VIOLENCE.

On motion of Representative Ross, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (113-0), and the bill is ordered enrolled and presented to the Governor.

H.B. 378 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STATUTORILY ESTABLISH THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY, DIVISION OF EMERGENCY MANAGEMENT, AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON EMERGENCY PREPAREDNESS AND DISASTER MANAGEMENT RECOVERY.

On motion of Representative Martin, the House concurs in the Senate committee substitute bill, by electronic vote (113-0), and the bill is ordered enrolled and presented to the Governor.

Senate Committee Substitute for **H.B. 816** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW REGARDING THE SPECIAL SEPARATION ALLOWANCE PROVIDED TO LAW ENFORCEMENT OFFICERS UNDER THE LOCAL GOVERNMENTAL RETIREMENT SYSTEM.

On motion of Representative Cotham, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (113-0), and the bill is ordered enrolled and presented to the Governor.

Senate Committee Substitute for **H.B. 996**, A BILL TO BE ENTITLED AN ACT TO REPEAL A REQUIREMENT THAT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES STUDY THE FEASIBILITY OF OPERATING A LICENSED ADULT CARE HOME IN A PUBLIC HOUSING FACILITY.

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On motion of Representative Farmer-Butterfield, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (114-0), and the bill is ordered enrolled and presented to the Governor.

H.B. 1077 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE VENUE RULES AND THE AUTHORITY OF MAGISTRATES FOR MUNICIPALITIES LYING IN FOUR OR MORE COUNTIES, EACH OF WHICH IS IN A DIFFERENT JUDICIAL DISTRICT.

On motion of Representative Wiley, the House concurs in the Senate committee substitute bill, by electronic vote (113-0), and the bill is ordered enrolled and presented to the Governor.

H.B. 1110 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY PROCEDURES IN CIVIL ACTIONS FOR ALIENATION OF AFFECTION AND CRIMINAL CONVERSATION.

On motion of Representative Goodwin, the House concurs in the Senate committee substitute bill, by electronic vote (63-48), and the bill is ordered enrolled and presented to the Governor.

H.B. 1464 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY DOMESTIC VIOLENCE LAWS REGARDING WHEN A LAW ENFORCEMENT OFFICER SHALL ARREST A PERSON WHO HAS KNOWINGLY VIOLATED A VALID PROTECTIVE ORDER DESPITE THE 2006 HOLDING BY THE NORTH CAROLINA COURT OF APPEALS IN COCKERHAM-ELLERBEE V. THE TOWN OF JONESVILLE.

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

H.B. 1595 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE NORTH CAROLINA ALCOHOLIC BEVERAGE CONTROL COMMISSION TO ISSUE MALT BEVERAGE SPECIAL EVENT PERMITS AND MALT BEVERAGE TASTING PERMITS IN THE SAME OR SIMILAR MANNER AS WINE.

On motion of Representative Tillis, the House concurs in the Senate committee substitute bill, by electronic vote (83-28), and the bill is ordered enrolled and presented to the Governor.

July 22, 2009

Representative Luebke requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (84-28).

S.B. 464 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REQUIRING THE COLLECTION OF TRAFFIC LAW ENFORCEMENT STATISTICS IN ORDER TO PREVENT RACIAL PROFILING AND TO PROVIDE FOR THE CARE OF MINOR CHILDREN WHEN PRESENT AT THE ARREST OF CERTAIN ADULTS.

Representative Stevens offers Amendment No. 1.

On motion of Representative Bryant, and without objection, the bill, with Amendment No. 1 pending, is withdrawn from the Calendar and placed on the Calendar of July 23.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Braxton, Chair, for the Committee on Local Government II:

S.B. 556 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE THE LAWS RELATING TO THE ASHEVILLE CIVIL SERVICE BOARD, with a favorable report as to the House committee substitute bill, unfavorable as to the Senate committee substitute bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Judiciary II.

The House committee substitute bill is re-referred to the Committee on Judiciary II. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representative Dickson, Chair, for the Committee on Commerce, Small Business, and Entrepreneurship:

S.B. 308 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE FORMATION OF A LIMITED LIABILITY COMPANY AS A LOW-PROFIT LIMITED LIABILITY COMPANY, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

July 22, 2009

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

S.B. 943, A BILL TO BE ENTITLED AN ACT TO EXPAND THE CREDIT FOR QUALIFYING EXPENSES OF A PRODUCTION COMPANY, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

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

SPECIAL MESSAGE FROM THE SENATE

**2009 GENERAL ASSEMBLY
FIRST SESSION**

Senate Chamber
July 22, 2009

Mr. Speaker:

Pursuant to your message received on July 20, 2009, that the House of Representatives fails to concur in the Senate Committee Substitute to **H.B. 67** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE COVERING OF THE STATE NAME, YEAR STICKER, OR MONTH STICKER ON A STATE LICENSE PLATE BY A LICENSE PLATE FRAME, and requests conferees, the President *Pro Tempore* appoints:

Senator Jenkins, Chair
Senator Goss
Senator Tillman

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

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

**2009 GENERAL ASSEMBLY
FIRST SESSION**

Senate Chamber
July 22, 2009

July 22, 2009

Mr. Speaker:

Pursuant to your message received on July 16, 2009, that the House of Representatives fails to concur in the Senate Committee Substitute to **H.B. 804**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING PERSONAL EDUCATION PLANS FOR STUDENTS AT RISK OF ACADEMIC FAILURE, and requests conferees, the President *Pro Tempore* appoints:

Senator Swindell, Chair
Senator Foriest
Senator Dorsett

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

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

**2009 GENERAL ASSEMBLY
FIRST SESSION**

Senate Chamber
July 22, 2009

Mr. Speaker:

Pursuant to the message from the Senate on July 8, 2009, informing the House of Representatives that the Senate fails to concur in the House Committee Substitute to **S.B. 295** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE CLOSEST MARKET TO WHICH A CROP MAY BE HAULED TO BE WITHIN ONE HUNDRED FIFTY MILES OF THE FARM FROM WHICH THE CROP IS HAULED, it is ordered that a message be sent your Honorable Body with the information that the Senate requests conferees. The President *Pro Tempore* appoints:

Senator Jenkins, Chair
Senator Albertson
Senator Bingham

July 22, 2009

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

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

The Chair appoints Representative Cole, Chair; Representatives Williams and McComas as conferees on the part of the House and the Senate is so notified by Special Message.

SPECIAL MESSAGE FROM THE SENATE

**2009 GENERAL ASSEMBLY
FIRST SESSION**

Senate Chamber
July 22, 2009

Mr. Speaker:

Pursuant to the message from the Senate on July 14, 2009, informing the House of Representatives that the Senate fails to concur in the House Committee Substitute to **S.B. 628**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO RELEASE CONFIDENTIAL DATA IN THE CONTROLLED SUBSTANCES REPORTING SYSTEM TO THE CHIEF MEDICAL EXAMINER AND COUNTY MEDICAL EXAMINERS FOR THE PURPOSE OF INVESTIGATING DEATHS, it is ordered that a message be sent your Honorable Body with the information that the Senate requests conferees. The President *Pro Tempore* appoints:

Senator Purcell, Chair
Senator Bingham
Senator Stein

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

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

July 22, 2009

The Chair appoints Representative Ross, Chair; Representatives England, Neumann, and Barnhart as conferees on the part of the House and the Senate is so notified by Special Message.

SPECIAL MESSAGE FROM THE SENATE

**2009 GENERAL ASSEMBLY
FIRST SESSION**

Senate Chamber
July 22, 2009

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees for **S.B. 658** (Conference Report), A BILL TO BE ENTITLED AN ACT TO MODIFY THE MEMBERSHIP OF THE SUPPLEMENTAL RETIREMENT BOARD OF TRUSTEES AND TO PROVIDE THAT THE FURLOUGH OF A MEMBER OF THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM SHALL NOT DIMINISH THE EMPLOYEE'S STATUS IN THE RETIREMENT SYSTEM, and when a similar action has been taken on the part of your Honorable Body, the President will order the bill enrolled.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

**2009 GENERAL ASSEMBLY
FIRST SESSION**

Senate Chamber
July 22, 2009

Mr. Speaker:

Pursuant to the message from the Senate on July 15, 2009, informing the House of Representatives that the Senate fails to concur in House Amendment No. 1 to **S.B. 708** (Committee Substitute), A BILL TO BE

July 22, 2009

ENTITLED AN ACT TO AMEND THE COMPULSORY SCHOOL ATTENDANCE LAW, it is ordered that a message be sent your Honorable Body with the information that the Senate requests conferees. The President *Pro Tempore* appoints:

Senator Hartsell, Chair
Senator Foriest
Senator Garrou

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

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

The Chair appoints Representative Love, Chair; Representatives Sutton and Goodwin as conferees on the part of the House and the Senate is so notified by Special Message.

SPECIAL MESSAGE FROM THE SENATE

2009 GENERAL ASSEMBLY FIRST SESSION

Senate Chamber
July 22, 2009

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees for **S.B. 863** (Conference Report), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE PURCHASE OF CREDITABLE SERVICE BY MEMBERS OF THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM FOR CERTAIN PERIODS OF NONQUALIFIED EMPLOYMENT, and when a similar action has been taken on the part of your Honorable Body, the President will order the bill enrolled.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

July 22, 2009

BILLS WITHDRAWN FROM COMMITTEE

On motion of Representative Owens and without objection, **H.B. 1078** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENSURE THAT ACTS OF VIOLENCE IN SCHOOLS ARE REPORTED TO THE LOCAL SUPERINTENDENT OR THE SUPERINTENDENT'S DESIGNEE AND TO REQUIRE LOCAL BOARDS OF EDUCATION TO ADOPT A POLICY ON NOTIFICATION TO THE PARENTS OR LEGAL GUARDIANS OF STUDENTS ALLEGED TO BE VICTIMS OF ANY ACT REQUIRED TO BE REPORTED TO LAW ENFORCEMENT AND THE SUPERINTENDENT, is withdrawn from the Committee on Education and pursuant to Rule 36(b), is placed on the Calendar of July 23.

On motion of Representative Owens and without objection, **H.B. 1222** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO UPDATE THE RATE SPREAD AND HIGH-COST HOME LOANS STATUTES, AND TO MAKE A CONFORMING CHANGE TO THE EMERGENCY PROGRAM TO REDUCE HOME FORECLOSURES ACT, is withdrawn from the Committee on Financial Institutions and pursuant to Rule 36(b), is placed on the Calendar of July 23.

On motion of Representative Owens and without objection, **S.B. 969** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE POLICY OF NORTH CAROLINA REGARDING THE PROTECTION OF CHILDREN'S WELFARE UNDER THE LAWS PERTAINING TO CHILD PLACING AND CARE, is withdrawn from the Committee on Appropriations and pursuant to Rule 36(b), is placed on the Calendar of July 23.

RE-REFERRAL

On motion of Representative Owens, pursuant to Rule 39.2 and without objection, **H.B. 1515**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE SUNSET PROVISION OF THE JOB DEVELOPMENT INVESTMENT GRANT PROGRAM, is withdrawn from the Committee on Commerce, Small Business, and Entrepreneurship and re-referred to the Committee on Finance.

WITHDRAWAL OF BILL FROM CALENDAR

S.B. 293 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE QUALIFICATIONS FOR PROSPECTIVE JURORS AND TO AUTHORIZE THE REGISTER OF DEEDS TO STORE AN ELECTRONIC COPY OF THE JUROR MASTER LIST.

July 22, 2009

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

Representative Owens moves, seconded by Representative Fisher, that the House adjourn, subject to the ratification of bills, the receipt of Committee Reports, the receipt of Conference Reports, and the receipt of Messages from the Senate, to reconvene July 23 at 1:00 p.m.

The motion carries.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following report from standing committee is presented:

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

H.B. 622 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE EXEMPTION FOR THE TOWN OF LOUISBURG FROM THE COMPETITIVE BIDDING REQUIREMENTS FOR THE LOUISBURG ECONOMIC DEVELOPMENT PROJECT AND AN EXEMPTION FROM THE COMPETITIVE BIDDING REQUIREMENTS FOR CURRITUCK COUNTY FOR A SINGLE PROJECT, with recommendation that the House do not concur.

Pursuant to Rule 36(b), the bill is placed on the Calendar of July 23.

The House stands adjourned at 6:30 p.m.

ONE HUNDRED THIRD DAY

HOUSE OF REPRESENTATIVES
Thursday, July 23, 2009

The House meets at 1:00 p.m. pursuant to adjournment and is called to order by Representative Wainwright, Speaker Pro Tempore.

The following prayer is offered by Representative Earline Parmon:

July 23, 2009

"Almighty God, the Creator and Provider of all good things:

"We pause to honor You and to seek Your guidance in the deliberations that affect the people of this great State. Give us the wisdom to do what is pleasing and right in Your sight, according to Your will and not our own. In Your most holy name. Amen."

Representative Owens, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of July 22 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Speaker Hackney; Representatives Folwell, Gibson, Glazier, and Insko for today. Representative Goforth is excused for a portion of the Session.

ENROLLED BILLS

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

S.B. 935, AN ACT AMENDING THE MARRIAGE AND FAMILY THERAPY LICENSURE LAWS AND AUTHORIZING THE NORTH CAROLINA MARRIAGE AND FAMILY THERAPY LICENSURE BOARD TO INCREASE FEES.

H.B. 115, AN ACT TO REVISE THE MEMBERSHIP AND STAFFING OF THE NORTH CAROLINA DOMESTIC VIOLENCE COMMISSION, TO AMEND THE PROCEDURE FOR OBTAINING A DOMESTIC VIOLENCE PROTECTIVE ORDER OR CIVIL NO-CONTACT ORDER, TO CLARIFY THE ENFORCEMENT AND APPLICATION OF A PENALTY ENHANCEMENT IF A DEFENDANT COMMITS AN OFFENSE WHILE UNDER A DOMESTIC VIOLENCE PROTECTIVE ORDER, TO SUPPORT A STATEWIDE DOMESTIC VIOLENCE PROTECTIVE ORDER NOTIFICATION SYSTEM AND INVESTIGATE THE COSTS, AND TO STUDY STATE OVERSIGHT AND COORDINATION OF SERVICES FOR VICTIMS OF SEXUAL VIOLENCE, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMITTEE ON DOMESTIC VIOLENCE.

H.B. 378, AN ACT TO STATUTORILY ESTABLISH THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY, DIVISION OF EMERGENCY MANAGEMENT, AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON EMERGENCY PREPAREDNESS AND DISASTER MANAGEMENT RECOVERY.

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H.B. 816, AN ACT TO CLARIFY THE LAW REGARDING THE SPECIAL SEPARATION ALLOWANCE PROVIDED TO LAW ENFORCEMENT OFFICERS UNDER THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM.

H.B. 996, AN ACT TO REPEAL A REQUIREMENT THAT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES STUDY THE FEASIBILITY OF OPERATING A LICENSED ADULT CARE HOME IN A PUBLIC HOUSING FACILITY AND TO DIRECT THE UNC CENTER ON POVERTY, WORK AND OPPORTUNITY TO CONDUCT THE STUDY.

H.B. 1077, AN ACT TO AMEND THE VENUE RULES AND THE AUTHORITY OF MAGISTRATES FOR MUNICIPALITIES LYING IN FOUR OR MORE COUNTIES, EACH OF WHICH IS IN A DIFFERENT JUDICIAL DISTRICT.

H.B. 1110, AN ACT TO CLARIFY PROCEDURES IN CIVIL ACTIONS FOR ALIENATION OF AFFECTION AND CRIMINAL CONVERSATION.

H.B. 1464, AN ACT TO CLARIFY DOMESTIC VIOLENCE LAWS REGARDING WHEN A LAW ENFORCEMENT OFFICER SHALL ARREST A PERSON WHO HAS KNOWINGLY VIOLATED A VALID PROTECTIVE ORDER DESPITE THE 2006 HOLDING BY THE NORTH CAROLINA COURT OF APPEALS IN COCKERHAM-ELLERBEE V. THE TOWN OF JONESVILLE.

H.B. 1595, AN ACT TO AUTHORIZE THE NORTH CAROLINA ALCOHOLIC BEVERAGE CONTROL COMMISSION TO ISSUE MALT BEVERAGE SPECIAL EVENT PERMITS AND MALT BEVERAGE TASTING PERMITS IN THE SAME OR SIMILAR MANNER AS WINE.

S.B. 368, AN ACT TO MAKE VARIOUS CHANGES TO THE MOTOR VEHICLE LAWS, AS REQUESTED BY THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY.

S.B. 658, AN ACT TO MODIFY THE MEMBERSHIP OF THE SUPPLEMENTAL RETIREMENT BOARD OF TRUSTEES AND TO PROVIDE THAT THE FURLOUGH OF A MEMBER OF THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM SHALL NOT DIMINISH THE EMPLOYEE'S STATUS IN THE RETIREMENT SYSTEM.

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S.B. 863, AN ACT TO PROVIDE FOR THE PURCHASE OF CREDITABLE SERVICE BY MEMBERS OF THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM FOR CERTAIN PERIODS OF NONQUALIFIED EMPLOYMENT.

S.B. 1004, AN ACT TO PROVIDE FOR RETENTION OF FUEL AND FUEL-RELATED COST SAVINGS ASSOCIATED WITH THE PURCHASE OR CONSTRUCTION OF A CARBON OFFSET FACILITY, TO BRING CERTAIN DAMS USED IN CONNECTION WITH ELECTRIC GENERATING FACILITIES UNDER THE DAM SAFETY ACT, AND TO MAKE OTHER CHANGES TO LAWS GOVERNING THE GENERATION OF ELECTRICITY.

H.B. 311, AN ACT TO CONTINUE THE CONSTRUCTION FUNDING OF SCHOOLS THROUGH THE FIRST AND THE SECOND ONE-HALF CENT SALES AND USE TAXES.

H.B. 1516, AN ACT TO MAKE CERTAIN MODIFICATIONS TO AND EXTEND THE SUNSET OF THE JOB DEVELOPMENT INVESTMENT GRANT PROGRAM.

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

H.B. 385, AN ACT TO ALLOW THE GRAHAM COUNTY BOARD OF EDUCATION TO PERMIT THE USE OF PUBLIC SCHOOL ACTIVITY BUSES TO SERVE THE TRANSPORTATION NEEDS OF THE STECOAH VALLEY CENTER DURING PERIODIC FIELD TRIPS.

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

S.J.R. 1108, A JOINT RESOLUTION HONORING THE NORTH CAROLINA 4-H ON THE ONE HUNDREDTH ANNIVERSARY OF ITS FOUNDING. (RESOLUTION 2009-28)

CHAPTERED BILLS

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

H.B. 688, AN ACT TO REMOVE THE CAP ON SATELLITE ANNEXATIONS FOR THE TOWN OF JAMESTOWN. (S.L. 2009-323)

July 23, 2009

CONFERENCE REPORT

Representative Love sends forth the Conference Report on **S.B. 708** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE COMPULSORY SCHOOL ATTENDANCE LAW. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of July 27.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Faison, Chair, for the Committee on Ways and Means/Broadband Connectivity:

H.B. 1433 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE IMMUNITY FROM LIABILITY OF PERSONS USING AUTOMATED EXTERNAL DEFIBRILLATORS IN EMERGENCY SITUATIONS, with recommendation that the House concur.

Pursuant to Rule 36(b), the bill is placed on the Calendar of July 27.

S.B. 140 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE OFFENSE OF DOMESTIC CRIMINAL TRESPASS BY MAKING IT A FELONY FOR A PERSON WHO IS THE SUBJECT OF A VALID PROTECTIVE ORDER TO TRESPASS ON PROPERTY WHERE THE PROTECTED PARTY RESIDES AND THAT IS OPERATED AS A SAFE HOUSE OR HAVEN FOR DOMESTIC VIOLENCE VICTIMS WITHOUT REGARD AS TO WHETHER THE PERSON COVERED BY THE PROTECTIVE ORDER IS PRESENT ON THE PREMISES AND TO PROVIDE THAT IT IS AN AGGRAVATING CIRCUMSTANCE FOR FIRST DEGREE MURDER IF A DEFENDANT WHO IS THE SUBJECT OF A VALID PROTECTIVE ORDER COMMITS A MURDER ON THE PREMISES OF A SHELTER FOR VICTIMS OF DOMESTIC VIOLENCE WHERE THE PROTECTED PARTY IS RESIDING, with a favorable report as to the House committee substitute bill, unfavorable as to the original bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Judiciary I.

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

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S.B. 884 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW RELATING TO RENUNCIATIONS AND TO MAKE RELATED AMENDMENTS TO THE NORTH CAROLINA UNIFORM TRUST CODE AND THE LAW GOVERNING POWERS OF ATTORNEY AND ADMINISTRATION OF DECEDENTS' ESTATES, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the Senate committee substitute bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Judiciary II.

The House committee substitute bill is re-referred to the Committee on Judiciary II. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representative Ross, Chair, for the Committee on Judiciary I:

S.B. 802 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A NONPROFIT COMMUNITY HEALTH REFERRAL SERVICE THAT REFERS LOW-INCOME PATIENTS TO PHYSICIANS FOR FREE SERVICES IS NOT LIABLE FOR THE ACTS OR OMISSION OF THE PHYSICIAN IN RENDERING SERVICE TO THAT PATIENT, IF THE PHYSICIAN MAINTAINS PROFESSIONAL LIABILITY COVERAGE FOR THAT SERVICE, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of July 27.

S.B. 1062 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT STRENGTHENING DOMESTIC VIOLENCE PROTECTIVE ORDERS TO PROVIDE FOR THE PROTECTION OF PETS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of July 27.

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

H.B. 1151 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH REQUIREMENTS FOR CERTIFICATION OF PERSONS PERFORMING LEAD-BASED PAINT RENOVATION WORK IN CERTAIN RESIDENTIAL HOUSING AND CHILD-OCCUPIED FACILITIES; AND TO REQUIRE ACCREDITATION OF RENOVATION TRAINERS AND RENOVATION TRAINING COURSES, with a favorable report.

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Pursuant to Rule 36(b), the bill is placed on the Calendar of July 27.

H.B. 1500 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE A NEW DEVELOPMENT TIER DESIGNATION EXCEPTION FOR CERTAIN SEAFOOD INDUSTRIAL PARKS, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(b), Committee Substitute Bill No. 2 is placed on the Calendar of July 27. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

S.B. 53, A BILL TO BE ENTITLED AN ACT ALLOWING THE TOWN OF BURGAW TO EXERCISE EXTRATERRITORIAL JURISDICTION OVER AN AREA EXTENDING TWO MILES FROM ITS LIMITS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of July 27.

S.B. 64 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO SHORTEN THE DURATION AND AMEND THE REQUIREMENTS FOR A MOTORCYCLE LEARNER'S PERMIT, AND CLARIFY THE REQUIREMENTS FOR OBTAINING A MOTORCYCLE ENDORSEMENT, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of July 27.

S.B. 359 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE VILLAGE OF SNEADS FERRY, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of July 27.

S.B. 458 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT REQUIRING AN APPLICANT FOR LICENSURE AS A BAIL BONDSMAN OR RUNNER TO HAVE OBTAINED A HIGH SCHOOL DIPLOMA OR ITS EQUIVALENT; TO REQUIRE A RENEWAL APPLICATION AND CRIMINAL HISTORY RECORD CHECK FOR RENEWING A LICENSE; TO PROVIDE THAT A LICENSEE SHALL PAY FOR THE COSTS OF A CRIMINAL HISTORY RECORD CHECK WHEN RENEWING A LICENSE; TO PROHIBIT THE RENEWAL OF A LICENSE OF A LICENSEE WHO HAS BEEN CONVICTED OF A MISDEMEANOR DRUG CHARGE; AND TO PROHIBIT A PERSON FROM BEING

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LICENSED IF THE PERSON IS CONVICTED OF A MISDEMEANOR DRUG VIOLATION WITHIN THE PREVIOUS TWENTY-FOUR MONTHS OF THE DATE OF THE APPLICATION, with a favorable report as to House Committee Substitute Bill No. 2, which changes the title, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(b), House Committee Substitute Bill No. 2 is placed on the Calendar of July 27. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representative Sutton, Chair, for the Committee on Judiciary III:

S.B. 810 (Committee Substitute), A BILL TO BE ENTITLED AN ACT PROVIDING THAT IT IS A VIOLATION OF THE STATE'S FAIR HOUSING ACT TO DISCRIMINATE IN LAND-USE DECISIONS OR THE PERMITTING OF DEVELOPMENT BASED ON THE FACT THAT A DEVELOPMENT CONTAINS AFFORDABLE HOUSING UNITS, with a favorable report as to the House committee substitute bill, unfavorable as to the Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of July 27. The Senate committee substitute bill is placed on the Unfavorable Calendar.

SPECIAL MESSAGE FROM THE SENATE

2009 GENERAL ASSEMBLY FIRST SESSION

Senate Chamber
July 23, 2009

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in the House Committee Substitute to **S.B. 468**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COUNTIES TO PROVIDE HEALTH INSURANCE BENEFITS TO FORMER EMPLOYEES WHO ARE NOT RECEIVING RETIREMENT BENEFITS, and requests conferees. The President *Pro Tempore* appoints:

Senator McKissick, Chair
Senator Rand
Senator Kinnaird

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

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

MESSAGES FROM THE SENATE

The following are received from the Senate:

H.B. 819 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE POLYSOMNOGRAPHY PRACTICE ACT, is returned for concurrence in the Senate committee substitute bill and referred to the Committee on Finance.

H.B. 1481 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO TRANSFER THE STATE ENERGY OFFICE FROM THE DEPARTMENT OF ADMINISTRATION TO THE DEPARTMENT OF COMMERCE, TO TRANSFER THE RESIDENTIAL ENERGY CONSERVATION ASSISTANCE PROGRAM FROM THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO THE ENERGY OFFICE OF THE DEPARTMENT OF COMMERCE, AND TO MAKE VARIOUS CHANGES TO THE ENERGY POLICY ACT OF 1975, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of July 27.

S.B. 960 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO FACILITATE EXPEDITED USE AND EXPENDITURE OF FEDERAL FUNDS PROVIDED UNDER THE AMERICAN RECOVERY AND REINVESTMENT ACT, is read the first time and referred to the Committee on Energy and Energy Efficiency.

S.B. 1057 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXPAND THE SALES TAX EXEMPTION FOR AIRCRAFT SIMULATORS, is read the first time and referred to the Committee on Judiciary II.

NOTICE GIVEN TO RECALL BILL

Pursuant to Rule 39, Representative Stam gives notice to recall **H.B. 1268** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO PROHIBIT CONDEMNATION OF PRIVATE PROPERTY TO CONVEY AN

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INTEREST IN THAT PROPERTY FOR ECONOMIC DEVELOPMENT AND TO PROVIDE FOR THE PAYMENT OF JUST COMPENSATION WITH RIGHT OF TRIAL BY JURY IN ALL CONDEMNATION CASES, with Amendment No. 1 pending, from the Committee on Judiciary II.

WITHDRAWAL OF BILLS FROM CALENDAR

On motion of Representative Bryant and without objection, **S.B. 464** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REQUIRING THE COLLECTION OF TRAFFIC LAW ENFORCEMENT STATISTICS IN ORDER TO PREVENT RACIAL PROFILING AND TO PROVIDE FOR THE CARE OF MINOR CHILDREN WHEN PRESENT AT THE ARREST OF CERTAIN ADULTS, with Amendment No. 1 pending, is withdrawn from the Calendar and placed on the Calendar of July 28.

On motion of Representative Holliman and without objection, **H.B. 1222** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO UPDATE THE RATE SPREAD AND HIGH-COST HOME LOANS STATUTES, AND TO MAKE A CONFORMING CHANGE TO THE EMERGENCY PROGRAM TO REDUCE HOME FORECLOSURES ACT, is withdrawn from the Calendar and placed on the Calendar of July 29.

CALENDAR

Action is taken on the following:

Senate Committee Substitute for **H.B. 622**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE EXEMPTION FOR THE TOWN OF LOUISBURG FROM THE COMPETITIVE BIDDING REQUIREMENTS FOR THE LOUISBURG ECONOMIC DEVELOPMENT PROJECT.

On motion of Representative Allen, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (113-2), and the bill is ordered enrolled.

H.B. 1005 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE DEPARTMENT OF TRANSPORTATION TO PARTICIPATE IN FUNDING FIXED RAIL PROJECTS THAT DO NOT INCLUDE FEDERAL FUNDS.

On motion of Representative Cole, the House concurs in the Senate committee substitute bill, by electronic vote (101-13), and the bill is ordered enrolled and presented to the Governor.

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Senate Committee Substitute for **H.B. 1078**, A BILL TO BE ENTITLED AN ACT TO ENSURE THAT ACTS OF VIOLENCE IN SCHOOLS ARE REPORTED TO THE LOCAL SUPERINTENDENT OR THE SUPERINTENDENT'S DESIGNEE.

On motion of Representative Wiley, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (115-0), and the bill is ordered enrolled and presented to the Governor.

S.B. 367 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE BILLINGS IN EXCESS OF COSTS FROM THE FRANCHISE TAX CAPITAL BASE FOR TAXPAYERS USING THE PERCENTAGE OF COMPLETION METHOD OF REVENUE RECOGNITION, passes its second reading, by electronic vote (115-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

S.B. 346 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE A DESCRIBED AREA FROM THE CORPORATE LIMITS OF THE CITY OF KANNAPOLIS, TO ASSIST CABARRUS COUNTY WITH THE EXPEDITING OF PUBLIC SCHOOL CONSTRUCTION, AND TO MODIFY THE FILING PERIOD FOR THE ELECTION OF MEMBERS TO THE CABARRUS COUNTY BOARD OF EDUCATION.

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

S.B. 195, A BILL TO BE ENTITLED AN ACT TO DIRECT THE UNIVERSITY OF NORTH CAROLINA INSTITUTE ON AGING, AND THE DIVISION OF AGING AND ADULT SERVICES, DEPARTMENT OF HEALTH AND HUMAN SERVICES, TO TAKE A LEADERSHIP ROLE IN HELPING NORTH CAROLINA PREPARE FOR INCREASED NUMBERS OF OLDER ADULTS, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING, passes its second reading, by electronic vote (115-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

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S.B. 643, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PROSPECTIVE EMPLOYEE REQUIRED TO SUBMIT TO A CONTROLLED SUBSTANCE EXAMINATION WHOSE FIRST SCREENING TEST PRODUCES A POSITIVE RESULT MAY WAIVE A SECOND EXAMINATION THAT IS INTENDED TO CONFIRM THE RESULTS, passes its second reading, by electronic vote (115-0).

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

WITHDRAWAL OF NOTICE TO RECALL BILL

Representative Stam withdraws his notice to recall **H.B. 1268** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO PROHIBIT CONDEMNATION OF PRIVATE PROPERTY TO CONVEY AN INTEREST IN THAT PROPERTY FOR ECONOMIC DEVELOPMENT AND TO PROVIDE FOR THE PAYMENT OF JUST COMPENSATION WITH RIGHT OF TRIAL BY JURY IN ALL CONDEMNATION CASES, with Amendment No. 1 pending, from the Committee on Judiciary II.

CALENDAR (continued)

H.B. 524 (Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO CLARIFY SIGNATORIES ON VOLUNTARY ANNEXATION REQUESTS; TO REQUIRE VOLUNTARY ANNEXATION ON REQUEST OF SEVENTY-FIVE PERCENT OF PROPERTY OWNERS IN DISTRESSED AREAS; TO PERMIT VOLUNTARY ANNEXATION ON REQUEST OF SEVENTY-FIVE PERCENT OF RESIDENT HOUSEHOLDS IN DISTRESSED AREAS; TO PROHIBIT THE USE OF STREETS OR STREET RIGHT-OF-WAYS TO ESTABLISH CONTIGUITY FOR PURPOSES OF VOLUNTARY AND INVOLUNTARY ANNEXATION; TO INCREASE FROM FIVE THOUSAND TO TEN THOUSAND THE MUNICIPAL POPULATION THRESHOLD FOR DETERMINING THE PROCEDURE FOR INVOLUNTARY ANNEXATION; TO REQUIRE THE PROVISION OF AT LEAST TWO MEANINGFUL SERVICES WITHIN EXISTING CORPORATE BOUNDARIES PRIOR TO INITIATING AN INVOLUNTARY ANNEXATION; TO REQUIRE THE EXTENSION OF WATER AND SEWER LINES WITHIN THREE YEARS OF THE ANNEXATION TO ALL PROPERTIES WITHIN THE ANNEXED AREA; TO REQUIRE FINANCIAL IMPACT STATEMENTS SUBMITTED WITH A PROPOSED ANNEXATION TO BE BASED UPON A FIVE-YEAR PERIOD; TO ALLOW INVOLUNTARY ANNEXATION OF AREAS COMPLETELY SURROUNDED BY THE MUNICIPAL CORPORATE

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LIMITS; TO PROHIBIT INVOLUNTARY ANNEXATION OF AREAS BEING SERVED BY A WATER AND SEWER SYSTEM OPERATED BY A MUNICIPALITY OTHER THAN THE ANNEXING MUNICIPALITY; TO INCREASE THE URBAN DENSITY STANDARDS FOR INVOLUNTARY ANNEXATION BY MUNICIPALITIES BY REQUIRING AT LEAST SIXTY-FIVE PERCENT OF THE LOTS TO BE IN USE AND THE RESIDENTIAL LOTS TO BE AT LEAST TWO AND ONE-HALF ACRES IN SIZE; BY ADDING AN URBAN DENSITY TEST OF RESIDENTIAL POPULATION EQUAL TO AT LEAST TWO AND THREE-TENTHS PERSONS PER ACRE FOR INVOLUNTARY ANNEXATION BY SMALL MUNICIPALITIES; TO REQUIRE ALL OF A SUBDIVISION TO BE ANNEXED IF THE ANNEXATION IS INVOLUNTARY; TO AMEND THE PROCEDURE FOR ANNEXATION TO CLARIFY THE TIME LINE AND PROVIDE ADDITIONAL INFORMATION TO THE PROPERTY OWNERS AT THE PUBLIC HEARING AND PUBLIC INFORMATIONAL MEETING; TO REQUIRE THE NOTICE OF PUBLIC HEARING TO BE SENT TO PROPERTY OWNERS BY CERTIFIED MAIL; TO REQUIRE THE EFFECTIVE DATE OF VOLUNTARY CONTIGUOUS AND INVOLUNTARY ANNEXATION TO BE THE JUNE 30 NEXT FOLLOWING THE ADOPTION OF THE ANNEXATION; TO REQUIRE MUNICIPALITIES TO REPORT TO THE LOCAL GOVERNMENT COMMISSION ON THE PROVISION OF MEANINGFUL SERVICES FOLLOWING THE ADOPTION OF AN ANNEXATION ORDINANCE; TO EXTEND THE TIME PERIOD A PROPERTY OWNER MAY APPEAL TO THE COURTS FOLLOWING AN INVOLUNTARY ANNEXATION ORDINANCE FROM SIXTY DAYS TO NINETY DAYS; TO ALLOW THE COURT TO ACCEPT ARGUMENT REGARDING THE PROVISION OF MEANINGFUL SERVICE TO THE NEWLY ANNEXED AREA; TO PROVIDE OVERSIGHT OF INVOLUNTARY ANNEXATION THROUGH A REFERENDUM, THAT MUST COINCIDE WITH A GENERAL MUNICIPAL ELECTION, OF REGISTERED VOTERS OF THE MUNICIPALITY AND THE PROPOSED ANNEXATION AREA UPON A VERIFIED PETITION SIGNED BY AT LEAST FIFTEEN PERCENT OF THE TOTAL OF THE REGISTERED VOTERS OF THE MUNICIPALITY AND THE PROPOSED ANNEXATION AREA AS SHOWN BY THE REGISTRATION; TO REQUIRE OVERSIGHT OF INVOLUNTARY ANNEXATIONS BY THE LOCAL GOVERNMENT COMMISSION BY REQUIRING A FISCAL FEASIBILITY ASSESSMENT; TO REQUIRE THE LOCAL GOVERNMENT COMMISSION TO PROHIBIT FURTHER ANNEXATION IF THE ANNEXING MUNICIPALITY DOES NOT PROVIDE SERVICES IN ACCORDANCE WITH AN INVOLUNTARY ANNEXATION WITHIN THREE YEARS; TO REQUIRE THE LOCAL GOVERNMENT COMMISSION TO ABATE PROPERTY TAXES FOR PROPERTY

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OWNERS WITHOUT THE REQUIRED SERVICES WITHIN THREE YEARS OF AN INVOLUNTARY ANNEXATION; TO REQUIRE THE LOCAL GOVERNMENT COMMISSION TO REPORT ANNUALLY TO THE GENERAL ASSEMBLY ON INVOLUNTARY ANNEXATIONS; TO AUTHORIZE MUNICIPALITIES TO CONTRACT WITH PROPERTY OWNERS FOR THE EXTENSION OF WATER SERVICE AND SEWER SERVICE AND NONAPPEAL OF AN INVOLUNTARY ANNEXATION, WHICH MAY RUN WITH THE LAND; TO AUTHORIZE CITIES AND COUNTIES TO DEVELOP BINDING UTILITY SERVICE PLANS; TO PERMIT THE PAYMENT OF ASSESSMENTS FOR THE INSTALLATION OF WATER OR SEWER SERVICE FOLLOWING AN INVOLUNTARY ANNEXATION OVER A TWENTY-YEAR PERIOD; TO ALLOW THE PAYMENT OF TAP FEES OVER A FIVE-YEAR PERIOD; TO GIVE PRIORITY TO A MUNICIPALITY ANNEXING A DISTRESSED AREA WHEN THAT MUNICIPALITY APPLIES FOR COMMUNITY DEVELOPMENT BLOCK GRANTS AND LOANS OR GRANTS FROM THE WASTEWATER RESERVE OR DRINKING WATER RESERVE.

Representative Blust offers an amendment which is ruled out of order.

Representative Blust moves that the Rules be suspended in order that his amendment, which is not in compliance with the Rules, might be considered. The motion fails by electronic vote (54-61).

Representative Brown moves that the Rules be suspended in order that he might offer an amendment, which is not in compliance with the Rules. The motion fails by electronic vote (54-61).

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

Those voting in the affirmative are: Representatives Adams, Avila, Barnhart, Blackwell, Blackwood, Blust, Boles, Braxton, Brown, Brubaker, Bryant, Burr, Burris-Floyd, Cleveland, Coates, Cole, Crawford, Current, Daughtry, Dickson, Dockham, Dollar, England, Faison, E. Floyd, Frye, Gill, Gillespie, Goforth, Grady, Guice, Gulley, Harrell, Harrison, Hill, Hilton, Holliman, Holloway, Howard, Hughes, Hurley, Iler, Ingle, Jeffus, Johnson, Jones, Justice, Justus, Killian, Langdon, Lewis, Lucas, Luebke, McComas, McCormick, McElraft, McGee, Michaux, Mills, Moore, Neumann, Pierce, Rapp, Rhyne, Sager, Samuelson, Setzer, Stam, Starnes, Steen, Stevens, Sutton, Tillis, Tolson, Underhill, R. Warren, Weiss, West, Whilden, Wiley, Womble, Wray, and Yongue - 83.

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Voting in the negative: Representatives K. Alexander, M. Alexander, Allen, Bell, Bordsen, Brisson, Carney, Cotham, Earle, Farmer-Butterfield, Fisher, Goodwin, Haire, Hall, Jackson, Love, Mackey, Martin, McLawhorn, Mobley, Owens, Parmon, Ross, Spear, Stewart, Tarleton, Tucker, Wainwright, E. Warren, Wilkins, and Williams - 31.

Excused absences: Speaker Hackney; Representatives Folwell, Gibson, Glazier, and Insko - 5.

H.B. 1166 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES IN THE LAWS GOVERNING INSURANCE PRODUCERS AND BROKERS, BAIL BONDSMEN, MOTOR CLUBS, PREMIUM FINANCE COMPANIES, AND COLLECTION AGENCIES, AND TO DELETE OBSOLETE REFERENCES TO ASSIGNMENTS OF ERROR.

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

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

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Avila, Barnhart, Bell, Blackwell, Blackwood, Blust, Boles, Bordsen, Braxton, Brisson, Brown, Brubaker, Bryant, Burr, Burris-Floyd, Carney, Cleveland, Coates, Cole, Cotham, Crawford, Current, Daughtry, Dickson, Dockham, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Frye, Gill, Gillespie, Goforth, Goodwin, Grady, Guice, Gulley, Haire, Hall, Harrell, Harrison, Hill, Hilton, Holliman, Holloway, Howard, Hughes, Hurley, Iler, Ingle, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Killian, Langdon, Lewis, Love, Lucas, Luebke, Martin, McComas, McCormick, McElraft, McGee, McLawhorn, Michaux, Mills, Mobley, Moore, Neumann, Owens, Parmon, Pierce, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Setzer, Spear, Stam, Starnes, Steen, Stevens, Stewart, Sutton, Tarleton, Tillis, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 114.

Voting in the negative: None.

Excused absences: Speaker Hackney; Representatives Folwell, Gibson, Glazier, and Insko - 5.

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H.B. 1514 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXPAND ECONOMICALLY DISTRESSED COUNTIES TO INCLUDE ALL TIER ONE AND TIER TWO COUNTIES, TO INCREASE THE MAXIMUM EXPENDITURE OF FUNDS FROM THE INDUSTRIAL DEVELOPMENT FUND, TO EXEMPT FROM RULE MAKING THE CUSTOMIZED TRAINING PROGRAM UNDER THE COMMUNITY COLLEGE SYSTEM, AND TO AMEND THE COUNTY SERVICE DISTRICT ACT OF 1973 TO ALLOW ADDITIONAL COUNTY RESEARCH AND PRODUCTION SERVICE DISTRICTS.

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

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

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Avila, Barnhart, Bell, Blackwell, Blackwood, Blust, Boles, Bordsen, Braxton, Brisson, Brown, Brubaker, Bryant, Burr, Burris-Floyd, Carney, Coates, Cole, Cotham, Crawford, Current, Daughtry, Dickson, Dockham, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Frye, Gill, Gillespie, Goforth, Goodwin, Grady, Guice, Gulley, Haire, Hall, Harrell, Harrison, Hill, Hilton, Holliman, Holloway, Howard, Hughes, Hurley, Iler, Ingle, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Killian, Langdon, Lewis, Love, Lucas, Luebke, Mackey, Martin, McComas, McCormick, McElraft, McGee, McLawhorn, Michaux, Mills, Mobley, Moore, Neumann, Owens, Pierce, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Setzer, Spear, Starnes, Steen, Stevens, Stewart, Sutton, Tarleton, Tillis, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 112.

Voting in the negative: Representatives Cleveland, Parmon, and Stam - 3.

Excused absences: Speaker Hackney; Representatives Folwell, Gibson, Glazier, and Insko - 5.

Representative Parmon states that her voting equipment malfunctioned and she requests to change her vote from "no" to "aye". This request is granted. The adjusted vote total is (113-2).

S.B. 1073 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT AMENDING THE NORTH CAROLINA ALARM SYSTEMS LICENSING ACT AND AUTHORIZING THE NORTH

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CAROLINA ALARM SYSTEMS LICENSING BOARD TO ESTABLISH A LATE REGISTRATION FEE, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Avila, Barnhart, Bell, Blackwell, Blackwood, Blust, Boles, Bordsen, Braxton, Brisson, Brown, Brubaker, Bryant, Burr, Burris-Floyd, Carney, Cleveland, Coates, Cole, Cotham, Crawford, Current, Daughtry, Dickson, Dockham, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Frye, Gill, Gillespie, Goforth, Goodwin, Grady, Guice, Gulley, Haire, Hall, Harrell, Harrison, Hill, Hilton, Holliman, Holloway, Howard, Hughes, Hurley, Iler, Ingle, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Killian, Langdon, Lewis, Love, Lucas, Luebke, Mackey, Martin, McComas, McCormick, McElraft, McGee, McLawhorn, Michaux, Mills, Mobley, Moore, Neumann, Owens, Parmon, Pierce, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Setzer, Spear, Stam, Starnes, Steen, Stevens, Stewart, Sutton, Tarleton, Tillis, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 115.

Voting in the negative: None.

Excused absences: Speaker Hackney; Representatives Folwell, Gibson, Glazier, and Insko - 5.

H.B. 512 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO EXTEND THE SUNSET FOR THE CREDIT FOR INVESTING IN RENEWABLE ENERGY PROPERTY AND TO CLARIFY THE DEFINITION OF NONRESIDENTIAL PROPERTY, passes its second reading, by electronic vote (95-20), and there being no objection is read a third time.

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

H.B. 594 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE DISABLED VETERAN PROPERTY TAX HOMESTEAD EXCLUSION.

Pursuant to Rule 24.1A, Representative West requests that he be excused from voting on this bill. This request is granted.

The bill passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

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

H.B. 1570 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE ALLOCATION AMONG LOCAL GOVERNMENTS OF THE TENNESSEE VALLEY AUTHORITY PAYMENT IN LIEU OF TAXES.

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

The bill, as amended, passes its second reading, by electronic vote (115-0), and there being no objection is read a third time.

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

S.B. 405 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ASSIST COUNTIES AND THE DEPARTMENT OF REVENUE IN OBTAINING ACCURATE REAL PROPERTY SALES INFORMATION NEEDED FOR PROPERTY TAX APPRAISALS, passes its second reading by electronic vote (108-3).

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

CONFEREES APPOINTED

The Chair appoints the following conferees on **S.B. 468** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COUNTIES TO PROVIDE HEALTH INSURANCE BENEFITS TO FORMER EMPLOYEES WHO ARE NOT RECEIVING RETIREMENT BENEFITS: Representative McLawhorn, Chair; Representatives Bell and Tucker.

The Senate is so notified by Special Message.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

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By Representative Allen, Chair, for the Committee on Environment and Natural Resources:

H.B. 643, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE INJECTION OF RECLAIMED WATER INTO AN AQUIFER FOR TEMPORARY STORAGE, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Rules, Calendar, and Operations of the House.

The serial referral to the Committee on Finance is stricken.

The committee substitute bill is re-referred to the Committee on Rules, Calendar, and Operations of the House. The original bill is placed on the Unfavorable Calendar.

By Representative Sutton, Chair, for the Committee on Judiciary III:

S.B. 920 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW PROBATION OFFICERS TO ACCESS CERTAIN OFFENDERS' JUVENILE RECORDS, TO MAKE WARRANTLESS SEARCHES AND DRUG SCREENING REGULAR CONDITIONS OF SUPERVISION, TO ADD ADDITIONAL CONTROLLING MEASURES FOR OFFENDERS SUBJECT TO INTERMEDIATE PUNISHMENT, AND TO MAKE CLARIFYING AMENDMENTS TO STREAMLINE PROCEDURES FOR SUPERVISION OF OFFENDERS IN THE COMMUNITY, with a favorable report as to House Committee Substitute Bill No. 2, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(b), House Committee Substitute Bill No. 2 is placed on the Calendar of July 27. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

CALENDAR (continued)

S.B. 820 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE NEW MOTOR VEHICLE TITLING AND REGISTRATION CATEGORIES FOR MOTOR VEHICLES CLASSIFIED AS REPLICA VEHICLES, STREET RODS, AND CUSTOM VEHICLES, AND TO MAKE CORRESPONDING CHANGES, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

Representatives McComas and Setzer request and are granted permission to be recorded as voting "aye". The adjusted vote total is (112-0).

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

S.B. 969 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE POLICY OF NORTH CAROLINA REGARDING THE PROTECTION OF CHILDREN'S WELFARE UNDER THE LAWS PERTAINING TO CHILD PLACING AND CARE, passes its second reading, by electronic vote (110-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

S.B. 1091, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING TRAFFICKING IN METHAMPHETAMINE AND AMPHETAMINE TO CLARIFY THAT THE CHARGE OF TRAFFICKING IS BASED ON THE WEIGHT OF THE ENTIRE POWDER OR LIQUID MIXTURE RATHER THAN THE WEIGHT OF THE ACTUAL AMOUNT OF THE CONTROLLED SUBSTANCE IN THE POWDER OR LIQUID MIXTURE.

Representative Ross offers Amendment No. 1 which is adopted by electronic vote (108-4).

The bill, as amended, passes its second reading, by electronic vote (109-0), and there being no objection is read a third time.

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

BILLS WITHDRAWN FROM COMMITTEE

On motion of Representative Owens and without objection, **H.B. 1058** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE STATUTORY HOMESTEAD EXEMPTION, is withdrawn from the Committee on Finance and pursuant to Rule 36(b), is placed on the Calendar of July 27.

On motion of Representative Owens and without objection, **H.B. 1452** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE ALL CITIES, COUNTIES, LOCAL BOARDS OF EDUCATION, UNIFIED GOVERNMENTS, SANITARY DISTRICTS, AND CONSOLIDATED CITY-COUNTIES TO ADOPT A CODE OF ETHICS FOR THE GOVERNING BOARD AND TO REQUIRE THE MEMBERS OF THOSE

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GOVERNING BOARDS TO RECEIVE EDUCATION ON ETHICS LAWS APPLICABLE TO LOCAL GOVERNMENT OFFICIALS, is withdrawn from the Committee on Ethics and pursuant to Rule 36(b), is placed on the Calendar of July 27.

On motion of Representative Owens and without objection, **H.B. 412** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR TWO ADDITIONAL MEMBERS OF THE ADVISORY COUNCIL ON INDIAN EDUCATION AND TO BROADLY INCLUDE STATE INDIAN TRIBES AND COMMUNITIES IN THE MEMBERSHIP, is withdrawn from the Committee on Appropriations and pursuant to Rule 36(b), is placed on the Calendar of July 27.

RE-REFERRALS

On motion of Representative Owens, pursuant to Rule 39.2 and without objection, **H.B. 905** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE REVENUE LAWS STUDY COMMITTEE AND THE ENVIRONMENTAL REVIEW COMMISSION TO STUDY RENEWABLE ENERGY AND ALTERNATIVE FUEL TAX CREDITS, is withdrawn from the Committee on Finance and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative Owens, pursuant to Rule 39.2 and without objection, **S.B. 116** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE VARIOUS SPECIAL REGISTRATION PLATES, is withdrawn from the Committee on Transportation and re-referred to the Committee on Finance.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Sutton, Chair, for the Committee on Judiciary III:

S.B. 167 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT SMOKING ON THE PREMISES OF CORRECTIONAL INSTITUTIONS, TO PROHIBIT THE POSSESSION OF TOBACCO PRODUCTS OR CELL PHONES OUTSIDE OF A LOCKED VEHICLE ON THE PREMISES OF CORRECTIONAL INSTITUTIONS, AND TO MAKE IT A CRIMINAL OFFENSE TO PROVIDE TOBACCO PRODUCTS OR CELL PHONES TO INMATES IN THE CUSTODY OF THE

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

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of July 27. The Senate committee substitute bill is placed on the Unfavorable Calendar.

S.B. 851, A BILL TO BE ENTITLED AN ACT TO ALLOW DISTRICT COURTS TO SUPERVISE DEFENDANTS CONVICTED IN SUPERIOR COURT WHO ARE ASSIGNED TO DRUG TREATMENT COURTS OR PROBLEM-SOLVING COURTS, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the original bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of July 27. The original bill is placed on the Unfavorable Calendar.

Representative Owens moves, seconded by Representative Tarleton, that the House adjourn, subject to the receipt of Committee Reports, the receipt of Conference Reports, and the receipt of Messages from the Senate, to reconvene Monday, July 27, 2009 at 7:00 p.m.

The motion carries.

No Committee Reports, Conference Reports, or Messages from the Senate having been received, the House stands adjourned at 4:10 p.m.

ONE HUNDRED FOURTH DAY

HOUSE OF REPRESENTATIVES
Monday, July 27, 2009

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

The following prayer is offered by the Reverend Lisa Yebuah, Associate Pastor, Edenton Street United Methodist Church, Raleigh, North Carolina:

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"Loving God:

"We are reminded of the beautiful words of Saint Augustine, that our 'hearts are restless until they find rest in You', and so this evening, we first invite You to offer us the gentleness of Your spirit to give our hearts peace. We know that for many who work outside of these walls, this is the hour that they will begin to settle into the quiet of the day, but that is not Your will for us. Instead, You have gathered us here to engage in work that oftentimes seems beyond us and that presents challenges at every turn. Tonight, none of us know exactly what needs will be birthed out of the tasks before us, so we simply ask that You grant us just enough strength to physically empower our bodies; grant us just enough focus to do our work as though this were the first hour; grant us just enough encouragement to do our work as though we believe in it; grant us just enough commitment to work as though we are being watched by those who believe this work is held in sacred trust; grant us just enough humility to recognize when we need to whisper 'sorry' to our colleagues; and grant us just enough grace that when we have failed You or our neighbors, to know that You will not fail to restore us. Make some of us into risk-takers and make others of us into visionaries, but, O God, make all of our work what You intend it to be - beautiful and to Your glory. Amen."

The Speaker leads the Body in the Pledge of Allegiance.

Representative Owens, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of July 23 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Allen, Barnhart, Cole, Cotham, Current, Gill, and McElraft for today.

ENROLLED BILLS

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

S.B. 195, AN ACT TO DIRECT THE UNIVERSITY OF NORTH CAROLINA INSTITUTE ON AGING, AND THE DIVISION OF AGING AND ADULT SERVICES, DEPARTMENT OF HEALTH AND HUMAN SERVICES, TO TAKE A LEADERSHIP ROLE IN HELPING NORTH CAROLINA PREPARE FOR INCREASED NUMBERS OF OLDER ADULTS, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING.

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S.B. 367, AN ACT TO REMOVE BILLINGS IN EXCESS OF COSTS FROM THE FRANCHISE TAX CAPITAL BASE FOR TAXPAYERS USING THE PERCENTAGE OF COMPLETION METHOD OF REVENUE RECOGNITION.

S.B. 969, AN ACT AMENDING THE POLICY OF NORTH CAROLINA REGARDING THE PROTECTION OF CHILDREN'S WELFARE UNDER THE LAWS PERTAINING TO CHILD PLACING AND CARE.

H.B. 1005, AN ACT TO ALLOW THE DEPARTMENT OF TRANSPORTATION TO PARTICIPATE IN FUNDING FIXED RAIL PROJECTS THAT DO NOT INCLUDE FEDERAL FUNDS.

H.B. 1078, AN ACT TO ENSURE THAT ACTS OF VIOLENCE IN SCHOOLS ARE REPORTED TO THE LOCAL SUPERINTENDENT OR THE SUPERINTENDENT'S DESIGNEE AND TO REQUIRE LOCAL BOARDS OF EDUCATION TO ADOPT A POLICY ON NOTIFICATION TO THE PARENTS OR LEGAL GUARDIANS OF STUDENTS ALLEGED TO BE VICTIMS OF ANY ACT REQUIRED TO BE REPORTED TO LAW ENFORCEMENT AND THE SUPERINTENDENT.

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

H.B. 622, AN ACT TO EXTEND THE EXEMPTION FOR THE TOWN OF LOUISBURG FROM THE COMPETITIVE BIDDING REQUIREMENTS FOR THE LOUISBURG ECONOMIC DEVELOPMENT PROJECT AND AN EXEMPTION FROM THE COMPETITIVE BIDDING REQUIREMENTS FOR CURRITUCK COUNTY FOR A SINGLE PROJECT.

CHAPTERED BILLS

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

H.B. 385, AN ACT TO ALLOW THE GRAHAM COUNTY BOARD OF EDUCATION TO PERMIT THE USE OF PUBLIC SCHOOL ACTIVITY BUSES TO SERVE THE TRANSPORTATION NEEDS OF THE STECOAH VALLEY CENTER DURING PERIODIC FIELD TRIPS. (S.L. 2009-324)

S.B. 285, AN ACT TO REWRITE THE LAW CONCERNING THE RECOGNITION OF FOREIGN MONEY JUDGMENTS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION. (S.L. 2009-325)

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S.B. 962, AN ACT TO MODIFY THE HEARING PROCESS APPLICABLE TO PROBATIONARY TEACHERS. (S.L. 2009-326)

S.B. 674, AN ACT TO AMEND THE RABIES LAWS TO CONFORM WITH RECOMMENDATIONS FROM THE CENTERS FOR DISEASE CONTROL AND THE NATIONAL ASSOCIATION OF STATE PUBLIC HEALTH VETERINARIANS AND TO ALLOW STRAY OR FERAL ANIMALS TO BE EUTHANIZED AND TESTED FOR RABIES AFTER BITING A HUMAN. (S.L. 2009-327)

S.B. 584, AN ACT TO AMEND THE PRIVATE PROTECTIVE SERVICES ACT, TO MAKE CONFORMING CHANGES TO THE ALARM SYSTEMS LICENSING ACT WITH RESPECT TO CRIMINAL BACKGROUND CHECKS, AND TO AUTHORIZE THE STUDY OF DIGITAL FORENSICS. (S.L. 2009-328)

S.B. 332, AN ACT TO MODIFY THE PURCHASING AND CONTRACTING AUTHORITY BY THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES ON BEHALF OF THE NORTH CAROLINA ZOOLOGICAL PARK; TO EXPAND THE UMSTEAD EXEMPTION FOR THE PARK; TO IMPROVE THE ADMINISTRATION OF PARK OPERATIONS; TO REQUIRE A REPORTING OF THE PROGRESS AND IMPLEMENTATION OF THE MANDATES OF THIS ACT; TO ESTABLISH THE NORTH CAROLINA ZOOLOGICAL PARK FUNDING AND ORGANIZATION STUDY COMMITTEE; AND TO ANNEX CERTAIN PROPERTY OWNED BY THE NC ZOOLOGICAL SOCIETY INTO THE CITY OF ASHEBORO. (S.L. 2009-329)

H.B. 187, AN ACT TO DIRECT LOCAL BOARDS OF EDUCATION TO ENCOURAGE LOCAL BUSINESSES TO ADOPT PERSONNEL POLICIES TO PERMIT PARENTS TO ATTEND STUDENT CONFERENCES, AND TO ENCOURAGE LOCAL BOARDS OF EDUCATION TO ADOPT POLICIES TO IMPLEMENT PROGRAMS THAT ASSIST STUDENTS IN MAKING A SUCCESSFUL TRANSITION BETWEEN THE MIDDLE SCHOOL AND HIGH SCHOOL YEARS, INCREASE PARENTAL INVOLVEMENT IN STUDENT ACHIEVEMENT, AND REDUCE SUSPENSION AND EXPULSION RATES AND ENCOURAGE ACADEMIC PROGRESS DURING SUSPENSIONS, AND TO DIRECT LOCAL BOARDS OF EDUCATION TO MODIFY POLICIES ON PREGNANT AND PARENTING STUDENTS TO PROVIDE ASSISTANCE AND SUPPORT TO ENCOURAGE PREGNANT AND PARENTING STUDENTS TO GRADUATE, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON DROPOUT PREVENTION AND HIGH SCHOOL GRADUATION. (S.L. 2009-330)

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H.B. 582, AN ACT PROVIDING FOR COMPLIANCE WITH FEDERAL LAW REQUIRING THE PROVISION OF EDUCATIONAL SERVICES TO STUDENTS TRANSFERRING INTO A NORTH CAROLINA SCHOOL DISTRICT WHILE UNDER A TERM OF SUSPENSION OR EXPULSION. (S.L. 2009-331)

H.B. 881, AN ACT TO INCLUDE COUNTIES IN TRANSPORTATION CORRIDOR MAPPING, TO CONFORM STATUTES TO COUNTY AUTHORITY AUTHORIZED BY THE GENERAL ASSEMBLY, AND TO ALLOW THE DEPARTMENT OF TRANSPORTATION TO FURNISH ROAD MAINTENANCE MATERIALS TO MUNICIPALITIES ON A COST REIMBURSEMENT BASIS. (S.L. 2009-332)

H.B. 1105, AN ACT TO AMEND THE LAWS REGULATING REFRIGERATION CONTRACTORS. (S.L. 2009-333)

H.B. 1471, AN ACT DIRECTING THE STATE BOARD OF EDUCATION TO ENCOURAGE LOCAL BOARDS OF EDUCATION TO ENTER INTO AGREEMENTS WITH LOCAL GOVERNMENTS AND OTHER ENTITIES REGARDING THE JOINT USE OF THEIR FACILITIES FOR PHYSICAL ACTIVITY. (S.L. 2009-334)

S.B. 817, AN ACT TO INCREASE CHILD SUPPORT COLLECTIONS BY PERMITTING GREATER SENTENCING FLEXIBILITY FOR A PERSON WHO COMMITS CRIMINAL CONTEMPT BY FAILING TO COMPLY WITH AN ORDER TO PAY CHILD SUPPORT. (S.L. 2009-335)

S.B. 65, AN ACT TO AMEND THE LAW REGARDING SOLICITATION OF A CHILD BY COMPUTER TO COMMIT AN UNLAWFUL SEX ACT TO INCLUDE SOLICITATIONS BY OTHER ELECTRONIC DEVICES AS WELL AS COMPUTERS. (S.L. 2009-336)

S.B. 755, AN ACT TO PROMOTE THE USE OF COMPENSATORY MITIGATION BANKS FOR RIPARIAN BUFFER PROTECTION AND NUTRIENT OFFSET PAYMENTS, TO MAKE CLARIFYING CHANGES TO THE STATUTES GOVERNING COMPENSATORY MITIGATION FOR WETLAND AND STREAM IMPACTS, AND TO DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO STUDY CERTAIN IMPACTS THAT THE PROMOTION OF COMPENSATORY MITIGATION BANKS MAY HAVE ON THE ECOSYSTEM ENHANCEMENT PROGRAM. (S.L. 2009-337)

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S.B. 913, AN ACT TO CLARIFY MOTOR VEHICLE DEALERS AND MANUFACTURERS LICENSING LAWS AND DEALER TERMINATION ASSISTANCE RIGHTS. (S.L. 2009-338)

S.B. 1069, AN ACT TO ESTABLISH THE JOINT LEGISLATIVE JOINING OUR BUSINESSES AND SCHOOLS (JOBS) STUDY COMMISSION. (S.L. 2009-339)

H.B. 243, AN ACT TO AUTHORIZE THE FACILITY OF FIRST COMMITMENT EXAMINATION TO TERMINATE THE INPATIENT COMMITMENT PROCEEDINGS IN APPROPRIATE CIRCUMSTANCES WHEN A TWENTY-FOUR-HOUR FACILITY IS NOT AVAILABLE. (S.L. 2009-340)

S.B. 56, AN ACT TO AMEND THE LAW PROVIDING BALANCE AMONG THE COUNTIES IN THE RESIDENCY OF DISTRICT COURT JUDGES IN DISTRICT COURT DISTRICT 13. (S.L. 2009-341)

H.B. 115, AN ACT TO REVISE THE MEMBERSHIP AND STAFFING OF THE NORTH CAROLINA DOMESTIC VIOLENCE COMMISSION, TO AMEND THE PROCEDURE FOR OBTAINING A DOMESTIC VIOLENCE PROTECTIVE ORDER OR CIVIL NO-CONTACT ORDER, TO CLARIFY THE ENFORCEMENT AND APPLICATION OF A PENALTY ENHANCEMENT IF A DEFENDANT COMMITS AN OFFENSE WHILE UNDER A DOMESTIC VIOLENCE PROTECTIVE ORDER, TO SUPPORT A STATEWIDE DOMESTIC VIOLENCE PROTECTIVE ORDER NOTIFICATION SYSTEM AND INVESTIGATE THE COSTS, AND TO STUDY STATE OVERSIGHT AND COORDINATION OF SERVICES FOR VICTIMS OF SEXUAL VIOLENCE, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMITTEE ON DOMESTIC VIOLENCE. (S.L. 2009-342)

H.B. 1617, AN ACT TRANSFERRING THE FUNCTIONS AND FUNDS OF THE NORTH CAROLINA TURNPIKE AUTHORITY TO THE DEPARTMENT OF TRANSPORTATION TO CONSERVE EXPENDITURES AND IMPROVE EFFICIENCY. (S.L. 2009-343)

S.B. 307, AN ACT TO AMEND THE LAW REGULATING THE USE OF CERTAIN REPTILES. (S.L. 2009-344)

H.B. 1378, AN ACT TO PROVIDE THAT THE OWNER OR OPERATOR OF CERTAIN MARINAS SHALL INSTALL AND MAINTAIN PUMPOUT FACILITIES BY JULY 1, 2010, TO PROHIBIT THE DISCHARGE OF SEWAGE FROM A VESSEL INTO CERTAIN COASTAL

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WATERS, TO REQUIRE THE OWNER OR OPERATOR OF ANY MARINA WHO KNOWS THAT A VESSEL DOCKED AT THE MARINA HAS UNLAWFULLY DISCHARGED SEWAGE INTO COASTAL WATERS TO REPORT THE UNLAWFUL DISCHARGE TO THE APPROPRIATE LAW ENFORCEMENT AGENCY, TO REQUIRE VESSEL OWNERS AND OPERATORS TO KEEP A LOG REGARDING THE DATE AND LOCATION OF PUMPOUTS OF SEWAGE FROM MARINE SANITATION DEVICES, AND TO PROVIDE THAT A PILOT PROGRAM IN NEW HANOVER COUNTY SHALL BE DESIGNED AND IMPLEMENTED BY THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO BEGIN PHASING IN THE PUMPOUT STATION REQUIREMENTS. (S.L. 2009-345)

H.B. 1478, AN ACT TO PROTECT THE SEAL OF A LICENSED DESIGN PROFESSIONAL IN BUILDING INSPECTION DOCUMENTS. (S.L. 2009-346)

S.B. 647, AN ACT CLARIFYING VARIOUS PROVISIONS UNDER THE LAWS PERTAINING TO CERTIFIED PUBLIC ACCOUNTANTS AND ALLOWING PUBLIC ACCOUNTANTS CERTIFIED OR LICENSED OUTSIDE THIS STATE TO PRACTICE IN THIS STATE UNDER CERTAIN CIRCUMSTANCES. (S.L. 2009-347)

S.B. 764, AN ACT AMENDING THE CRIMINAL STATUTES AND THE GOOD FUNDS SETTLEMENT ACT TO CLARIFY THAT A SETTLEMENT AGENT IS GUILTY OF EMBEZZLEMENT IN INSTANCES WHERE IT CANNOT BE SHOWN THAT THE FUNDS WERE EMBEZZLED FROM A PARTICULAR PERSON OR ENTITY. (S.L. 2009-348)

S.B. 1076, AN ACT TO MODIFY THE CRIMINAL JUSTICE PARTNERSHIP PROGRAM TO ALLOW CERTAIN COMMUNITY-LEVEL OFFENDERS TO BE SERVED BY THE PROGRAM. (S.L. 2009-349)

H.B. 81, AN ACT TO AMEND THE NOTICE OF SPECIAL AND EMERGENCY MEETINGS UNDER THE OPEN MEETINGS ACT. (S.L. 2009-350)

H.B. 23, AN ACT AMENDING CHAPTER 95 OF THE GENERAL STATUTES TO PROTECT THE HEALTH AND SAFETY OF CHILDREN BY INCREASING THE PENALTIES FOR VIOLATIONS OF CHILD LABOR LAWS. (S.L. 2009-351)

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S.B. 877, AN ACT RELATING TO CONTRACTS BETWEEN HEALTH BENEFIT PLANS AND HEALTH CARE PROVIDERS. (S.L. 2009-352)

H.B. 334, AN ACT TO AMEND THE SKIER SAFETY STATUTES TO CLARIFY THE RESPECTIVE DUTIES OF SKI AREA OPERATORS AND SKIERS AND TO MAKE OTHER RELATED CHANGES. (S.L. 2009-353)

H.B. 1342, AN ACT TO PROVIDE FREE FORENSIC MEDICAL EXAMINATIONS FOR VICTIMS OF RAPE AND SEX OFFENSES; TO INCREASE THE AUTHORITY OF THE DIRECTOR OF THE CRIME VICTIMS COMPENSATION COMMISSION AND THE COMMISSION ITSELF TO CONSIDER PROXIMATE CAUSE WHEN DETERMINING WHETHER TO MAKE AN AWARD; AND TO MAKE VARIOUS OTHER CHANGES TO THE RAPE VICTIMS ASSISTANCE PROGRAM. (S.L. 2009-354)

S.B. 1017, AN ACT TO ENHANCE PROTECTIONS AGAINST IDENTITY THEFT AND TO PROTECT THE CREDIT OF CRIME VICTIMS DURING THE PENDENCY OF CRIME VICTIMS COMPENSATION FUND APPLICATIONS AND APPEALS. (S.L. 2009-355)

H.B. 192, AN ACT TO ESTABLISH PROCEDURAL REQUIREMENTS FOR CHILD WITNESS TESTIMONY IN CRIMINAL CASES. (S.L. 2009-356)

H.B. 205, AN ACT TO MAKE VARIOUS CHANGES TO THE NORTH CAROLINA STATE LOTTERY ACT. (S.L. 2009-357)

H.B. 559, AN ACT TO VALIDATE CERTAIN NOTARIAL ACTS WHERE A RECOMMISSIONED NOTARY FAILED TO TAKE THE OATH OF OFFICE AGAIN. (S.L. 2009-358)

H.B. 629, AN ACT PROVIDING THAT THE TRIAL OF A SMALL CLAIMS ACTION MAY COMMENCE NOT SOONER THAN FIVE DAYS AFTER SERVICE OF THE MAGISTRATE SUMMONS ON THE DEFENDANT. (S.L. 2009-359)

H.B. 937, AN ACT TO PROVIDE THAT THE NORTH CAROLINA INNOCENCE COMMISSION MAY COMPEL THE TESTIMONY OF A WITNESS AND THE COMMISSION CHAIR MAY GRANT LIMITED IMMUNITY TO THE WITNESS FROM PROSECUTION FOR PREVIOUS FALSE STATEMENTS MADE UNDER OATH IN PRIOR PROCEEDINGS. (S.L. 2009-360)

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H.B. 1309, AN ACT TO DIRECT THE COMMISSION FOR MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES TO ADOPT RULES PROVIDING FOR THE LICENSURE AND ACCREDITATION OF RESIDENTIAL TREATMENT FACILITIES FOR PERSONS WITH TRAUMATIC BRAIN INJURY AND TO MAKE CHANGES TO THE NORTH CAROLINA TRAUMATIC BRAIN INJURY ADVISORY COUNCIL. (S.L. 2009-361)

H.B. 581, AN ACT TO EXTEND THE DEADLINE FOR THE COMMISSIONERS IN A PARTITION ACTION TO REPORT BACK TO THE COURT ON THEIR PROPOSED DIVISION OF THE LAND, TO EXTEND THE DEADLINE FOR RESPONDING TO A SUMMONS IN A PARTITION ACTION FROM TEN DAYS TO THIRTY DAYS, TO PROVIDE NOTICE OF RIGHT TO SEEK COUNSEL, AND TO CLARIFY THE TIME PERIOD FOR APPEALING A CONFIRMATION ORDER. (S.L. 2009-362)

H.B. 878, AN ACT TO AUTHORIZE THE SECRETARY OF HEALTH AND HUMAN SERVICES TO IDENTIFY PROGRAMS FOR AIDING IN THE RECOVERY AND REHABILITATION OF EMS PERSONNEL WITH CHEMICAL ADDICTION OR ABUSE AND TO MAKE CHANGES TO THE NORTH CAROLINA PHYSICIANS HEALTH PROGRAM. (S.L. 2009-363)

H.B. 1034, AN ACT TO ALLOW AUTOMATIC DIALING AND RECORDED MESSAGE PLAYERS TO BE USED TO MAKE UNSOLICITED TELEPHONE CALLS TO PROTECT THE PUBLIC HEALTH, SAFETY, OR WELFARE. (S.L. 2009-364)

H.B. 1073, AN ACT TO PROVIDE THAT MEMBERS OF THE FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND WHO WITHDRAW FROM MEMBERSHIP WITH FIVE YEARS OR MORE OF CONTRIBUTING SERVICE ARE ENTITLED TO THE RETURN OF ALL FUNDS. (S.L. 2009-365)

H.B. 1090, AN ACT AMENDING THE DEFINITION OF TOTAL AND PARTIAL UNEMPLOYMENT RELATING TO THE TREATMENT OF SEVERANCE PAY UNDER THE EMPLOYMENT SECURITY LAWS OF NORTH CAROLINA. (S.L. 2009-366)

H.B. 746, AN ACT AMENDING THE LICENSED PROFESSIONAL COUNSELORS ACT AND AUTHORIZING THE NORTH CAROLINA BOARD OF LICENSED PROFESSIONAL COUNSELORS TO INCREASE CERTAIN FEES. (S.L. 2009-367)

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H.B. 765, AN ACT TO REVISE THE EXISTING ELECTIVE SHARE STATUTES. (S.L. 2009-368)

H.B. 1185, AN ACT TO ALLOW AN INDIVIDUAL CONVICTED OF HABITUAL IMPAIRED DRIVING TO BE ELIGIBLE TO PETITION FOR A HEARING TO RESTORE DRIVING PRIVILEGES AFTER TEN YEARS WITHOUT ANY TRAFFIC OR CRIMINAL CONVICTIONS. (S.L. 2009-369)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

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

By Representatives Glazier, McLawhorn, and Rapp, Chairs, for the Appropriations Subcommittee on Education, with approval of standing committee Chairs for report to be made directly to the floor of the House:

H.B. 137 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE CAPITAL TRIAL, SENTENCING, AND POST-CONVICTION PROCEDURES FOR A PERSON WITH A SEVERE MENTAL DISABILITY, with a favorable report as to Committee Substitute Bill No. 2, which changes the title, unfavorable as to Committee Substitute Bill No. 1.

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

By Representatives England and Insko, Chairs, for the Committee on Health:

H.B. 333, A BILL TO BE ENTITLED AN ACT TO DIRECT THE NORTH CAROLINA MIDWIFERY JOINT COMMITTEE TO DEVELOP A PROPOSAL TO ESTABLISH LICENSURE OF CERTIFIED PROFESSIONAL MIDWIVES IN THIS STATE, IN COLLABORATION WITH THE NORTH CAROLINA OBSTETRICAL AND GYNECOLOGICAL SOCIETY, THE NORTH CAROLINA SECTION OF THE AMERICAN COLLEGE OF OBSTETRICIANS AND GYNECOLOGISTS, AND OTHER INTERESTED PARTIES, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON LICENSING MIDWIVES, with a favorable

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report as to the committee substitute bill, which changes the title, unfavorable as to the original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Rules, Calendar, and Operations of the House.

The committee substitute bill is re-referred to the Committee on Rules, Calendar, and Operations of the House. The original bill is placed on the Unfavorable Calendar.

H.B. 951 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE COUNTY BOARD OF COMMISSIONERS TO APPOINT A LICENSED OPTOMETRIST FROM ANOTHER COUNTY TO THE COUNTY BOARD OF HEALTH UNDER CERTAIN CIRCUMSTANCES AND TO ABOLISH THE STATE BOARD OF OSTEOPATHIC EXAMINATION AND REGISTRATION, with recommendation that the House concur.

Pursuant to Rule 36(b), the bill is placed on the Calendar of July 28.

H.B. 1296 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE DRUG, SUPPLIES, AND MEDICAL DEVICE REPOSITORY PROGRAM IN THE NORTH CAROLINA BOARD OF PHARMACY, with recommendation that the House concur.

Pursuant to Rule 36(b), the bill is placed on the Calendar of July 28.

S.B. 958 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING DISCIPLINARY PROCEEDINGS OF THE NORTH CAROLINA MEDICAL BOARD, with a favorable report as to the House committee substitute bill, unfavorable as to the Senate committee substitute bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Judiciary I.

The House committee substitute bill is re-referred to the Committee on Judiciary I. The Senate committee substitute bill is placed on the Unfavorable Calendar.

WITHDRAWAL OF BILLS FROM CALENDAR

On motion of Representative Faison and without objection, **S.B. 64** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO SHORTEN THE DURATION AND AMEND THE REQUIREMENTS FOR A MOTORCYCLE LEARNER'S PERMIT, AND CLARIFY THE REQUIREMENTS FOR OBTAINING A MOTORCYCLE ENDORSEMENT, is withdrawn from the Calendar and placed on the Calendar of July 28.

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On motion of Representative Owens and without objection, **S.B. 346** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE A DESCRIBED AREA FROM THE CORPORATE LIMITS OF THE CITY OF KANNAPOLIS, TO ASSIST CABARRUS COUNTY WITH THE EXPEDITING OF PUBLIC SCHOOL CONSTRUCTION, AND TO MODIFY THE FILING PERIOD FOR THE ELECTION OF MEMBERS TO THE CABARRUS COUNTY BOARD OF EDUCATION, is withdrawn from the Calendar and placed on the Calendar of July 29.

On motion of Representative Holliman and without objection, **S.B. 167** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT SMOKING ON THE PREMISES OF CORRECTIONAL INSTITUTIONS, TO PROHIBIT THE POSSESSION OF TOBACCO PRODUCTS OR CELL PHONES OUTSIDE OF A LOCKED VEHICLE ON THE PREMISES OF CORRECTIONAL INSTITUTIONS, TO MAKE IT A CRIMINAL OFFENSE TO PROVIDE TOBACCO PRODUCTS OR CELL PHONES TO INMATES IN THE CUSTODY OF THE DEPARTMENT OF CORRECTION OR A LOCAL CONFINEMENT FACILITY, AND TO MAKE IT A CRIMINAL OFFENSE FOR INMATES OF A LOCAL CONFINEMENT FACILITY TO POSSESS TOBACCO PRODUCTS OR CELL PHONES, is withdrawn from the Calendar and placed on the Calendar of August 4.

On motion of Representative Glazier and without objection, **S.B. 293** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE QUALIFICATIONS FOR PROSPECTIVE JURORS AND TO AUTHORIZE THE REGISTER OF DEEDS TO STORE AN ELECTRONIC COPY OF THE JUROR MASTER LIST, is withdrawn from the Calendar and placed on the Calendar of July 28.

On motion of Representative Wainwright and without objection, **S.B. 920** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ALLOW PROBATION OFFICERS TO ACCESS CERTAIN OFFENDERS' JUVENILE RECORDS, TO MAKE WARRANTLESS SEARCHES AND DRUG SCREENING REGULAR CONDITIONS OF SUPERVISION, TO ADD ADDITIONAL CONTROLLING MEASURES FOR OFFENDERS SUBJECT TO INTERMEDIATE PUNISHMENT, AND TO MAKE CLARIFYING AMENDMENTS TO STREAMLINE PROCEDURES FOR SUPERVISION OF OFFENDERS IN THE COMMUNITY, is withdrawn from the Calendar and placed on the Calendar of July 28.

On motion of Representative Grady and without objection, **S.B. 359** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE VILLAGE OF SNEADS FERRY, is withdrawn from the Calendar and placed on the Calendar of July 29.

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On motion of Representative Harrison and without objection, **S.B. 1073** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT AMENDING THE NORTH CAROLINA ALARM SYSTEMS LICENSING ACT AND AUTHORIZING THE NORTH CAROLINA ALARM SYSTEMS LICENSING BOARD TO ESTABLISH A LATE REGISTRATION FEE, is withdrawn from the Calendar and placed on the Calendar of July 29.

NOTICE GIVEN TO RECALL BILL

Pursuant to Rule 39, Representative Stam gives notice to recall **H.B. 1268** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO PROHIBIT CONDEMNATION OF PRIVATE PROPERTY TO CONVEY AN INTEREST IN THAT PROPERTY FOR ECONOMIC DEVELOPMENT AND TO PROVIDE FOR THE PAYMENT OF JUST COMPENSATION WITH RIGHT OF TRIAL BY JURY IN ALL CONDEMNATION CASES, with Amendment No. 1 pending, from the Committee on Judiciary II.

CONFERENCE REPORT

Representative Love moves the adoption of the following Conference Report.

Committee Substitute for S.B. 708

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 708, A BILL TO BE ENTITLED AN ACT TO AMEND THE COMPULSORY SCHOOL ATTENDANCE LAW, Education/Higher Education Committee Substitute Adopted 4/14/09, submit the following report:

The Senate concurs in House Amendment #1, and the House and Senate agree to the following amendment:

On page 1, line 28, by deleting the phrase "make and maintain" and substituting in its place the phrase "make, maintain, and render".

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

Date conferees approved report: July 23, 2009.

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*Conferees for the
Senate*

S/ Fletcher Hartsell, Jr., Chair
S/ Tony Foriest
S/ Linda Garrou

*Conferees for the
House of Representatives*

S/ Jimmy L. Love, Sr., Chair
S/ Ronnie Sutton
S/ Melanie Wade Goodwin

The Conference Report is adopted, by electronic vote (110-0), and the Senate is so notified by Special Message.

CALENDAR

Action is taken on the following:

H.B. 1058 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE STATUTORY HOMESTEAD EXEMPTION.

On motion of Representative Weiss, the House concurs in the Senate committee substitute bill, by electronic vote (71-40), and the bill is ordered enrolled and presented to the Governor.

H.B. 1433 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE IMMUNITY FROM LIABILITY OF PERSONS USING AUTOMATED EXTERNAL DEFIBRILLATORS IN EMERGENCY SITUATIONS.

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

S.B. 53, A BILL TO BE ENTITLED AN ACT ALLOWING THE TOWN OF BURGAW TO EXERCISE EXTRATERRITORIAL JURISDICTION OVER AN AREA EXTENDING TWO MILES FROM ITS LIMITS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Bell, Blackwell, Blust, Bordsen, Braxton, Brisson, Brubaker, Bryant, Burris-Floyd, Carney, Coates, Crawford, Dickson, Dockham, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Gibson, Glazier, Goforth, Goodwin, Grady, Guice, Gulley, Haire, Hall, Harrell, Harrison, Hill, Holliman, Howard, Hughes, Iler, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Langdon, Lewis, Love, Lucas, Luebke, Mackey, Martin, McComas, McGee, McLawhorn, Michaux,

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Mobley, Neumann, Owens, Parmon, Pierce, Randleman, Rapp, Ross, Spear, Stam, Starnes, Stewart, Sutton, Tarleton, Tillis, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, Whilden, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 87.

Voting in the negative: Representatives Avila, Blackwood, Boles, Brown, Burr, Cleveland, Daughtry, Folwell, Frye, Gillespie, Hilton, Holloway, Hurley, Ingle, Killian, McCormick, Mills, Moore, Sager, Samuelson, Setzer, Steen, Stevens, and West - 24.

Excused absences: Representatives Allen, Barnhart, Cole, Cotham, Current, Gill, and McElraft - 7.

H.B. 1166 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES IN THE LAWS GOVERNING INSURANCE PRODUCERS AND BROKERS, BAIL BONDSMEN, MOTOR CLUBS, PREMIUM FINANCE COMPANIES, AND COLLECTION AGENCIES, AND TO DELETE OBSOLETE REFERENCES TO ASSIGNMENTS OF ERROR, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Avila, Bell, Blackwell, Blackwood, Blust, Boles, Bordsen, Braxton, Brisson, Brown, Brubaker, Bryant, Burr, Burris-Floyd, Carney, Cleveland, Coates, Crawford, Dickson, Dockham, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Folwell, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Grady, Guice, Gulley, Haire, Hall, Harrell, Harrison, Hill, Hilton, Holliman, Holloway, Howard, Hughes, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Killian, Langdon, Lewis, Love, Lucas, Luebke, Mackey, Martin, McComas, McCormick, McGee, McLawhorn, Michaux, Mills, Mobley, Moore, Neumann, Owens, Parmon, Pierce, Randleman, Rapp, Ross, Sager, Samuelson, Setzer, Spear, Stam, Starnes, Steen, Stevens, Stewart, Sutton, Tarleton, Tillis, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 110.

Voting in the negative: None.

Excused absences: Representatives Allen, Barnhart, Cole, Cotham, Current, Gill, and McElraft - 7.

H.B. 1514 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXPAND ECONOMICALLY DISTRESSED COUNTIES TO INCLUDE ALL TIER ONE AND TIER TWO COUNTIES, TO INCREASE

July 27, 2009

THE MAXIMUM EXPENDITURE OF FUNDS FROM THE INDUSTRIAL DEVELOPMENT FUND, TO EXEMPT FROM RULE MAKING THE CUSTOMIZED TRAINING PROGRAM UNDER THE COMMUNITY COLLEGE SYSTEM, AND TO AMEND THE COUNTY SERVICE DISTRICT ACT OF 1973 TO ALLOW ADDITIONAL COUNTY RESEARCH AND PRODUCTION SERVICE DISTRICTS.

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

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Avila, Bell, Blackwell, Blackwood, Blust, Boles, Bordsen, Braxton, Brisson, Brubaker, Bryant, Burr, Burris-Floyd, Carney, Coates, Crawford, Daughtry, Dickson, Dockham, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Folwell, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Grady, Guice, Gulley, Haire, Hall, Harrell, Harrison, Hill, Hilton, Holliman, Holloway, Howard, Hughes, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Langdon, Lewis, Love, Lucas, Luebke, Mackey, Martin, McComas, McCormick, McGee, McLawhorn, Michaux, Mills, Mobley, Moore, Neumann, Owens, Parmon, Pierce, Randleman, Rapp, Ross, Sager, Samuelson, Setzer, Spear, Starnes, Steen, Stevens, Stewart, Sutton, Tarleton, Tillis, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 107.

Voting in the negative: Representatives Brown, Cleveland, Killian, and Stam - 4.

Excused absences: Representatives Allen, Barnhart, Cole, Cotham, Current, Gill, and McElraft - 7.

H.B. 1151 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH REQUIREMENTS FOR CERTIFICATION OF PERSONS PERFORMING LEAD-BASED PAINT RENOVATION WORK IN CERTAIN RESIDENTIAL HOUSING AND CHILD-OCCUPIED FACILITIES; AND TO REQUIRE ACCREDITATION OF RENOVATION TRAINERS AND RENOVATION TRAINING COURSES.

Representative Farmer-Butterfield offers Amendment No. 1 which is adopted by electronic vote (111-0).

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

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Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Avila, Bell, Blackwell, Blackwood, Blust, Boles, Bordsen, Braxton, Brisson, Brown, Brubaker, Bryant, Burr, Burris-Floyd, Carney, Cleveland, Coates, Crawford, Daughtry, Dickson, Dockham, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Folwell, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Grady, Guice, Gulley, Haire, Hall, Harrell, Harrison, Hill, Hilton, Holliman, Holloway, Howard, Hughes, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Killian, Langdon, Lewis, Love, Lucas, Luebke, Mackey, Martin, McComas, McCormick, McGee, McLawhorn, Michaux, Mills, Mobley, Moore, Neumann, Owens, Parmon, Pierce, Randleman, Rapp, Ross, Sager, Samuelson, Setzer, Spear, Stam, Starnes, Steen, Stevens, Stewart, Sutton, Tarleton, Tillis, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 111.

Voting in the negative: None.

Excused absences: Representatives Allen, Barnhart, Cole, Cotham, Current, Gill, and McElraft - 7.

H.B. 1500 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO CREATE A NEW DEVELOPMENT TIER DESIGNATION EXCEPTION FOR CERTAIN SEAFOOD INDUSTRIAL PARKS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Bell, Blackwood, Boles, Braxton, Brisson, Brown, Brubaker, Bryant, Burr, Burris-Floyd, Carney, Cleveland, Coates, Crawford, Daughtry, Dickson, Dockham, Dollar, Earle, England, Faison, Farmer-Butterfield, E. Floyd, Folwell, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Grady, Guice, Gulley, Harrell, Hill, Hilton, Holliman, Holloway, Howard, Hughes, Hurley, Iler, Ingle, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Killian, Langdon, Lewis, Love, Lucas, Martin, McComas, McGee, McLawhorn, Michaux, Mobley, Moore, Neumann, Owens, Parmon, Pierce, Randleman, Rapp, Ross, Setzer, Spear, Stam, Starnes, Steen, Stewart, Sutton, Tarleton, Tillis, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, West, Whilden, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 94.

Voting in the negative: Representatives Avila, Blackwell, Blust, Bordsen, Fisher, Haire, Hall, Harrison, Insko, Luebke, Mackey, McCormick, Mills, Sager, Samuelson, Stevens, and Weiss - 17.

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Excused absences: Representatives Allen, Barnhart, Cole, Cotham, Current, Gill, and McElraft - 7.

S.B. 458 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT REQUIRING AN APPLICANT FOR LICENSURE AS A BAIL BONDSMAN OR RUNNER TO HAVE OBTAINED A HIGH SCHOOL DIPLOMA OR ITS EQUIVALENT; TO REQUIRE A RENEWAL APPLICATION EVERY YEAR AND A CRIMINAL HISTORY RECORD CHECK EVERY OTHER YEAR FOR RENEWING A LICENSE; TO PROVIDE THAT A LICENSEE SHALL PAY FOR THE COSTS OF A CRIMINAL HISTORY RECORD CHECK WHEN RENEWING A LICENSE; TO PROHIBIT THE RENEWAL OF A LICENSE OF A LICENSEE WHO HAS BEEN CONVICTED OF A MISDEMEANOR DRUG CHARGE; AND TO PROHIBIT A PERSON FROM BEING LICENSED IF THE PERSON IS CONVICTED OF A MISDEMEANOR DRUG VIOLATION WITHIN THE PREVIOUS TWENTY-FOUR MONTHS OF THE DATE OF THE APPLICATION.

Pursuant to Rule 24.1A, Representative Burr requests that he be excused from voting on this bill. This request is granted.

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

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

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Avila, Bell, Blackwell, Blackwood, Blust, Boles, Bordsen, Braxton, Brown, Brubaker, Bryant, Burris-Floyd, Carney, Cleveland, Coates, Crawford, Daughtry, Dickson, Dockham, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Folwell, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Grady, Guice, Gulley, Haire, Hall, Harrell, Harrison, Hill, Hilton, Holliman, Holloway, Howard, Hughes, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Killian, Langdon, Lewis, Love, Lucas, Luebke, Mackey, Martin, McComas, McCormick, McGee, McLawhorn, Michaux, Mills, Mobley, Moore, Neumann, Owens, Parmon, Pierce, Randleman, Rapp, Ross, Sager, Samuelson, Setzer, Spear, Stam, Starnes, Steen, Stevens, Stewart, Sutton, Tarleton, Tillis, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 109.

Voting in the negative: Representative Brisson.

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Excused absences: Representatives Allen, Barnhart, Cole, Cotham, Current, Gill, and McElraft - 7.

Excused vote: Representative Burr.

S.B. 405 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ASSIST COUNTIES AND THE DEPARTMENT OF REVENUE IN OBTAINING ACCURATE REAL PROPERTY SALES INFORMATION NEEDED FOR PROPERTY TAX APPRAISALS, passes its third reading, by electronic vote (110-1), and is ordered sent to the Senate for concurrence in the House committee substitute bill by Special Message.

S.B. 643, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PROSPECTIVE EMPLOYEE REQUIRED TO SUBMIT TO A CONTROLLED SUBSTANCE EXAMINATION WHOSE FIRST SCREENING TEST PRODUCES A POSITIVE RESULT MAY WAIVE A SECOND EXAMINATION THAT IS INTENDED TO CONFIRM THE RESULTS.

Representative Blackwell offers Amendment No. 1 which is adopted by electronic vote (110-1).

The bill, as amended, passes its third reading, by electronic vote (110-1), and is ordered sent to the Senate for concurrence in the House amendment by Special Message.

H.B. 412 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR TWO ADDITIONAL MEMBERS OF THE ADVISORY COUNCIL ON INDIAN EDUCATION AND TO BROADLY INCLUDE STATE INDIAN TRIBES AND COMMUNITIES IN THE MEMBERSHIP.

Representative Sutton offers Amendment No. 1 which is adopted by electronic vote (110-0).

The bill, as amended, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

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

S.B. 802 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A NONPROFIT COMMUNITY HEALTH REFERRAL SERVICE THAT REFERS LOW-INCOME PATIENTS TO PHYSICIANS FOR FREE SERVICES IS NOT LIABLE FOR THE ACTS

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OR OMISSION OF THE PHYSICIAN IN RENDERING SERVICE TO THAT PATIENT, IF THE PHYSICIAN MAINTAINS PROFESSIONAL LIABILITY COVERAGE FOR THAT SERVICE, passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

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

S.B. 810 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT PROVIDING THAT IT IS A VIOLATION OF THE STATE'S FAIR HOUSING ACT TO DISCRIMINATE IN LAND-USE DECISIONS OR THE PERMITTING OF DEVELOPMENT BASED ON THE FACT THAT A DEVELOPMENT CONTAINS AFFORDABLE HOUSING UNITS.

Representative Hall offers Amendment No. 1 which is adopted by electronic vote (111-0).

The bill, as amended, passes its second reading, by electronic vote (92-19).

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

S.B. 851 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW DISTRICT COURTS TO SUPERVISE DEFENDANTS CONVICTED IN SUPERIOR COURT WHO ARE ASSIGNED TO DRUG TREATMENT COURTS OR THERAPEUTIC COURTS, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

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

S.B. 1062 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT STRENGTHENING DOMESTIC VIOLENCE PROTECTIVE ORDERS TO PROVIDE FOR THE PROTECTION OF PETS, passes its second reading, by electronic vote (104-7), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

H.B. 1452 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE ALL CITIES, COUNTIES, LOCAL BOARDS OF EDUCATION, UNIFIED GOVERNMENTS, SANITARY DISTRICTS,

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AND CONSOLIDATED CITY-COUNTIES TO ADOPT A CODE OF ETHICS FOR THE GOVERNING BOARD AND TO REQUIRE THE MEMBERS OF THOSE GOVERNING BOARDS TO RECEIVE EDUCATION ON ETHICS LAWS APPLICABLE TO LOCAL GOVERNMENT OFFICIALS.

On motion of Representative Howard, the House concurs in Senate Amendment No. 1 by electronic vote (110-0).

Representative E. Floyd requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (111-0).

On motion of Representative Howard, the House concurs in Senate Amendment No. 2, by electronic vote (110-1), and the bill is ordered enrolled and presented to the Governor.

H.B. 1481 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO TRANSFER THE STATE ENERGY OFFICE FROM THE DEPARTMENT OF ADMINISTRATION TO THE DEPARTMENT OF COMMERCE, TO TRANSFER THE RESIDENTIAL ENERGY CONSERVATION ASSISTANCE PROGRAM FROM THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO THE ENERGY OFFICE OF THE DEPARTMENT OF COMMERCE, AND TO MAKE VARIOUS CHANGES TO THE ENERGY POLICY ACT OF 1975.

On motion of Representative Bryant, the House concurs in the Senate committee substitute bill, by electronic vote (108-2), and the bill is ordered enrolled and presented to the Governor.

SPECIAL MESSAGE FROM THE SENATE

2009 GENERAL ASSEMBLY FIRST SESSION

Senate Chamber
July 27, 2009

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in House Committee Substitute No. 2 to **S.B. 660** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE AN ALTERNATIVE METHOD OF

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DETERMINING PROPERTY DAMAGES AS A PART OF MOTOR VEHICLE LIABILITY INSURANCE, and requests conferees. The President *Pro Tempore* appoints:

Senator Rucho, Chair
Senator Atwater
Senator Goodall
Senator Weinstein

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

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

**2009 GENERAL ASSEMBLY
FIRST SESSION**

Senate Chamber
July 27, 2009

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in House Committee Substitute No. 2 to **S.B. 831** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND CERTAIN PERMITS AND APPROVALS AFFECTING THE PHYSICAL DEVELOPMENT OF REAL PROPERTY LOCATED WITHIN THE STATE OF NORTH CAROLINA, THEREBY SUPERSEDING ALL STATUTORY AND REGULATORY REQUIREMENTS TO THE CONTRARY, and requests conferees. The President *Pro Tempore* appoints:

Senator Clodfelter, Chair
Senator Hoyle
Senator Jenkins

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

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

2009 GENERAL ASSEMBLY FIRST SESSION

Senate Chamber
July 27, 2009

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees for **S.B. 708** (Conference Report), A BILL TO BE ENTITLED AN ACT TO AMEND THE COMPULSORY SCHOOL ATTENDANCE LAW.

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

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

INTRODUCTION OF PAGES

Pages for the week of July 27 are introduced to the membership. They are: Nicole Beatty of Wake; Emily Bodager of Durham; Alexander Boudreau of Buncombe; Taylor Bryant of Lee; Morgan Burke of Wake; Alexa Cannon of Wake; Wilson Croft of Davidson; Benjamin Daughtry of Johnston; Daniel Dunlow of Halifax; Mariah Farrar of Wake; Evan Gibson of Caldwell; Rodney Hall of Durham; Archie Hansley of Union; Taylor Hibbitts of Davidson; Patrick Mangan of Caldwell; Gabrielle Marshall of Davidson; Jamarkis Mitchell of Wake; Michael Morrison of Onslow; Amanda Riley of Wake; Melinda Ringel of Cumberland; Shamone Smith of Gaston; Alexandra Snow of Forsyth; Lindsay Stephenson of Alamance; and Charles Young of Davidson.

July 27, 2009

BILLS WITHDRAWN FROM COMMITTEE

On motion of Representative Owens and without objection, **H.B. 456** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND ORGANIZATIONAL CHANGES TO THE LAW REGARDING THE LICENSURE AND INSPECTION OF FACILITIES FOR AGED AND DISABLED INDIVIDUALS, is withdrawn from the Committee on Judiciary II and pursuant to Rule 36(b), is placed on the Calendar of July 28.

On motion of Representative Owens and without objection, **H.B. 819** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE POLYSOMNOGRAPHY PRACTICE ACT, is withdrawn from the Committee on Finance and pursuant to Rule 36(b), is placed on the Calendar of July 28.

RE-REFERRAL

On motion of Representative Owens, pursuant to Rule 39.2 and without objection, **S.B. 252** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STRENGTHEN LOCAL EMERGENCY MANAGEMENT CAPABILITIES, AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON EMERGENCY PREPAREDNESS AND DISASTER MANAGEMENT RECOVERY, is withdrawn from the Committee on Local Government II and re-referred to the Committee on Judiciary I. The serial referral to the Committee on Homeland Security/Military and Veterans Affairs remains the same.

Representative Owens moves, seconded by Representative Samuelson, that the House adjourn, subject to the receipt of Committee Reports, the receipt of Conference Reports, and the receipt of Messages from the Senate, to reconvene July 28 at 3:00 p.m.

The motion carries.

No Committee Reports, Conference Reports, or Messages from the Senate having been received, the House stands adjourned at 8:50 p.m.

July 27, 2009

ONE HUNDRED FIFTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, July 28, 2009

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

The following prayer is offered by the Reverend Bob Inskeep, Associate Pastor, First Presbyterian Church, Raleigh, North Carolina:

"Gracious God:

"These Legislators are here to serve, to implement those divine principals of justice and fairness and compassion.

"In the Words of that Bible Proverb:

"Those who oppress the poor insult their Maker,
but those who are kind to the needy honor him.' (Proverbs 14:31)

"And yet, by this time, they cry out the Proverb of lament:

'I am weary, O God. How can I prevail?' (Proverbs 30:1)

"Lord, continue to give them the strength to wrestle with the Gordian knot called 'the budget', and then to deal with other issues they never knew they'd have to think about! May they continue to learn from their colleagues who have completely different opinions. May we all learn from each other and contribute our little bit of knowledge to the body's effort to make the best decisions for the benefit of all.

"Lord, grant them wisdom, perseverance, courage, patience...and hope. Amen."

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

Leaves of absence are granted Representatives Barnhart, Cotham, Current, and Owens for today. Representatives Fisher and Jackson are excused for a portion of the Session.

July 28, 2009

ENROLLED BILLS

S.B. 38, AN ACT TO CONTINUALLY APPLY THE SPECIAL RULES FOLLOWING A FEDERAL DECENNIAL CENSUS TO MUNICIPAL REDISTRICTING AFTER THAT CENSUS.

S.B. 44, AN ACT TO CLARIFY THE LAW REGARDING APPEALS OF QUASI-JUDICIAL DECISIONS MADE UNDER ARTICLE 19 OF CHAPTER 160A AND ARTICLE 18 OF CHAPTER 153A OF THE GENERAL STATUTES.

S.B. 513, AN ACT TO AUTHORIZE SERVICE BY MAIL OF NOTICES OF HEARINGS ON VIOLATIONS OF UNSUPERVISED PROBATION, CLARIFYING PROCEDURES FOR COMMUNITY SERVICE STAFF NOTIFYING PERSONS OF WILLFUL VIOLATIONS, AND TO CLARIFY THE COURT'S AUTHORITY WHEN A NOTICE OF VIOLATION OF UNSUPERVISED PROBATION IS SERVED BY MAIL.

S.B. 514, AN ACT TO PROVIDE CERTAIN MAGISTRATES WITH THE AUTHORITY TO PROVIDE FOR THE APPOINTMENT OF COUNSEL TO INDIGENT PERSONS WHEN AUTHORIZED BY THE CHIEF DISTRICT JUDGE.

S.B. 687, AN ACT TO EXEMPT PLUMBING CONTRACTORS FROM WELL CONTRACTOR CERTIFICATION REQUIREMENTS.

S.B. 708, AN ACT TO AMEND THE COMPULSORY SCHOOL ATTENDANCE LAW.

S.B. 713, AN ACT TO CREATE THE CRIMINAL OFFENSE OF REMOVING, DESTROYING, OR CIRCUMVENTING THE OPERATION OF AN ELECTRONIC MONITORING DEVICE.

S.B. 804, AN ACT TO MAKE CHANGES TO THE CERTIFICATE OF NEED LAW WITH RESPECT TO TIME LINES FOR ISSUANCE OF A CERTIFICATE OF NEED; TO MODIFY BOND REQUIREMENTS FOR APPEALS; TO PROHIBIT THE APPROVAL OF A CERTIFICATE OF NEED FOR CERTAIN TYPES OF EMERGENCY DEPARTMENTS FOR A SPECIFIED TIME PERIOD; AND TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO STUDY THE LICENSURE OF HOSPITAL-BASED OFF-SITE EMERGENCY DEPARTMENTS.

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S.B. 820, AN ACT TO CREATE NEW MOTOR VEHICLE TITLING AND REGISTRATION CATEGORIES FOR MOTOR VEHICLES CLASSIFIED AS REPLICA VEHICLES, STREET RODS, AND CUSTOM VEHICLES, AND TO MAKE CORRESPONDING CHANGES.

S.B. 882, AN ACT TO CLARIFY AND REFORM THE STATUTES OF LIMITATION AND REPOSE IN PRODUCT LIABILITY ACTIONS.

S.B. 909, AN ACT EXTINGUISHING THE LIABILITY OF RETAILERS FOR SALES TAX OVERCOLLECTIONS MADE IN RELIANCE ON WRITTEN ADVICE OF THE SECRETARY OF REVENUE.

S.B. 931, AN ACT TO PROVIDE RECIPROCITY TO A PERSON WHO HOLDS ANY COMMERCIAL DRIVERS LICENSE RECOGNIZED BY THE FEDERAL GOVERNMENT, TO EXPAND THE DEFINITION OF CONVICTION FOR OUT-OF-STATE VIOLATIONS, TO EXPAND THE DEFINITION OF EMPLOYER WITH REGARDS TO COMMERCIAL DRIVERS LICENSES, TO ADD A DISQUALIFYING VIOLATION TO COMMERCIAL DRIVERS LICENSES, TO INCREASE CIVIL PENALTIES, TO EXPAND EMPLOYER REPORTING RESPONSIBILITIES, AND TO MODIFY REQUIREMENTS FOR CONVICTIONS TEN YEARS OLD OR OLDER.

S.B. 1062, AN ACT STRENGTHENING DOMESTIC VIOLENCE PROTECTIVE ORDERS TO PROVIDE FOR THE PROTECTION OF PETS.

S.B. 1078, AN ACT TO PROVIDE THE PROCEDURE FOR DETERMINING PRETRIAL RELEASE CONDITIONS WHEN A PROBATIONER IS ARRESTED AND CHARGED WITH THE COMMISSION OF A FELONY, AND TO PROVIDE THAT WHEN A PROBATIONER IS CHARGED WITH A VIOLATION OF PROBATION AND HAS A PENDING FELONY CHARGE, A JUDICIAL OFFICIAL MUST DETERMINE WHETHER THE PROBATIONER POSES A DANGER TO THE PUBLIC AND, IF THE PROBATIONER IS A DANGER TO THE PUBLIC, THE JUDICIAL OFFICIAL MUST DENY RELEASE ON THE PROBATION VIOLATION CHARGE.

H.B. 1058, AN ACT TO INCREASE THE STATUTORY HOME-STEAD EXEMPTION.

H.B. 1433, AN ACT TO CLARIFY THE IMMUNITY FROM LIABILITY OF PERSONS USING AUTOMATED EXTERNAL DEFIBRILLATORS IN EMERGENCY SITUATIONS.

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H.B. 1452, AN ACT TO REQUIRE ALL CITIES, COUNTIES, LOCAL BOARDS OF EDUCATION, UNIFIED GOVERNMENTS, SANITARY DISTRICTS, AND CONSOLIDATED CITY-COUNTIES TO ADOPT A CODE OF ETHICS FOR THE GOVERNING BOARD AND TO REQUIRE THE MEMBERS OF THOSE GOVERNING BOARDS TO RECEIVE EDUCATION ON ETHICS LAWS APPLICABLE TO LOCAL GOVERNMENT OFFICIALS.

H.B. 1481, AN ACT TO TRANSFER THE STATE ENERGY OFFICE FROM THE DEPARTMENT OF ADMINISTRATION TO THE DEPARTMENT OF COMMERCE, TO TRANSFER THE RESIDENTIAL ENERGY CONSERVATION ASSISTANCE PROGRAM FROM THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO THE ENERGY OFFICE OF THE DEPARTMENT OF COMMERCE, AND TO MAKE VARIOUS CHANGES TO THE ENERGY POLICY ACT OF 1975.

CHAPTERED BILLS

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

H.B. 622, AN ACT TO EXTEND THE EXEMPTION FOR THE TOWN OF LOUISBURG FROM THE COMPETITIVE BIDDING REQUIREMENTS FOR THE LOUISBURG ECONOMIC DEVELOPMENT PROJECT AND AN EXEMPTION FROM THE COMPETITIVE BIDDING REQUIREMENTS FOR CURRITUCK COUNTY FOR A SINGLE PROJECT. (S.L. 2009-370)

CONFEREES APPOINTED

The Speaker appoints the following conferees on **S.B. 660** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE AN ALTERNATIVE METHOD OF DETERMINING PROPERTY DAMAGES AS A PART OF MOTOR VEHICLE LIABILITY INSURANCE: Representative Justice, Chair; Representatives Grady, Cole, and Wray.

The Senate is so notified by Special Message.

The Speaker appoints the following conferees on **S.B. 831** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO EXTEND CERTAIN GOVERNMENT APPROVALS AFFECTING THE DEVELOPMENT OF REAL PROPERTY WITHIN THE STATE: Representative Harrell, Chair; Representatives Goforth and Tillis.

July 28, 2009

The Senate is so notified by Special Message.

CONFERENCE REPORTS

Representative Ross sends forth the Conference Report on **S.B. 628** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CHANGE THE REPORTING FORMAT FOR DATA ON CONTROLLED SUBSTANCES TRANSMITTED BY DISPENSERS TO THE DEPARTMENT, TO AUTHORIZE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO RELEASE CONFIDENTIAL DATA IN THE CONTROLLED SUBSTANCES REPORTING SYSTEM TO THE CHIEF MEDICAL EXAMINER AND COUNTY MEDICAL EXAMINERS FOR THE PURPOSE OF INVESTIGATING DEATHS, AND TO MAKE CHANGES PERTAINING TO CONFIDENTIALITY OF PRESCRIPTION INFORMATION. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of July 29.

Representative Justus sends forth the Conference Report on **H.B. 406** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF JUSTICE AND THE WILDLIFE RESOURCES COMMISSION TO DEVELOP JOINTLY A PLAN FOR CONSTRUCTION OF A FIRING RANGE FOR USE BY CRIMINAL JUSTICE OFFICERS ATTENDING THE WESTERN JUSTICE ACADEMY, LAW ENFORCEMENT OFFICERS OF THE WILDLIFE RESOURCES COMMISSION, AND OTHERS AND FOR A FIRING AND ARCHERY RANGE OPEN AND ACCESSIBLE FOR PUBLIC USE; AND TO PROVIDE THAT ANY FIRING RANGE CONSTRUCTED ON THE GROUNDS OF THE LARRY T. JUSTUS WESTERN JUSTICE ACADEMY SHALL BE AN INDOOR FACILITY. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of July 29.

Upon adoption, the Conference Report changes the title.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

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

H.B. 1245, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO STUDY THE FEASIBILITY OF TOLLING ALL INTERSTATE HIGHWAYS ENTERING INTO THIS

July 28, 2009

STATE IN COOPERATION WITH EACH SURROUNDING STATE, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of July 29. The original bill is placed on the Unfavorable Calendar.

H.J.R. 1657, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF EUGENE BURNS TURNER, with a favorable report as to the committee substitute resolution, unfavorable as to the original resolution.

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

By Representative Sutton, Chair, for the Committee on Judiciary III:

S.B. 853 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT AN ATTORNEY MAKING A MOTION FOR APPROPRIATE RELIEF IN SUPERIOR COURT, WHETHER BY ORAL OR WRITTEN MOTION, MUST CERTIFY IN WRITING TO THE COURT THAT THE MOTION IS MADE IN GOOD FAITH AND ON SOUND LEGAL BASIS, THAT THE ATTORNEY HAS REVIEWED THE TRIAL TRANSCRIPT AS APPROPRIATE, OR IF THE TRANSCRIPT IS UNAVAILABLE, STATE THE EFFORTS UNDERTAKEN TO LOCATE THE TRANSCRIPT, AND THE ATTORNEY HAS NOTIFIED BOTH THE DISTRICT ATTORNEY AND THE DEFENSE ATTORNEY WHO INITIALLY REPRESENTED THE DEFENDANT OF THE MOTION AND TO REQUIRE THAT THE CERTIFICATION APPEAR IN WRITING ON THE MOTION, with a favorable report as to House Committee Substitute Bill No. 2, which changes the title, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(b), House Committee Substitute Bill No. 2 is placed on the Calendar of July 29. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

S.B. 978 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE NORTH CAROLINA CRIMINAL JUSTICE EDUCATION AND TRAINING STANDARDS COMMISSION TO COORDINATE WITH LOCAL AND STATE LAW ENFORCEMENT OFFICERS AND WITH THE COMMUNITY COLLEGE SYSTEM TO PROVIDE MULTIPLE FIREARMS QUALIFICATION SITES FOR

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CERTIFICATION TO CARRY A CONCEALED HANDGUN PURSUANT TO FEDERAL LAW, AND TO EXPAND THE POWERS OF THE COMMISSION, with a favorable report as to House Committee Substitute Bill No. 2, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(b), House Committee Substitute Bill No. 2 is placed on the Calendar of July 29. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representatives Glazier, Love, and Weiss, Vice Chairs, for the Committee on Judiciary II:

S.B. 488, A BILL TO BE ENTITLED AN ACT TO MAKE THE INCREASE IN SENTENCE LENGTHS BETWEEN PRIOR RECORD LEVELS MORE PROPORTIONATE USING A SET PERCENTAGE INCREMENT, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

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

S.B. 489, A BILL TO BE ENTITLED AN ACT TO RESTRUCTURE THE PRIOR RECORD LEVEL POINT RANGES IN ORDER TO EXPAND THE POINTS IN PRIOR RECORD LEVEL I AND TO EVEN OUT THE REMAINING RANGES, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

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

S.B. 556 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE THE LAWS RELATING TO THE ASHEVILLE CIVIL SERVICE BOARD, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of July 29.

CALENDAR

Action is taken on the following:

H.B. 456 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND ORGANIZATIONAL CHANGES TO THE LAW REGARDING THE LICENSURE AND INSPECTION OF FACILITIES FOR AGED AND DISABLED INDIVIDUALS.

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On motion of Representative Insko, the House concurs in the Senate committee substitute bill, by electronic vote (113-0), and the bill is ordered enrolled and presented to the Governor.

Representative Goforth requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (114-0).

H.B. 819 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE POLYSOMNOGRAPHY PRACTICE ACT.

On motion of Representative Wainwright, the House concurs in the Senate committee substitute bill, by electronic vote (113-0), and the bill is ordered enrolled and presented to the Governor.

Senate Committee Substitute for **H.B. 951**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE COUNTY BOARD OF COMMISSIONERS TO APPOINT A LICENSED OPTOMETRIST FROM ANOTHER COUNTY TO THE COUNTY BOARD OF HEALTH UNDER CERTAIN CIRCUMSTANCES.

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

S.B. 64 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO SHORTEN THE DURATION AND AMEND THE REQUIREMENTS FOR A MOTORCYCLE LEARNER'S PERMIT, AND CLARIFY THE REQUIREMENTS FOR OBTAINING A MOTORCYCLE ENDORSEMENT.

On motion of Representative Faison and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of July 29.

H.B. 1296 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE DRUG, SUPPLIES, AND MEDICAL DEVICE REPOSITORY PROGRAM IN THE NORTH CAROLINA BOARD OF PHARMACY.

On motion of Representative Stewart, the House concurs in the Senate committee substitute bill, by electronic vote (113-0), and the bill is ordered enrolled and presented to the Governor.

S.B. 53, A BILL TO BE ENTITLED AN ACT ALLOWING THE TOWN OF BURGAW TO EXERCISE EXTRATERRITORIAL JURIS-

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DICTION OVER AN AREA EXTENDING TWO MILES FROM ITS LIMITS, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Bell, Blackwell, Blust, Bordsen, Braxton, Brisson, Brubaker, Bryant, Burris-Floyd, Carney, Coates, Cole, Crawford, Daughtry, Dickson, Dockham, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Gibson, Gill, Glazier, Goforth, Goodwin, Grady, Guice, Gulley, Haire, Hall, Harrell, Harrison, Hill, Holliman, Howard, Hughes, Iler, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Langdon, Lewis, Love, Lucas, Luebke, Mackey, Martin, McComas, McGee, McLawhorn, Michaux, Mobley, Moore, Neumann, Parmon, Pierce, Randleman, Rapp, Ross, Samuelson, Spear, Stam, Starnes, Steen, Stewart, Sutton, Tarleton, Tillis, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, Whilden, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 93.

Voting in the negative: Representatives Avila, Blackwood, Boles, Brown, Burr, Cleveland, Folwell, Frye, Gillespie, Hilton, Holloway, Hurley, Ingle, Killian, McCormick, Mills, Rhyne, Sager, Setzer, Stevens, and West - 21.

Excused absences: Representatives Barnhart, Cotham, Current, and Owens - 4.

H.B. 1151 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH REQUIREMENTS FOR CERTIFICATION OF PERSONS PERFORMING LEAD-BASED PAINT RENOVATION WORK IN CERTAIN RESIDENTIAL HOUSING AND CHILD-OCCUPIED FACILITIES; AND TO REQUIRE ACCREDITATION OF RENOVATION TRAINERS AND RENOVATION TRAINING COURSES.

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

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Avila, Bell, Blackwell, Blackwood, Blust, Boles, Bordsen, Braxton, Brisson, Brown, Brubaker, Bryant, Burr, Burris-Floyd, Carney, Cleveland, Coates, Cole, Crawford, Daughtry, Dickson, Dockham, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Folwell, Frye, Gibson, Gill, Gillespie, Glazier, Goforth, Goodwin, Guice, Gulley, Haire, Hall, Harrell, Harrison, Hill, Hilton, Holliman, Holloway, Howard, Hughes, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Killian, Langdon, Lewis, Love, Lucas, Luebke, Mackey, Martin, McComas, McCormick, McGee, McLawhorn, Michaux, Mills,

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Mobley, Moore, Neumann, Parmon, Pierce, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Setzer, Spear, Stam, Starnes, Steen, Stevens, Stewart, Sutton, Tarleton, Tillis, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 113.

Voting in the negative: Representative Grady.

Excused absences: Representatives Barnhart, Cotham, Current, and Owens - 4.

H.B. 1500 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO CREATE A NEW DEVELOPMENT TIER DESIGNATION EXCEPTION FOR CERTAIN SEAFOOD INDUSTRIAL PARKS, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Bell, Blackwood, Boles, Braxton, Brisson, Brown, Brubaker, Bryant, Burr, Burris-Floyd, Carney, Cleveland, Coates, Cole, Crawford, Daughtry, Dickson, Dollar, Earle, England, Faison, Farmer-Butterfield, E. Floyd, Folwell, Frye, Gibson, Gill, Gillespie, Glazier, Goforth, Goodwin, Grady, Guice, Gulley, Haire, Harrell, Hill, Hilton, Holliman, Holloway, Howard, Hughes, Hurley, Iler, Ingle, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Killian, Langdon, Lewis, Love, Lucas, Martin, McComas, McLawhorn, Michaux, Mobley, Moore, Neumann, Parmon, Pierce, Randleman, Rapp, Rhyne, Ross, Setzer, Spear, Starnes, Steen, Stewart, Sutton, Tarleton, Tillis, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, West, Whilden, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 95.

Voting in the negative: Representatives Avila, Blackwell, Blust, Bordsen, Dockham, Fisher, Hall, Harrison, Insko, Luebke, Mackey, McCormick, McGee, Mills, Sager, Samuelson, Stam, Stevens, and Weiss - 19.

Excused absences: Representatives Barnhart, Cotham, Current, and Owens - 4.

S.B. 458 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT REQUIRING AN APPLICANT FOR LICENSURE AS A BAIL BONDSMAN OR RUNNER TO HAVE OBTAINED A HIGH SCHOOL DIPLOMA OR ITS EQUIVALENT; TO REQUIRE A RENEWAL APPLICATION EVERY YEAR AND A CRIMINAL HISTORY RECORD CHECK EVERY OTHER YEAR FOR RENEWING A LICENSE; TO

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PROVIDE THAT A LICENSEE SHALL PAY FOR THE COSTS OF A CRIMINAL HISTORY RECORD CHECK WHEN RENEWING A LICENSE; TO PROHIBIT THE RENEWAL OF A LICENSE OF A LICENSEE WHO HAS BEEN CONVICTED OF A MISDEMEANOR DRUG CHARGE; AND TO PROHIBIT A PERSON FROM BEING LICENSED IF THE PERSON IS CONVICTED OF A MISDEMEANOR DRUG VIOLATION WITHIN THE PREVIOUS TWENTY-FOUR MONTHS OF THE DATE OF THE APPLICATION.

Pursuant to Rule 24.1A(c), the request that Representative Burr be excused from voting on July 27 is continued.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate for concurrence in House Committee Substitute Bill No. 2 by Special Message.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Avila, Bell, Blackwell, Blackwood, Blust, Boles, Bordsen, Braxton, Brown, Brubaker, Bryant, Burris-Floyd, Carney, Cleveland, Coates, Cole, Crawford, Daughtry, Dickson, Dockham, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Folwell, Frye, Gibson, Gill, Gillespie, Glazier, Goforth, Goodwin, Grady, Guice, Gulley, Haire, Hall, Harrell, Harrison, Hill, Hilton, Holliman, Holloway, Hughes, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Killian, Langdon, Lewis, Love, Lucas, Luebke, Mackey, Martin, McComas, McCormick, McGee, McLawhorn, Michaux, Mills, Mobley, Moore, Neumann, Parmon, Pierce, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Setzer, Spear, Stam, Starnes, Steen, Stevens, Stewart, Sutton, Tarleton, Tillis, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 111.

Voting in the negative: Representative Brisson.

Excused absences: Representatives Barnhart, Cotham, Current, and Owens - 4.

Excused vote: Representative Burr.

S.B. 810 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT PROVIDING THAT IT IS A VIOLATION OF THE STATE'S FAIR HOUSING ACT TO DISCRIMINATE IN LAND-USE DECISIONS OR THE PERMITTING OF DEVELOPMENT BASED ON THE FACT THAT A DEVELOPMENT CONTAINS AFFORDABLE HOUSING UNITS.

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Representative Hall offers Amendment No. 2 which is adopted by electronic vote (111-3).

The bill, as amended, passes its third reading, by electronic vote (95-19), and is ordered engrossed and sent to the Senate for concurrence in the House committee substitute bill by Special Message.

S.B. 293 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE QUALIFICATIONS FOR PROSPECTIVE JURORS AND TO AUTHORIZE THE REGISTER OF DEEDS TO STORE AN ELECTRONIC COPY OF THE JUROR MASTER LIST.

Representative Faison moves that the bill be withdrawn from the Calendar and re-referred to the Committee on Ways and Means/Broadband Connectivity. The motion carries by electronic vote (65-48).

The bill is re-referred to the Committee on Ways and Means/Broadband Connectivity.

S.B. 464 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REQUIRING THE COLLECTION OF TRAFFIC LAW ENFORCEMENT STATISTICS IN ORDER TO PREVENT RACIAL PROFILING AND TO PROVIDE FOR THE CARE OF MINOR CHILDREN WHEN PRESENT AT THE ARREST OF CERTAIN ADULTS, with Amendment No. 1 pending, is before the Body.

Representative Stevens withdraws Amendment No. 1.

Representative Stevens offers Amendment No. 2 which fails of adoption by electronic vote (55-58).

The bill passes its second reading, by electronic vote (93-18).

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

S.B. 920 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ALLOW PROBATION OFFICERS TO ACCESS CERTAIN OFFENDERS' JUVENILE RECORDS, TO MAKE WARRANTLESS SEARCHES AND DRUG SCREENING REGULAR CONDITIONS OF SUPERVISION, TO ADD ADDITIONAL CONTROLLING MEASURES FOR OFFENDERS SUBJECT TO INTERMEDIATE PUNISHMENT, AND TO MAKE CLARIFYING AMENDMENTS TO STREAMLINE PROCEDURES FOR SUPERVISION OF OFFENDERS IN THE COMMUNITY.

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Representative Stam offers Amendment No. 1 which is adopted by electronic vote (110-1).

The bill, as amended, passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate for concurrence in House Committee Substitute Bill No. 2 by Special Message.

SPECIAL MESSAGES FROM THE SENATE

The following Special Messages are received from the Senate:

H.B. 1057 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ABOLISH DEFICIENCY JUDGMENTS IN CERTAIN CASES WHERE THE MORTGAGE IS SECURED BY PRIMARY RESIDENCE, is returned for concurrence in the Senate committee substitute bill and referred to the Committee on Judiciary II.

H.B. 1103 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO UPDATE THE SEED LAW AND TO INCREASE FEES FOR SEED DEALER LICENSES, is returned for concurrence in one Senate amendment.

Pursuant to Rule 36(b), the bill is placed on the Calendar of July 29.

S.B. 563 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO IMPROVE PYROTECHNICS SAFETY IN NORTH CAROLINA, is read the first time and referred to the Committee on Insurance and, if favorable, to the Committee on Finance.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following report from standing committee is presented:

By Representative Tarleton, Chair, for the Committee on Water Resources and Infrastructure:

S.B. 1083 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE LITTLE TENNESSEE RIVER BASIN ADVISORY COMMISSION, with a favorable report as to the House

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committee substitute bill, unfavorable as to the Senate committee substitute bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Public Utilities.

The House committee substitute bill is re-referred to the Committee on Public Utilities. The Senate committee substitute bill is placed on the Unfavorable Calendar.

CONFERENCE REPORTS

Representative Cole sends forth the Conference Report on **H.B. 67** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE COVERING OF THE STATE NAME, YEAR STICKER, OR MONTH STICKER ON A STATE LICENSE PLATE BY A LICENSE PLATE FRAME AND TO DIRECT THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE AND THE REVENUE LAWS STUDY COMMITTEE TO STUDY THE AUTHORIZATION OF SPECIAL REGISTRATION PLATES. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of July 29.

Representative Harrell sends forth the Conference Report on **S.B. 831** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO EXTEND CERTAIN GOVERNMENT APPROVALS AFFECTING THE DEVELOPMENT OF REAL PROPERTY WITHIN THE STATE. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of July 29.

Representative Ross moves, seconded by Representative E. Warren, that the House adjourn, subject to the receipt of Committee Reports, the receipt of Conference Reports, the receipt of Messages from the Senate, and the ratification of bills, to reconvene July 29 at 3:00 p.m.

The motion carries.

No Committee Reports, Conference Reports, Messages from the Senate having been received or bills having been presented for ratification, the House stands adjourned at 5:08 p.m.

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ONE HUNDRED SIXTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, July 29, 2009

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

The following prayer is offered by the Reverend Lib Campbell, Associate Pastor, St. Mark's United Methodist Church, Raleigh, North Carolina:

"Holy and Gracious God:

"We pause at the beginning of this afternoon's Session to give You thanks and praise for the beauty of creation, for the goodness of this day, for the work You call us to do. Our days have grown long, our discussions difficult, but even in the midst of challenge, we are mindful of the importance of the decisions we make on behalf of the people of North Carolina and the responsibility we have to work for the common good of Your people.

"Troubled times call for strong, servant leadership. So we pray for clear discernment around the issues of our budget process. Grant us wisdom; grant us courage and grant us clarity of purpose. Help us remember the call to do no harm, but to do good wherever and whenever we can.

"Forgive our failings and our shortcomings. Bless the work we have begun and in Your mercy and grace, make good its defects. May our work be pleasing unto You and acceptable to those constituents whom we serve, those whose lives will bear the consequences of the decisions made here.

"This is too heavy a burden to carry alone, so Lord, grant to us Your strength - emotional, physical, spiritual - for the living of these days. Keep us at this work with kindness, good humor and a unity of spirit, that we may persevere in righteousness to the end of this task. Guide our steps and uphold us in Your Spirit. Grant to us Your peace.

"This we pray in the name of all that is honorable, just, good and true. Amen."

Representative Ross, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of July 28 has been examined and found correct. Upon her motion, the Journal is approved as written.

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Leaves of absence are granted Representatives Current, McElraft, and Owens for today. Representative Lewis is excused for a portion of the Session.

ENROLLED BILLS

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

S.B. 107, AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE OYSTER AND HARD CLAM FISHERY MANAGEMENT PLAN, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE.

S.B. 606, AN ACT TO ESTABLISH A PROCEDURE FOR PROVIDING NOTICE TO CREDITORS WITHOUT ESTATE ADMINISTRATION WHEN A DECEDENT DIES LEAVING NO PROPERTY SUBJECT TO PROBATE AND TO MAKE A TECHNICAL CORRECTION TO THE PROVISION PROVIDING FOR COSTS IN THE ADMINISTRATION OF ESTATES.

S.B. 834, AN ACT REWRITING THE LAWS REGULATING SANITARIANS AND AUTHORIZING THE STATE BOARD OF SANITARIAN EXAMINERS TO IMPOSE AN APPLICATION FEE, AND TO INCREASE CERTAIN FEES.

S.B. 1091, AN ACT TO AMEND THE LAW REGARDING TRAFFICKING IN METHAMPHETAMINE AND AMPHETAMINE TO CLARIFY THAT THE CHARGE OF TRAFFICKING IS BASED ON THE WEIGHT OF THE ENTIRE POWDER OR LIQUID MIXTURE RATHER THAN THE WEIGHT OF THE ACTUAL AMOUNT OF THE CONTROLLED SUBSTANCE IN THE POWDER OR LIQUID MIXTURE.

H.B. 456, AN ACT TO MAKE TECHNICAL AND ORGANIZATIONAL CHANGES TO THE LAW REGARDING THE LICENSURE AND INSPECTION OF FACILITIES FOR AGED AND DISABLED INDIVIDUALS.

H.B. 819, AN ACT TO ESTABLISH THE POLYSOMNOGRAPHY PRACTICE ACT.

H.B. 951, AN ACT TO ALLOW THE COUNTY BOARD OF COMMISSIONERS TO APPOINT A LICENSED OPTOMETRIST FROM ANOTHER COUNTY TO THE COUNTY BOARD OF HEALTH UNDER CERTAIN CIRCUMSTANCES AND TO ABOLISH THE STATE BOARD OF OSTEOPATHIC EXAMINATION AND REGISTRATION.

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H.B. 1296, AN ACT TO ESTABLISH THE DRUG, SUPPLIES, AND MEDICAL DEVICE REPOSITORY PROGRAM IN THE NORTH CAROLINA BOARD OF PHARMACY.

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

S.B. 53, AN ACT ALLOWING THE TOWN OF BURGAW TO EXERCISE EXTRATERRITORIAL JURISDICTION OVER AN AREA EXTENDING TWO MILES FROM ITS LIMITS.

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representatives Farmer-Butterfield, Tarleton, Dickson, and Jones (Primary Sponsors); Fisher, Gulley, Hurley, and Wilkins:

H.J.R. 1658, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF WALTER LELAND CRONKITE, JR., FORMER ANCHOR AND JOURNALIST, is referred to the Committee on Rules, Calendar, and Operations of the House.

CONFERENCE REPORTS

Representative Cole moves the adoption of the following Conference Report.

Senate Committee Substitute for H.B. 67

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 67, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE COVERING OF THE STATE NAME, YEAR STICKER, OR MONTH STICKER ON A STATE LICENSE PLATE BY A LICENSE PLATE FRAME AND TO DIRECT THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE AND THE REVENUE LAWS STUDY COMMITTEE TO STUDY THE AUTHORIZATION OF SPECIAL REGISTRATION PLATES, Senate Finance Committee Substitute Adopted 7/2/09, submit the following report:

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The House and Senate agree to the following amendment and the House concurs in Senate Finance Committee Substitute Adopted 7/2/09, Fourth Edition engrossed, as amended:

On page 1, lines 27-28, by deleting the phrase "are not designed or intended to" and substituting the phrase "are do not ~~designed or intended to~~".

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

Date conferees approved report: July 28, 2009.

*Conferees for the
Senate*

S/ Clark Jenkins, Chair
S/ Steve Goss
S/ Jerry W. Tillman

*Conferees for the
House of Representatives*

S/ Nelson Cole, Chair
S/ Becky Carney
S/ Grier Martin
S/ Daniel F. McComas

The Conference Report is adopted, by electronic vote (88-26), and the Senate is so notified by Special Message.

Representative Justus moves the adoption of the following Conference Report.

Senate Committee Substitute for H.B. 406

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 406, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF JUSTICE AND THE WILDLIFE RESOURCES COMMISSION TO DEVELOP JOINTLY A PLAN FOR CONSTRUCTION OF A FIRING RANGE FOR USE BY CRIMINAL JUSTICE OFFICERS ATTENDING THE WESTERN JUSTICE ACADEMY, LAW ENFORCEMENT OFFICERS OF THE WILDLIFE RESOURCES COMMISSION, AND OTHERS AND FOR A FIRING AND ARCHERY RANGE OPEN AND ACCESSIBLE FOR PUBLIC USE; AND TO PROVIDE THAT ANY FIRING RANGE CONSTRUCTED ON THE GROUNDS OF THE LARRY T. JUSTUS WESTERN JUSTICE ACADEMY SHALL BE AN INDOOR FACILITY, Senate State and Local Government Committee Substitute Adopted 6/3/09, submit the following report:

July 29, 2009

The House and Senate agree to the following amendment to the Senate Committee Substitute, Senate State and Local Government Committee Substitute Adopted 6/3/09, and the House concurs in the Senate State and Local Government Committee Substitute as amended:

Delete the entire Senate State and Local Government Committee Substitute and substitute the attached proposed Conference Committee Substitute H406-PCCS50776-LL-1.

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

Date conferees approved report: July 28th, 2009.

*Conferees for the
Senate*

S/ Tom Apodaca, Chair
S/ Don East
S/ John Snow

*Conferees for the
House of Representatives*

S/ Carolyn K. Justus, Chair
S/ Shirley B. Randleman
S/ Timothy L. Spear
S/ Arthur Williams

The Conference Report, which changes the title, is adopted, by electronic vote (115-0), and the Senate is so notified by Special Message. (The text of the Conference Committee Substitute may be found in its entirety in the 2009 Session Laws, Chapter 449.)

Representative Ross moves the adoption of the following Conference Report.

House Committee Substitute for S.B. 628

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 628, A BILL TO BE ENTITLED AN ACT TO CHANGE THE REPORTING FORMAT FOR DATA ON CONTROLLED SUBSTANCES TRANSMITTED BY DISPENSERS TO THE DEPARTMENT, TO AUTHORIZE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO RELEASE CONFIDENTIAL DATA IN THE CONTROLLED SUBSTANCES REPORTING SYSTEM TO THE CHIEF MEDICAL EXAMINER AND COUNTY MEDICAL EXAMINERS FOR THE PURPOSE OF INVESTIGATING DEATHS,

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AND TO MAKE CHANGES PERTAINING TO CONFIDENTIALITY OF PRESCRIPTION INFORMATION, House Committee Substitute Favorable 7/7/09, submit the following report:

The Senate and House agree to the following amendment and the Senate concurs in House Committee Substitute Favorable 7/7/09, as amended:

On page 1, lines 21-25, by rewriting the lines to read:

" time dispensers shall report no later than seven days after the prescription is dispensed in a format as determined annually by the Department based on the format used in the majority of the states operating a controlled substances reporting system."

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

Date conferees approved report: July 28, 2009.

*Conferees for the
Senate*

S/ William R. Purcell, Chair
S/ Stan Bingham
S/ Josh Stein

*Conferees for the
House of Representatives*

S/ Deborah K. Ross, Chair
S/ Bob England, M.D.
S/ Wil Neumann
S/ Jeff Barnhart

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

Representative Harrell moves the adoption of the following Conference Report.

House Committee Substitute No. 2 for S.B. 831

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 831, A BILL TO BE ENTITLED AN ACT TO EXTEND CERTAIN GOVERNMENT APPROVALS AFFECTING THE DEVELOPMENT OF REAL PROPERTY WITHIN THE STATE, House Committee Substitute #2 Favorable 7/15/09, submit the following report:

July 29, 2009

The Senate and House agree to the following amendment and the Senate concurs in House Committee Substitute #2 Favorable 7/15/09, as amended:

on page 4, lines 15 through 30,
by rewriting those lines to read:

"SECTION 6. Within 30 days after the effective date of this act, each agency or subdivision of the State to which this act applies shall place a notice in the North Carolina Register listing the types of development approvals that the agency or subdivision issues and noting the extension provided in this act. This section does not apply to units of local government.

SECTION 7. The provisions of this act shall be liberally construed to effectuate the purposes of this act.

SECTION 8. This act is effective when it becomes law."

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

Date conferees approved report: July 28, 2009.

*Conferees for the
Senate*

S/ Daniel G. Clodfelter, Chair
S/ David W. Hoyle
S/ Clark Jenkins

*Conferees for the
House of Representatives*

S/ Ty Harrell, Chair
S/ Bruce Goforth
S/ Thom Tillis

Pursuant to Rule 24.1A, Representative Killian requests that he be excused from voting on this bill. This request is granted.

The Conference Report is adopted, by electronic vote (114-0), and the Senate is so notified by Special Message.

CALENDAR

Action is taken on the following:

H.B. 1103 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO UPDATE THE SEED LAW AND TO INCREASE FEES FOR SEED DEALER LICENSES.

On motion of Representative Hill, the House concurs in the Senate amendment, by electronic vote (94-19), and the bill is ordered enrolled and presented to the Governor.

July 29, 2009

H.B. 1222 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO UPDATE THE RATE SPREAD AND HIGH-COST HOME LOANS STATUTES, AND TO MAKE A CONFORMING CHANGE TO THE EMERGENCY PROGRAM TO REDUCE HOME FORECLOSURES ACT.

On motion of Representative Glazier, the House concurs in the Senate committee substitute bill, by electronic vote (103-11), and the bill is ordered enrolled and presented to the Governor.

S.B. 346 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE A DESCRIBED AREA FROM THE CORPORATE LIMITS OF THE CITY OF KANNAPOLIS, TO ASSIST CABARRUS COUNTY WITH THE EXPEDITING OF PUBLIC SCHOOL CONSTRUCTION, AND TO MODIFY THE FILING PERIOD FOR THE ELECTION OF MEMBERS TO THE CABARRUS COUNTY BOARD OF EDUCATION.

On motion of Representative Barnhart and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of August 4.

S.B. 359 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE VILLAGE OF SNEADS FERRY, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Avila, Barnhart, Bell, Blackwell, Blackwood, Blust, Boles, Bordsen, Braxton, Brisson, Brown, Brubaker, Bryant, Burr, Burris-Floyd, Carney, Cleveland, Coates, Cole, Cotham, Crawford, Dickson, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Folwell, Frye, Gibson, Gill, Gillespie, Glazier, Goforth, Goodwin, Grady, Guice, Gulley, Haire, Hall, Harrell, Harrison, Hill, Hilton, Holliman, Holloway, Howard, Hughes, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Killian, Langdon, Love, Lucas, Luebke, Mackey, Martin, McComas, McCormick, McGee, McLawhorn, Michaux, Mills, Mobley, Moore, Neumann, Parmon, Pierce, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Setzer, Spear, Stam, Starnes, Steen, Stewart, Sutton, Tarleton, Tillis, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wiley, Wilkins, Womble, Wray, and Yongue - 111.

Voting in the negative: Representative Stevens.

Excused absences: Representatives Current, Lewis, McElraft, and Owens - 4.

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Representative Williams requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (112-1).

S.B. 556 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE THE LAWS RELATING TO THE ASHEVILLE CIVIL SERVICE BOARD, passes its second reading, by electronic vote (115-0), and there being no objection is read a third time.

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

S.B. 1073 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT AMENDING THE NORTH CAROLINA ALARM SYSTEMS LICENSING ACT AND AUTHORIZING THE NORTH CAROLINA ALARM SYSTEMS LICENSING BOARD TO ESTABLISH A LATE REGISTRATION FEE.

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

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate for concurrence in House Committee Substitute Bill No. 2 by Special Message.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Avila, Barnhart, Bell, Blackwell, Blackwood, Blust, Boles, Bordsen, Braxton, Brisson, Brown, Brubaker, Bryant, Burr, Burris-Floyd, Carney, Cleveland, Coates, Cole, Cotham, Crawford, Daughtry, Dickson, Dockham, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Folwell, Frye, Gibson, Gill, Gillespie, Glazier, Goforth, Goodwin, Grady, Guice, Gulley, Haire, Hall, Harrell, Harrison, Hill, Hilton, Holliman, Holloway, Howard, Hughes, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Killian, Langdon, Love, Lucas, Luebke, Mackey, Martin, McComas, McCormick, McGee, McLawhorn, Michaux, Mills, Mobley, Moore, Neumann, Parmon, Pierce, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Setzer, Spear, Stam, Starnes, Steen, Stevens, Stewart, Sutton, Tarleton, Tillis, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 115.

Voting in the negative: None.

Excused absences: Representatives Current, Lewis, McElraft, and Owens - 4.

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S.B. 464 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REQUIRING THE COLLECTION OF TRAFFIC LAW ENFORCEMENT STATISTICS IN ORDER TO PREVENT RACIAL PROFILING AND TO PROVIDE FOR THE CARE OF MINOR CHILDREN WHEN PRESENT AT THE ARREST OF CERTAIN ADULTS.

Representative Ingle offers Amendment No. 3 which is adopted by electronic vote (115-0).

Representative Stevens offers Amendment No. 4 which fails of adoption by electronic vote (57-58).

Representative Martin requests and is granted permission to change his vote from "aye" to "no". The adjusted vote total is (56-59).

Representative Haire moves to withdraw the bill from the Calendar and be re-referred to the Committee on Judiciary III. The motion fails by electronic vote (56-59).

The bill, as amended, passes its third reading, by electronic vote (95-20), and is ordered engrossed and sent to the Senate for concurrence in the House committee substitute bill by Special Message.

H.B. 1245 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO STUDY THE FEASIBILITY OF TOLLING ALL INTERSTATE HIGHWAYS ENTERING INTO THIS STATE IN COOPERATION WITH EACH SURROUNDING STATE, passes its second reading, by electronic vote (90-25), and there being no objection is read a third time.

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

S.B. 64 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO SHORTEN THE DURATION AND AMEND THE REQUIREMENTS FOR A MOTORCYCLE LEARNER'S PERMIT, AND CLARIFY THE REQUIREMENTS FOR OBTAINING A MOTORCYCLE ENDORSEMENT.

Representative Folwell offers Amendment No. 1 which is adopted by electronic vote (104-11).

The bill, as amended, passes its second reading, by electronic vote (94-21).

July 29, 2009

The Chair objects to the third reading. The bill remains on the Calendar.

S.B. 853 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT AN ATTORNEY MAKING A MOTION FOR APPROPRIATE RELIEF IN SUPERIOR COURT, WHETHER BY ORAL OR WRITTEN MOTION, MUST CERTIFY IN WRITING TO THE COURT THAT THE MOTION IS MADE IN GOOD FAITH AND ON SOUND LEGAL BASIS, THAT THE ATTORNEY HAS REVIEWED THE TRIAL TRANSCRIPT AS APPROPRIATE, OR IF THE TRANSCRIPT IS UNAVAILABLE, STATE THE EFFORTS UNDERTAKEN TO LOCATE THE TRANSCRIPT, AND THE ATTORNEY HAS NOTIFIED BOTH THE DISTRICT ATTORNEY AND THE DEFENSE ATTORNEY WHO INITIALLY REPRESENTED THE DEFENDANT OF THE MOTION, TO REQUIRE THAT THE CERTIFICATION APPEAR IN WRITING ON THE MOTION; AND TO REQUIRE THAT PRIOR TRIAL AND APPELLATE COUNSEL FOR THE DEFENDANT AND THE STATE MAKE ALL FILES RELATED TO THE DEFENDANT'S CASE AVAILABLE TO THE DEFENDANT'S ATTORNEY FOR POSTCONVICTION PROCEEDINGS IN SUPERIOR COURT, passes its second reading, by electronic vote (114-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House Committee Substitute Bill No. 2 by Special Message.

S.B. 978 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO DIRECT THE NORTH CAROLINA CRIMINAL JUSTICE EDUCATION AND TRAINING STANDARDS COMMISSION TO COORDINATE WITH LOCAL AND STATE LAW ENFORCEMENT OFFICERS AND WITH THE COMMUNITY COLLEGE SYSTEM TO PROVIDE MULTIPLE FIREARMS QUALIFICATION SITES FOR CERTIFICATION TO CARRY A CONCEALED HANDGUN PURSUANT TO FEDERAL LAW, AND TO EXPAND THE POWERS OF THE COMMISSION.

Pursuant to Rule 36.1(a), Representative Michaux, Chair of the Committee on Appropriations, requests a fiscal note on the bill.

The bill is removed from the Calendar.

Representative Ross moves, seconded by Representative England, that the House adjourn, subject to the receipt of Committee Reports, the receipt of Conference Reports, the receipt of Messages from the Senate, and the ratification of bills, to reconvene July 30 at 11:00 a.m.

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The motion carries.

SPECIAL MESSAGE FROM THE SENATE

The following Special Message is received from the Senate:

Senate Committee Substitute for **H.B. 102**, A BILL TO BE ENTITLED AN ACT TO ENACT A TECHNICAL AMENDMENT TO A SESSION LAW PERTAINING TO BUDGET CODE REFERENCES, is returned for concurrence in the Senate committee substitute bill and referred to the Committee on Appropriations.

Upon concurrence the Senate committee substitute bill changes the title.

CONFERENCE REPORT

Representative Justice sends forth the Conference Report on **S.B. 660** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE AN ALTERNATIVE METHOD OF DETERMINING PROPERTY DAMAGES AS A PART OF MOTOR VEHICLE LIABILITY INSURANCE. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of July 30.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

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

By Representative Braxton, Chair, for the Committee on Local Government II:

S.B. 251, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF WINTERVILLE TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF THE TOWN'S PUBLIC NUISANCE ORDINANCE, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the original bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of July 30. The original bill is placed on the Unfavorable Calendar.

S.B. 653, A BILL TO BE ENTITLED AN ACT TO ALLOW A MEMBER OF THE GOVERNING BODY OF A MUNICIPALITY TO BE EXCUSED FROM VOTING WHEN THE MEMBER HAS A CONFLICT

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OF INTEREST, reported without prejudice as to the House committee substitute bill, which changes the title, unfavorable as to the original bill, and with recommendation that the House committee substitute bill be re-referred to the Committee on Judiciary I.

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

By Representative Dickson, Chair, for the Committee on Commerce, Small Business, and Entrepreneurship:

H.B. 1625, A BILL TO BE ENTITLED AN ACT TO SIMPLIFY THE COLLECTION OF PROPERTY TAXES THAT ARE DUE ON PROPERTY OWNED BY CERTAIN NONPROFIT HOMEOWNERS' ASSOCIATIONS, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

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

S.B. 1007 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT AMENDING THE LAWS UNDER THE NORTH CAROLINA HOME INSPECTOR LICENSURE ACT, with a favorable report as to the House committee substitute bill, unfavorable as to Senate Committee Substitute Bill No. 2, and recommendation that the House committee substitute bill be re-referred to the Committee on Finance.

The House committee substitute bill is re-referred to the Committee on Finance. Senate Committee Substitute Bill No. 2 is placed on the Unfavorable Calendar.

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

H.B. 121 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW ALL UNITS OF LOCAL GOVERNMENT TO REGULATE GOLF CARTS, with recommendation that the House concur.

Pursuant to Rule 36(b), the bill is placed on the Calendar of July 30.

H.B. 991 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE MONTGOMERY COUNTY TO ATTACH PERSONAL PROPERTY, GARNISH WAGES, AND PLACE LIENS ON CERTAIN REAL PROPERTY TO COLLECT UNPAID FEES FOR WATER AND SEWER SERVICES, with recommendation that the House concur.

July 29, 2009

Pursuant to Rule 36(b), the bill is placed on the Calendar of July 30.

S.B. 553 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF SWANNANOVA, SUBJECT TO A REFERENDUM, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

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

By Representative Hall, Chair, for the Committee on Homeland Security, Military, and Veterans Affairs:

H.B. 1098 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THE SAME PROTECTIONS TO SEARCH AND RESCUE ANIMALS AS THOSE PROVIDED TO LAW ENFORCEMENT AGENCY ANIMALS AND ANIMALS THAT ASSIST THE DISABLED, with recommendation that the House concur.

Pursuant to Rule 36(b), the bill is placed on the Calendar of July 30.

S.B. 253 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH STATUTORILY THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY, DIVISION OF EMERGENCY MANAGEMENT, AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON EMERGENCY PREPAREDNESS AND DISASTER MANAGEMENT RECOVERY, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the Senate committee substitute bill, and recommendation that the House committee substitute bill be re-referred to the Committee on State Government/State Personnel.

The serial referral to the Committee on State Government/State Personnel is stricken.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of July 30. The Senate committee substitute bill is placed on the Unfavorable Calendar.

S.B. 345, A BILL TO BE ENTITLED AN ACT TO ADD PUBLIC HEALTH PREPAREDNESS AND QUALITY IMPROVEMENT TO THE LIST OF ESSENTIAL PUBLIC HEALTH SERVICES, AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON EMERGENCY PREPAREDNESS AND DISASTER MANAGEMENT RECOVERY, with a favorable report.

July 29, 2009

Pursuant to Rule 36(b), the bill is placed on the Calendar of July 30.

By Representative Rapp, Chair, for the Appropriations Subcommittee on Education, with approval of standing committee Chairs for report to be made directly to the floor of the House:

H.B. 1140 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE EDUCATIONAL ASSISTANCE FOR MINIMUM WAGE WORKERS, with a favorable report as to Committee Substitute Bill No. 2 unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(b), Committee Substitute Bill No. 2 is placed on the Calendar of July 30. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representatives Luebke, Gibson, Wainwright, and Weiss, Chairs, for the Committee on Finance:

S.B. 40 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF MURFREESBORO TO LEVY A ROOM OCCUPANCY TAX, TO MAINTAIN THE CURRENT DISTRIBUTION AND USE OF THE ROOM AND OCCUPANCY TAX LEVIED BY THE TOWN OF BANNER ELK, AND TO AUTHORIZE THE TOWN OF SALISBURY TO LEVY A ROOM OCCUPANCY TAX, with a favorable report as to House Committee Substitute Bill No. 2, which changes the title, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(b), House Committee Substitute Bill No. 2 is placed on the Calendar of July 30. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

S.B. 80 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITIES OF JACKSONVILLE, LOWELL, AND MOUNT HOLLY, AND THE TOWNS OF CRAMERTON, MCADENVILLE, AND RANLO TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, with a favorable report as to House Committee Substitute Bill No. 2, which changes the title, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(b), House Committee Substitute Bill No. 2 is placed on the Calendar of July 30. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

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S.B. 97 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALIGN THE AUTHORIZED PURPOSES FOR SPECIAL ASSESSMENTS FOR CRITICAL INFRASTRUCTURE NEEDS WITH THE PURPOSES OF PROJECT DEVELOPMENT FINANCING; TO ADD RENEWABLE ENERGY SOURCES AND ENERGY EFFICIENCY IMPROVEMENTS AS PURPOSES; TO CLARIFY THE LAW CONCERNING FINANCING A PROJECT FOR WHICH ASSESSMENTS MAY BE PLEDGED, TO EXEMPT PRIVATE ENTITIES THAT IMPLEMENT CERTAIN PROJECTS FOR WHICH ASSESSMENTS MAY BE PLEDGED FROM THE COMPETITIVE BIDDING REQUIREMENTS OF LOCAL GOVERNMENTS; AND TO PROVIDE GUIDANCE FOR LOCAL GOVERNMENTS WHEN ISSUING CERTAIN DEBT INSTRUMENTS AND ENTERING INTO CERTAIN AGREEMENTS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of July 30.

S.B. 894 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE EMPLOYMENT SECURITY LAWS RELATING TO THE DEFINITION OF SUBSTITUTE TEACHER AND OTHER SCHOOL-RELATED POSITIONS IN DETERMINING ELIGIBILITY FOR UNEMPLOYMENT INSURANCE BENEFITS AND RELATING TO DISQUALIFICATION FOR BENEFITS DUE TO INABILITY TO OBTAIN A LICENSE OR CERTIFICATION NECESSARY FOR THE PERFORMANCE OF AN INDIVIDUAL'S EMPLOYMENT, with a favorable report as to House Committee Substitute Bill No. 2, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(b), House Committee Substitute Bill No. 2 is placed on the Calendar of July 30. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representative Bryant, Chair, for the Committee on Energy and Energy Efficiency:

S.B. 475 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE TOWN OF CARRBORO TO AUTHORIZE THE BOARD OF ALDERMEN TO ADOPT ORDINANCES FOR THE ORDERLY INSTALLATION OF ENERGY-SAVING AND WATER-SAVING DEVICES, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of July 30.

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SUBCOMMITTEE REFERRALS

Representatives Michaux, Adams, M. Alexander, Crawford, Haire, Jeffus, Tolson, and Yongue, Chairs, for the Committee on Appropriations: refer **H.B. 1117**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DIVISION OF MOTOR VEHICLES SHALL NOT ISSUE OR RENEW COMMERCIAL DRIVERS LICENSES WITH ENDORSEMENTS THAT QUALIFY A PERSON TO DRIVE A COMMERCIAL PASSENGER VEHICLE OR SCHOOL BUS FOR ANYONE REQUIRED TO REGISTER UNDER THE SEX OFFENDER AND PUBLIC PROTECTION REGISTRATION PROGRAMS, to the Appropriations Subcommittee on Transportation.

Representatives Michaux, Adams, M. Alexander, Crawford, Haire, Jeffus, Tolson, and Yongue, Chairs, for the Committee on Appropriations: refer **H.B. 83**, A BILL TO BE ENTITLED AN ACT TO LIMIT TO ACADEMIC SCHOLARSHIPS A BUDGET PROVISION GRANTING IN-STATE TUITION TO CERTAIN FULL SCHOLARSHIP STUDENTS, to the Appropriations Subcommittee on Education.

SPECIAL MESSAGE FROM THE SENATE**2009 GENERAL ASSEMBLY
FIRST SESSION**

Senate Chamber
July 29, 2009

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in House Amendment No. 1 to **S.B. 643**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PROSPECTIVE EMPLOYEE REQUIRED TO SUBMIT TO A CONTROLLED SUBSTANCE EXAMINATION WHOSE FIRST SCREENING TEST PRODUCES A POSITIVE RESULT MAY WAIVE A SECOND EXAMINATION THAT IS INTENDED TO CONFIRM THE RESULTS, and requests conferees. The President *Pro Tempore* appoints:

Senator Swindell, Chair
Senator Goss
Senator Jones

July 29, 2009

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

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

**2009 GENERAL ASSEMBLY
FIRST SESSION**

Senate Chamber
July 29, 2009

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees for **H.B. 67** (Conference Report), A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE COVERING OF THE STATE NAME, YEAR STICKER, OR MONTH STICKER ON A STATE LICENSE PLATE BY A LICENSE PLATE FRAME AND TO DIRECT THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE AND THE REVENUE LAWS STUDY COMMITTEE TO STUDY THE AUTHORIZATION OF SPECIAL REGISTRATION PLATES.

Pursuant to your message that your Honorable Body has adopted the report of the conferees, the Speaker may order the bill enrolled.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

The Speaker orders the bill enrolled and presented to the Governor.

SPECIAL MESSAGE FROM THE SENATE

**2009 GENERAL ASSEMBLY
FIRST SESSION**

Senate Chamber
July 29, 2009

July 29, 2009

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees for **H.B. 406** (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF JUSTICE AND THE WILDLIFE RESOURCES COMMISSION TO DEVELOP JOINTLY A PLAN FOR CONSTRUCTION OF A FIRING RANGE FOR USE BY CRIMINAL JUSTICE OFFICERS ATTENDING THE WESTERN JUSTICE ACADEMY, LAW ENFORCEMENT OFFICERS OF THE WILDLIFE RESOURCES COMMISSION, AND OTHERS, AND FOR A FIRING AND ARCHERY RANGE OPEN AND ACCESSIBLE FOR PUBLIC USE; AND TO PROVIDE THAT ANY FIRING RANGE CONSTRUCTED ON THE GROUNDS OF THE LARRY T. JUSTUS WESTERN JUSTICE ACADEMY SHALL BE AN INDOOR FACILITY.

Pursuant to your message that your Honorable Body has adopted the report of the conferees, the Speaker may order the bill enrolled.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

The Speaker orders the bill enrolled and presented to the Governor.

SPECIAL MESSAGE FROM THE SENATE

**2009 GENERAL ASSEMBLY
FIRST SESSION**

Senate Chamber
July 29, 2009

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees for **S.B. 831** (Conference Report), A BILL TO BE ENTITLED AN ACT TO EXTEND CERTAIN GOVERNMENT APPROVALS AFFECTING THE DEVELOPMENT OF REAL PROPERTY WITHIN THE STATE.

July 29, 2009

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

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

**2009 GENERAL ASSEMBLY
FIRST SESSION**

Senate Chamber
July 29, 2009

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees for **S.B. 628** (Conference Report), A BILL TO BE ENTITLED AN ACT TO CHANGE THE REPORTING FORMAT FOR DATA ON CONTROLLED SUBSTANCES TRANSMITTED BY DISPENSERS TO THE DEPARTMENT, TO AUTHORIZE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO RELEASE CONFIDENTIAL DATA IN THE CONTROLLED SUBSTANCES REPORTING SYSTEM TO THE CHIEF MEDICAL EXAMINER AND COUNTY MEDICAL EXAMINERS FOR THE PURPOSE OF INVESTIGATING DEATHS, AND TO MAKE CHANGES PERTAINING TO CONFIDENTIALITY OF PRESCRIPTION INFORMATION.

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

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

**2009 GENERAL ASSEMBLY
FIRST SESSION**

Senate Chamber
July 29, 2009

July 29, 2009

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the conferees for **S.B. 780** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXPAND COVERAGE UNDER THE INSURANCE GUARANTY ASSOCIATION WITH RESPECT TO STRUCTURED SETTLEMENT ANNUITIES FOR MATTERS INVOLVING PERSONAL INJURY OR ILLNESS, have been dismissed and the Senate has concurred in the House Committee Substitute.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

The House conferees for **S.B. 780** are dismissed.

The House stands adjourned at 5:35 p.m.

ONE HUNDRED SEVENTH DAY

HOUSE OF REPRESENTATIVES
Thursday, July 30, 2009

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

The following prayer is offered by the Reverend Penny Dollar Farmer, Senior Minister, Alliance and Arapahoe United Methodist Charge, Arapahoe, North Carolina:

"Dear God:

"We gather in this very holy and sacred place, a place where much work is done for Your good, by these people gathered here, and so many others who are not present this afternoon. We thank You, Oh God, for the responsibility You give to each of these men and women, for the honor that they receive from those in their communities, believing indeed, that they are women and men of strong conviction, of wise thinking, of good expression.

July 30, 2009

"We thank You, for these people, and we ask You to be with them, to lift from their shoulders the many burdens that they carry every day personally, concerns for family and friends, concerns for health and wholeness. Please be with them, and allow all of those burdens to be lifted as they put upon their shoulders this mantle of government. We know, indeed, their decisions must be true and must be patient.

"We thank You, Oh God, for strengthening them, for giving them the wisdom in days that are very difficult, and in times that are very long and trying. Give them peace in all of their work, that they may know as they speak and listen, as they deliberate, and as they make their decisions that You are with them, that You indeed will guide and strengthen them. Allow this day for them, to be a day of completion, a day of satisfaction, and a day of joy. Amen."

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

Leaves of absence are granted Representatives Adams, Boles, Love, McComas, McElraft, and Owens for today. Representatives Gill, Lewis, and Mills are excused for a portion of the Session.

ENROLLED BILLS

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

S.B. 405, AN ACT TO ASSIST COUNTIES AND THE DEPARTMENT OF REVENUE IN OBTAINING ACCURATE REAL PROPERTY SALES INFORMATION NEEDED FOR PROPERTY TAX APPRAISALS.

S.B. 600, AN ACT TO REQUIRE A DEMONSTRATION OF LACK OF PRUDENT AND FEASIBLE ALTERNATIVE IN ORDER FOR PUBLIC CONDEMNORS TO CONDEMN PROPERTY ENCUMBERED BY A CONSERVATION EASEMENT.

S.B. 628, AN ACT TO CHANGE THE REPORTING FORMAT FOR DATA ON CONTROLLED SUBSTANCES TRANSMITTED BY DISPENSERS TO THE DEPARTMENT, TO AUTHORIZE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO RELEASE CONFIDENTIAL DATA IN THE CONTROLLED SUBSTANCES REPORTING SYSTEM TO THE CHIEF MEDICAL EXAMINER AND COUNTY MEDICAL EXAMINERS FOR THE PURPOSE OF INVESTIGATING DEATHS, AND TO MAKE CHANGES PERTAINING TO CONFIDENTIALITY OF PRESCRIPTION INFORMATION.

July 30, 2009

S.B. 698, AN ACT REQUIRING THAT CITIES, COUNTIES, SANITARY DISTRICTS, AND WATER AND SEWER AUTHORITIES GIVE ELECTRONIC NOTICE OF THE IMPOSITION OF CERTAIN NEW FEES AND INCREASES IN CERTAIN EXISTING FEES AND AN OPPORTUNITY TO BE HEARD WHEN THE IMPOSITION OR INCREASE OF THOSE FEES IS CONSIDERED.

S.B. 780, AN ACT TO EXPAND COVERAGE UNDER THE INSURANCE GUARANTY ASSOCIATION WITH RESPECT TO STRUCTURED SETTLEMENT ANNUITIES FOR MATTERS INVOLVING PERSONAL INJURY OR ILLNESS.

S.B. 802, AN ACT TO PROVIDE THAT A NONPROFIT COMMUNITY HEALTH REFERRAL SERVICE THAT REFERS LOW-INCOME PATIENTS TO PHYSICIANS FOR FREE SERVICES IS NOT LIABLE FOR THE ACTS OR OMISSIONS OF THE PHYSICIAN IN RENDERING SERVICE TO THAT PATIENT, IF THE PHYSICIAN MAINTAINS PROFESSIONAL LIABILITY COVERAGE FOR THAT SERVICE.

S.B. 831, AN ACT TO EXTEND CERTAIN GOVERNMENT APPROVALS AFFECTING THE DEVELOPMENT OF REAL PROPERTY WITHIN THE STATE.

S.B. 851, AN ACT TO ALLOW DISTRICT COURTS TO SUPERVISE DEFENDANTS CONVICTED IN SUPERIOR COURT WHO ARE ASSIGNED TO DRUG TREATMENT COURTS OR THERAPEUTIC COURTS.

S.B. 920, AN ACT TO ALLOW PROBATION OFFICERS TO ACCESS CERTAIN OFFENDERS' JUVENILE RECORDS, TO MAKE WARRANTLESS SEARCHES AND DRUG SCREENING REGULAR CONDITIONS OF SUPERVISION, TO ADD ADDITIONAL CONTROLLING MEASURES FOR OFFENDERS SUBJECT TO INTERMEDIATE PUNISHMENT, AND TO MAKE CLARIFYING AMENDMENTS TO STREAMLINE PROCEDURES FOR SUPERVISION OF OFFENDERS IN THE COMMUNITY.

S.B. 929, AN ACT TO AMEND REQUIREMENTS APPLICABLE TO MOTIONS TO SET ASIDE BAIL BOND FORFEITURES AND CLARIFY SANCTIONS THAT MAY BE IMPOSED IN CONJUNCTION WITH SUCH MOTIONS; AND TO PROVIDE THAT A COURT MAY NOT SET ASIDE A BAIL BOND FORFEITURE IF, BEFORE EXECUTING

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THE BOND, THE SURETY OR BAIL AGENT HAD ACTUAL NOTICE OF A DEFENDANT'S FAILURE TO APPEAR ON TWO OR MORE PRIOR OCCASIONS IN THE CASE FOR WHICH THE BOND WAS EXECUTED.

S.B. 1028, AN ACT DIRECTING LOCAL BOARDS OF EDUCATION TO ENCOURAGE COMMUNITY ACADEMIC BOOSTER ORGANIZATIONS, SUCH AS COMMUNITY ACHIEVEMENT NETWORK – DEVELOPING OUR EDUCATIONAL RESOURCES (CAN DOER) ORGANIZATIONS, TO SUPPORT STUDENT ACADEMIC ACHIEVEMENT, TO DEVELOP POLICIES APPROVING USE OF VOLUNTEER ORGANIZATIONS AND INDIVIDUAL VOLUNTEERS, AND TO DEVELOP POLICIES TO MAKE INFORMATION ON TUTORING AND ACADEMIC SUPPORT SERVICES AVAILABLE TO PARENTS AND STUDENTS.

H.B. 67, AN ACT TO PROHIBIT THE COVERING OF THE STATE NAME, YEAR STICKER, OR MONTH STICKER ON A STATE LICENSE PLATE BY A LICENSE PLATE FRAME AND TO DIRECT THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE AND THE REVENUE LAWS STUDY COMMITTEE TO STUDY THE AUTHORIZATION OF SPECIAL REGISTRATION PLATES.

H.B. 406, AN ACT TO AUTHORIZE THE DEPARTMENT OF JUSTICE AND THE WILDLIFE RESOURCES COMMISSION TO DEVELOP JOINTLY A PLAN FOR CONSTRUCTION OF A FIRING RANGE FOR USE BY CRIMINAL JUSTICE OFFICERS ATTENDING THE WESTERN JUSTICE ACADEMY, LAW ENFORCEMENT OFFICERS OF THE WILDLIFE RESOURCES COMMISSION, AND OTHERS, AND FOR A FIRING AND ARCHERY RANGE OPEN AND ACCESSIBLE FOR PUBLIC USE; AND TO PROVIDE THAT ANY FIRING RANGE CONSTRUCTED ON THE GROUNDS OF THE LARRY T. JUSTUS WESTERN JUSTICE ACADEMY SHALL BE AN INDOOR FACILITY.

H.B. 1103, AN ACT TO UPDATE THE SEED LAW AND TO INCREASE FEES FOR SEED DEALER LICENSES.

H.B. 1222, AN ACT TO UPDATE THE RATE SPREAD AND HIGH-COST HOME LOANS STATUTES, AND TO MAKE A CONFORMING CHANGE TO THE EMERGENCY PROGRAM TO REDUCE HOME FORECLOSURES ACT.

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H.B. 1411, AN ACT TO DIRECT OCCUPATIONAL LICENSING BOARDS TO ADOPT RULES TO POSTPONE OR WAIVE CONDITIONS OF LICENSURE FOR CERTAIN INDIVIDUALS SERVING IN THE ARMED FORCES.

CHAPTERED BILLS

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

S.B. 53, AN ACT ALLOWING THE TOWN OF BURGAW TO EXERCISE EXTRATERRITORIAL JURISDICTION OVER AN AREA EXTENDING TWO MILES FROM ITS LIMITS. (S.L. 2009-371)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Faison, Chair, for the Committee on Ways and Means/Broadband Connectivity:

S.B. 372 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY TYPES OF NUISANCES WHEREIN OBSCENE OR LEWD MATTER OR OTHER CONDUCT PROHIBITED IS INVOLVED AND TO PROVIDE THAT INDIVIDUALS ENGAGED IN A PATTERN OF STREET GANG ACTIVITY ARE SUBJECT TO INJUNCTIONS PURSUANT TO CHAPTER 19 OF THE GENERAL STATUTES, reported without prejudice as to the House committee substitute bill, unfavorable as to the Senate committee substitute bill, and with recommendation that the House committee substitute bill be re-referred to the Committee on Judiciary III.

The House committee substitute bill is re-referred to the Committee on Judiciary III. The Senate committee substitute bill is placed on the Unfavorable Calendar.

CONFEREES APPOINTED

The Speaker appoints the following conferees on **S.B. 643**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PROSPECTIVE EMPLOYEE REQUIRED TO SUBMIT TO A CONTROLLED SUBSTANCE EXAMINATION WHOSE FIRST SCREENING TEST PRODUCES A

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POSITIVE RESULT MAY WAIVE A SECOND EXAMINATION THAT IS INTENDED TO CONFIRM THE RESULTS: Representative Allen, Chair; Representatives Stewart and West.

The Senate is so notified by Special Message.

BILL WITHDRAWN FROM COMMITTEE

On motion of Representative Ross and without objection, Senate Committee Substitute for **H.B. 102**, A BILL TO BE ENTITLED AN ACT TO ENACT A TECHNICAL AMENDMENT TO A SESSION LAW PERTAINING TO BUDGET CODE REFERENCES, is withdrawn from the Committee on Appropriations and pursuant to Rule 36(b), is placed on today's Calendar for immediate consideration.

On motion of Representative Michaux, the House does not concur in the Senate committee substitute bill, by electronic vote (108-0), and conferees are requested.

The Speaker appoints Representative Michaux, Chair; Representatives Adams, M. Alexander, Crawford, Haire, Jeffus, Tolson, and Yongue as conferees on the part of the House and the Senate is so notified by Special Message.

CONFERENCE REPORT

Representative Justice moves the adoption of the following Conference Report.

House Committee Substitute No. 2 for S.B. 660

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 660, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN ALTERNATIVE METHOD OF DETERMINING PROPERTY DAMAGES AS A PART OF MOTOR VEHICLE LIABILITY INSURANCE, House Committee Substitute #2 Favorable 7/14/09, Fifth Edition Engrossed 7/16/09, submit the following report:

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The Senate and House agree to the following amendments and the Senate concurs in House Committee Substitute #2 Favorable 7/14/09, Fifth Edition Engrossed 7/16/09, as amended:

on page 2, lines 10-12, by rewriting the lines to read:
"paid by the parties equally."

and on page 2, line 25, by deleting "August 1, 2010," and substituting "October 1, 2009,".

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

Date conferees approved report: July 29, 2009.

*Conferees for the
Senate*

S/ Bob Rucho, Chair
S/ Bob Atwater, Chair
S/ W. E. Goodall, Chair

*Conferees for the
House of Representatives*

S/ Carolyn Justice, Chair
S/ W. Robert Grady
S/ Nelson Cole
S/ Michael H. Wray

The Conference Report is adopted, by electronic vote (105-2), and the Senate is so notified by Special Message.

CALENDAR

Action is taken on the following:

Senate Committee Substitute for **H.B. 991**, A BILL TO BE ENTITLED AN ACT RELATING TO THE AUTHORITY OF MONTGOMERY COUNTY TO COLLECT MONEY OWED TO THE COUNTY FOR WATER SYSTEM FEES.

On motion of Representative Goodwin, the House does not concur in the Senate committee substitute bill, by electronic vote (106-0), and conferees are requested.

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

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H.B. 121 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW ALL UNITS OF LOCAL GOVERNMENT TO REGULATE GOLF CARTS.

On motion of Representative Underhill, the House concurs in the Senate committee substitute bill, by electronic vote (107-0), and the bill is ordered enrolled and presented to the Governor.

Senate Committee Substitute for **H.B. 1098** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE IT A CLASS H FELONY TO WILLFULLY KILL OR ATTEMPT TO KILL A SEARCH AND RESCUE ANIMAL AND TO MAKE IT AN AGGRAVATING CIRCUMSTANCE FOR OTHER CRIMINAL OFFENSES THAT A SEARCH AND RESCUE ANIMAL WAS SERIOUSLY HARMED OR KILLED WHILE THE ANIMAL WAS ENGAGED IN PERFORMING OFFICIAL DUTIES.

On motion of Representative Frye, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (105-0), and the bill is ordered enrolled and presented to the Governor.

S.B. 359 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE VILLAGE OF SNEADS FERRY.

On motion of Representative Grady and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of August 3.

S.B. 40 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF MURFREESBORO AND THE CITY OF SALISBURY TO LEVY A ROOM OCCUPANCY TAX AND TO AUTHORIZE ROCKINGHAM COUNTY TO LEVY AN ADDITIONAL ONE PERCENT ROOM OCCUPANCY TAX, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives K. Alexander, M. Alexander, Allen, Barnhart, Blackwell, Bordsen, Braxton, Brisson, Brubaker, Bryant, Carney, Coates, Cole, Cotham, Crawford, Current, Daughtry, Dickson, Dockham, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Frye, Gibson, Glazier, Goforth, Goodwin, Grady, Guice, Gulley, Haire, Hall, Harrell, Harrison, Hill, Holliman, Howard, Hughes, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Langdon, Lucas, Luebke, Mackey, Martin, McGee, McLawhorn, Mobley, Moore, Neumann, Parmon, Pierce, Randleman, Rapp, Ross, Samuelson, Spear,

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Stam, Starnes, Steen, Stewart, Sutton, Tarleton, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wilkins, Williams, Womble, Wray, and Yongue - 87.

Voting in the negative: Representatives Avila, Blackwood, Blust, Brown, Burr, Burris-Floyd, Cleveland, Dollar, Folwell, Gillespie, Hilton, Holloway, Hurley, Killian, McCormick, Sager, Setzer, Stevens, Tillis, and Wiley - 20.

Excused absences: Representatives Adams, Boles, Gill, Love, McComas, McElraft, Mills, and Owens - 8.

S.B. 80 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITIES OF JACKSONVILLE, LENOIR, LOWELL, AND MOUNT HOLLY AND THE TOWNS OF CRAMERTON, MCADENVILLE, AND RANLO TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives K. Alexander, M. Alexander, Allen, Barnhart, Blackwell, Bordsen, Braxton, Brisson, Brubaker, Bryant, Carney, Coates, Cole, Cotham, Crawford, Current, Daughtry, Dickson, Dockham, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Grady, Guice, Gulley, Haire, Hall, Harrell, Harrison, Hill, Holliman, Hughes, Iler, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Langdon, Lucas, Luebke, Mackey, Martin, McCormick, McGee, McLawhorn, Mobley, Moore, Neumann, Parmon, Pierce, Randleman, Rapp, Ross, Samuelson, Spear, Stam, Starnes, Steen, Stewart, Sutton, Tarleton, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wilkins, Williams, Womble, Wray, and Yongue - 87.

Voting in the negative: Representatives Avila, Blackwood, Blust, Brown, Burr, Burris-Floyd, Cleveland, Dollar, Folwell, Hilton, Holloway, Hurley, Ingle, Killian, Sager, Setzer, Stevens, Tillis, and Wiley - 19.

Excused absences: Representatives Adams, Boles, Gill, Love, McComas, McElraft, Mills, and Owens - 8.

Representatives Gillespie and Moore request and are granted permission to change their votes from "aye" to "no". The adjusted vote total is (85-21).

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S.B. 251 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT LIMITING THE TOWN OF FAISON'S AUTHORITY TO EXERCISE THE POWER OF EXTRATERRITORIAL JURISDICTION WITHIN A DEFINED AREA EXTENDING MORE THAN ONE MILE BEYOND THE TOWN'S CORPORATE LIMITS, passes its second reading, by electronic vote (107-0), and there being no objection is read a third time.

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

S.B. 475 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE TOWN OF CARRBORO TO AUTHORIZE THE BOARD OF ALDERMEN TO ADOPT ORDINANCES FOR THE ORDERLY INSTALLATION OF ENERGY-SAVING AND WATER-SAVING DEVICES, passes its second reading, by electronic vote (99-8), and there being no objection is read a third time.

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

BILL WITHDRAWN FROM COMMITTEE

On motion of Representative Ross and without objection, **H.B. 1057** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ABOLISH DEFICIENCY JUDGMENTS IN CERTAIN CASES WHERE THE MORTGAGE IS SECURED BY PRIMARY RESIDENCE, is withdrawn from the Committee on Judiciary II and pursuant to Rule 36(b), is placed on today's Calendar.

On motion of the Speaker, the House recesses, subject to the ratification of bills, the receipt of Committee Reports, the receipt of Conference Reports, and the receipt of Messages from the Senate, at 11:45 a.m.

RECESS

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

NOTICE GIVEN TO RECALL BILL

Representative Stam, having given notice pursuant to Rule 39, and without objection, postpones his motion to recall **H.B. 1268** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND THE

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CONSTITUTION OF NORTH CAROLINA TO PROHIBIT CONDEMNATION OF PRIVATE PROPERTY TO CONVEY AN INTEREST IN THAT PROPERTY FOR ECONOMIC DEVELOPMENT AND TO PROVIDE FOR THE PAYMENT OF JUST COMPENSATION WITH RIGHT OF TRIAL BY JURY IN ALL CONDEMNATION CASES, until August 3.

CALENDAR (continued)

S.B. 97 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALIGN THE AUTHORIZED PURPOSES FOR SPECIAL ASSESSMENTS FOR CRITICAL INFRASTRUCTURE NEEDS WITH THE PURPOSES OF PROJECT DEVELOPMENT FINANCING; TO ADD RENEWABLE ENERGY SOURCES AND ENERGY EFFICIENCY IMPROVEMENTS AS PURPOSES; TO CLARIFY THE LAW CONCERNING FINANCING A PROJECT FOR WHICH ASSESSMENTS MAY BE PLEDGED, TO EXEMPT PRIVATE ENTITIES THAT IMPLEMENT CERTAIN PROJECTS FOR WHICH ASSESSMENTS MAY BE PLEDGED FROM THE COMPETITIVE BIDDING REQUIREMENTS OF LOCAL GOVERNMENTS; AND TO PROVIDE GUIDANCE FOR LOCAL GOVERNMENTS WHEN ISSUING CERTAIN DEBT INSTRUMENTS AND ENTERING INTO CERTAIN AGREEMENTS.

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

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

Those voting in the affirmative are: Representatives K. Alexander, M. Alexander, Allen, Barnhart, Blackwood, Bordsen, Braxton, Brisson, Bryant, Burr, Burris-Floyd, Carney, Coates, Cole, Cotham, Current, Dickson, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Gibson, Gill, Gillespie, Glazier, Goforth, Goodwin, Grady, Guice, Gulley, Haire, Hall, Harrell, Harrison, Hill, Holliman, Howard, Hughes, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Killian, Langdon, Lucas, Luebke, Mackey, Martin, McCormick, McLawhorn, Mobley, Neumann, Parmon, Pierce, Rapp, Ross, Samuelson, Spear, Sutton, Tarleton, Tillis, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 81.

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Voting in the negative: Representatives Avila, Blackwell, Blust, Brown, Brubaker, Cleveland, Daughtry, Dockham, Folwell, Frye, Hilton, Holloway, Hurley, Iler, Ingle, Justus, McGee, Moore, Randleman, Sager, Setzer, Stam, Starnes, Steen, and Stevens - 25.

Excused absences: Representatives Adams, Boles, Lewis, Love, McComas, McElraft, Mills, and Owens - 8.

S.B. 64 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO SHORTEN THE DURATION AND AMEND THE REQUIREMENTS FOR A MOTORCYCLE LEARNER'S PERMIT, AND CLARIFY THE REQUIREMENTS FOR OBTAINING A MOTORCYCLE ENDORSEMENT, passes its third reading, as amended, by electronic vote (75-33), and is ordered engrossed and sent to the Senate for concurrence in the House committee substitute bill by Special Message.

H.B. 137 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND THE CAPITAL TRIAL, SENTENCING, AND POST-CONVICTION PROCEDURES FOR A PERSON WITH A SEVERE MENTAL DISABILITY AND TO AUTHORIZE THE USE OF CERTAIN FUNDS TO PROVIDE JUDICIAL TRAINING WITH REGARD TO THE LEGAL REQUIREMENTS OF THESE PROCEDURES.

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

H.B. 1140 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE EDUCATIONAL ASSISTANCE FOR MINIMUM WAGE WORKERS, passes its second reading, by electronic vote (107-0), and there being no objection is read a third time.

Representative Hughes requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (108-0).

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

S.B. 253 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE IMPROVEMENTS TO THE ABSENTEE VOTING LAWS, ESPECIALLY TO IMPROVE THE ABILITY OF MILITARY AND OVERSEAS VOTERS TO CAST TIMELY BALLOTS, passes its second reading, by electronic vote (109-0), and there being no objection is read a third time.

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

WITHDRAWAL OF FISCAL NOTE REQUEST

Representative Michaux withdraws his request made on July 29 for a fiscal note on **S.B. 978** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO DIRECT THE NORTH CAROLINA CRIMINAL JUSTICE EDUCATION AND TRAINING STANDARDS COMMISSION TO COORDINATE WITH LOCAL AND STATE LAW ENFORCEMENT OFFICERS AND WITH THE COMMUNITY COLLEGE SYSTEM TO PROVIDE MULTIPLE FIREARMS QUALIFICATION SITES FOR CERTIFICATION TO CARRY A CONCEALED HANDGUN PURSUANT TO FEDERAL LAW, AND TO EXPAND THE POWERS OF THE COMMISSION.

Upon his motion and without objection, the bill is placed on today's Calendar.

CALENDAR (continued)

S.B. 345, A BILL TO BE ENTITLED AN ACT TO ADD PUBLIC HEALTH PREPAREDNESS AND QUALITY IMPROVEMENT TO THE LIST OF ESSENTIAL PUBLIC HEALTH SERVICES, AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON EMERGENCY PREPAREDNESS AND DISASTER MANAGEMENT RECOVERY, passes its second reading, by electronic vote (109-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

S.B. 894 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND THE EMPLOYMENT SECURITY LAWS RELATING TO THE DEFINITION OF SUBSTITUTE TEACHER AND OTHER SCHOOL-RELATED POSITIONS IN DETERMINING ELIGIBILITY FOR UNEMPLOYMENT INSURANCE BENEFITS AND RELATING TO DISQUALIFICATION FOR BENEFITS DUE TO INABILITY TO OBTAIN A LICENSE OR CERTIFICATION NECESSARY FOR THE PERFORMANCE OF AN INDIVIDUAL'S EMPLOYMENT, passes its second reading, by electronic vote (109-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House Committee Substitute Bill No. 2 by Special Message.

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H.B. 1057 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ABOLISH DEFICIENCY JUDGMENTS IN CERTAIN CASES WHERE THE MORTGAGE IS SECURED BY PRIMARY RESIDENCE.

On motion of Representative Glazier, the House concurs in the Senate committee substitute bill, by electronic vote (104-5), and the bill is ordered enrolled and presented to the Governor.

S.B. 978 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO DIRECT THE NORTH CAROLINA CRIMINAL JUSTICE EDUCATION AND TRAINING STANDARDS COMMISSION TO COORDINATE WITH LOCAL AND STATE LAW ENFORCEMENT OFFICERS AND WITH THE COMMUNITY COLLEGE SYSTEM TO PROVIDE MULTIPLE FIREARMS QUALIFICATION SITES FOR CERTIFICATION TO CARRY A CONCEALED HANDGUN PURSUANT TO FEDERAL LAW, AND TO EXPAND THE POWERS OF THE COMMISSION, passes its second reading, by electronic vote (109-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House Committee Substitute Bill No. 2 by Special Message.

SPECIAL MESSAGE FROM THE SENATE

2009 GENERAL ASSEMBLY FIRST SESSION

Senate Chamber
July 30, 2009

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees for **S.B. 660** (Conference Report), A BILL TO BE ENTITLED AN ACT TO PROVIDE AN ALTERNATIVE METHOD OF DETERMINING PROPERTY DAMAGES AS A PART OF MOTOR VEHICLE LIABILITY INSURANCE.

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

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

July 30, 2009

SPECIAL MESSAGE FROM THE SENATE**2009 GENERAL ASSEMBLY
FIRST SESSION**

Senate Chamber
July 30, 2009

Mr. Speaker:

Pursuant to your message received today, July 30, 2009, that the House of Representatives fails to concur in the Senate Committee Substitute to **H.B. 102**, A BILL TO BE ENTITLED AN ACT TO ENACT A TECHNICAL AMENDMENT TO A SESSION LAW PERTAINING TO BUDGET CODE REFERENCES, and requests conferees, the President *Pro Tempore* appoints:

Senator Garrou, Chair
Senator Albertson
Senator Dannelly
Senator Swindell

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

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

CONFERENCE REPORT

Representative Goodwin sends forth the Conference Report on **H.B. 991** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE MONTGOMERY COUNTY TO ATTACH PERSONAL PROPERTY, GARNISH WAGES, AND PLACE LIENS ON CERTAIN REAL PROPERTY TO COLLECT UNPAID FEES FOR WATER AND SEWER SERVICES. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of August 3.

**REPORTS OF STANDING COMMITTEES AND PERMANENT
SUBCOMMITTEES**

The following reports from standing committees are presented:

July 30, 2009

By Representatives Cole and Martin, Chairs, for the Appropriations Subcommittee on Transportation, with approval of standing committee Chairs for report to be made directly to the floor of the House:

H.B. 1117, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DIVISION OF MOTOR VEHICLES SHALL NOT ISSUE OR RENEW COMMERCIAL DRIVERS LICENSES WITH ENDORSEMENTS THAT QUALIFY A PERSON TO DRIVE A COMMERCIAL PASSENGER VEHICLE OR SCHOOL BUS FOR ANYONE REQUIRED TO REGISTER UNDER THE SEX OFFENDER AND PUBLIC PROTECTION REGISTRATION PROGRAMS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of August 3.

By Representatives Luebke, Gibson, Wainwright, and Weiss, Chairs, for the Committee on Finance:

H.B. 1336 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE LAWS REGULATING IRRIGATION CONTRACTORS TO PROVIDE SUBSTANTIVE REQUIREMENTS FOR LICENSING CORPORATIONS, TO PROVIDE FOR THE ISSUANCE OF LICENSES TO NONRESIDENTS, TO CLARIFY THE FEE STRUCTURE, AND TO MAKE OTHER CONFORMING CHANGES, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of August 3.

S.B. 269, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE AN INITIAL REVIEW OF APPEALS FOR REFUNDS OF OVERPAYMENT OF EXCISE STAMP TAXES FOR PURPOSES OF STREAMLINING RESOLUTION, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the original bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of August 3. The original bill is placed on the Unfavorable Calendar.

S.B. 700 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO: (1) EXTEND SUNSET DATES APPLICABLE TO THE DRY-CLEANING SOLVENT CLEANUP ACT, THE DRY-CLEANING SOLVENT CLEANUP FUND, AND THE DRY-CLEANING SOLVENT TAX; (2) ALLOW THE USE OF STATE AND LOCAL LAND-USE CONTROLS AND DEED NOTICES IN LIEU OF LAND-USE RESTRICTIONS FOR PROPERTIES IN THE AREA OF CONTAMINATED DRY-CLEANING SITES, NOT INCLUDING PROPERTIES

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ON WHICH A DRY-CLEANING FACILITY IS OR WAS LOCATED WHICH IS THE SOURCE OF A SITE'S CONTAMINATION; (3) MODIFY NOTICE AND COMMENT REQUIREMENTS ASSOCIATED WITH A NOTICE OF INTENT TO REMEDIATE; AND (4) REMOVE THE LIMITATION ON DISBURSEMENT OF MONIES FROM THE DRY-CLEANING SOLVENT CLEANUP FUND FOR COSTS INCURRED TO ADDRESS DRY-CLEANING SOLVENT CONTAMINATION ON STATE-OWNED PROPERTY, with a favorable report as to House Committee Substitute Bill No. 3, unfavorable as to House Committee Substitute Bill No. 2.

Pursuant to Rule 36(b), House Committee Substitute Bill No. 3 is placed on the Calendar of August 3. House Committee Substitute Bill No. 2 is placed on the Unfavorable Calendar.

S.B. 860 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A STUDENT PROTECTION FUND FOR PROPRIETARY SCHOOL STUDENTS, with a favorable report as to House Committee Substitute Bill No. 2, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(b), House Committee Substitute Bill No. 2 is placed on the Calendar of August 3. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

S.B. 1006 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE WITHHOLDING ON CONTRACTORS IDENTIFIED BY AN INDIVIDUAL TAXPAYER IDENTIFICATION NUMBER (ITIN), with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of August 3.

By Representative Ross, Chair, for the Committee on Judiciary I:

S.B. 958 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING DISCIPLINARY PROCEEDINGS OF THE NORTH CAROLINA MEDICAL BOARD, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of August 3.

CONFERENCE REPORT

Representative Michaux sends forth the Conference Report on **H.B. 102** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE DIRECTOR OF THE BUDGET TO CONTINUE EXPENDITURES FOR THE OPERATION OF GOVERNMENT AT A

July 30, 2009

PERCENTAGE OF THE LEVEL AUTHORIZED IN S.L. 2008-107, AS AMENDED. Without objection, the Conference Report is placed on the Calendar for immediate consideration.

Representative Michaux moves the adoption of the following Conference Report.

Senate Committee Substitute for H.B. 102

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 102, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE DIRECTOR OF THE BUDGET TO CONTINUE EXPENDITURES FOR THE OPERATION OF GOVERNMENT AT A PERCENTAGE OF THE LEVEL AUTHORIZED IN S.L. 2008-107, AS AMENDED, Senate Appropriations/Base Budget Committee Substitute Adopted 7/29/09, submit the following report:

The House and Senate agree to the following amendments to the Senate Appropriations/Base Budget Committee Substitute Adopted 7/29/09, and the House concurs in the Senate Appropriations/Base Budget Committee Substitute as amended:

Delete the entire Senate Committee Substitute and substitute the attached proposed Conference Committee Substitute H102-PCCS70476-MD-9.

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

Date conferees approved report: July 30, 2009.

*Conferees for the
Senate*

S/ Linda Garrou, Chair
S/ Charles W. Albertson
S/ Charlie Dannelly
S/ A. B. Swindell

*Conferees for the
House of Representatives*

S/ Henry M. Michaux, Jr., Chair
S/ Martha B. Alexander
S/ J. W. Crawford, Jr.
S/ R. Phillip Haire
S/ Maggie Jeffus
S/ Joe P. Tolson
S/ Douglas Y. Yongue

July 30, 2009

The Conference Report is adopted, by electronic vote (102-5), and the Senate is so notified by Special Message. (The text of the Conference Committee Substitute may be found in its entirety in the 2009 Session Laws, Chapter 399.)

SPECIAL MESSAGE FROM THE SENATE

2009 GENERAL ASSEMBLY FIRST SESSION

Senate Chamber
July 30, 2009

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees for **H.B. 102** (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE DIRECTOR OF THE BUDGET TO CONTINUE EXPENDITURES FOR THE OPERATION OF GOVERNMENT AT A PERCENTAGE OF THE LEVEL AUTHORIZED IN S.L. 2008-107, AS AMENDED, to the end that when a similar action has been taken on the part of your Honorable Body, the Speaker may order the bill enrolled.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

The Speaker orders the bill enrolled and sent to the Governor by Special Message.

CONFERENCE REPORT

Representative Cole sends forth the Conference Report on **S.B. 295** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE CLOSEST MARKET TO WHICH A CROP MAY BE HAULED TO BE WITHIN ONE HUNDRED FIFTY MILES OF THE FARM FROM WHICH THE CROP IS HAULED. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of August 3.

Representative Ross moves, seconded by Representative Allen, that the House adjourn, subject to the receipt of Committee Reports, the receipt of Conference Reports, and the receipt of Messages from the Senate, to reconvene Monday, August 3 at 7:00 p.m.

July 30, 2009

The motion carries.

**REPORTS OF STANDING COMMITTEES AND PERMANENT
SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representative Ross, Chair, for the Committee on Judiciary I:

S.B. 859, A BILL TO BE ENTITLED AN ACT TO ALLOW CITIES WITH POPULATION GREATER THAN FIVE HUNDRED THOUSAND TO BE SUBJECT TO THE STATE TORT CLAIMS ACT WITH CERTAIN MODIFICATIONS, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the original bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of August 3. The original bill is placed on the Unfavorable Calendar.

S.B. 955 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT BICYCLES HAVE VISIBLE LIGHTS ON THE FRONT AND REAR OF THE BICYCLE, OR ON THE PERSON OPERATING THE BICYCLE, WHEN OPERATED DURING THE PERIOD FROM SUNSET TO SUNRISE ON A STREET, HIGHWAY, OR PUBLIC VEHICULAR AREA, AND TO REQUIRE THE REPORT OF A CRASH INVOLVING A MOTOR VEHICLE AND A BICYCLE WHERE THE TOTAL PROPERTY DAMAGE EXCEEDS FIVE HUNDRED DOLLARS, with a favorable report as to House Committee Substitute Bill No. 2, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(b), House Committee Substitute Bill No. 2 is placed on the Calendar of August 3. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representatives Glazier, Love, and Weiss, Vice Chairs, for the Committee on Judiciary II:

S.B. 1057 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXPAND THE SALES TAX EXEMPTION FOR AIRCRAFT SIMULATORS, with a favorable report as to the House committee substitute bill, unfavorable as to the Senate committee substitute bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Finance.

July 30, 2009

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

By Representative Bryant, Chair, for the Committee on Energy and Energy Efficiency:

S.B. 960 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO FACILITATE EXPEDITED USE AND EXPENDITURE OF FEDERAL FUNDS PROVIDED UNDER THE AMERICAN RECOVERY AND REINVESTMENT ACT, with a favorable report as to the House committee substitute bill, unfavorable as to the Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of August 3. The Senate committee substitute bill is placed on the Unfavorable Calendar.

ENROLLED BILLS

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

S.B. 69, AN ACT TO MAKE CERTAIN PARTS OF A RULE ADOPTED BY THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY RELATING TO ROTATION WRECKER SERVICES VOID AND UNENFORCEABLE AND TO DIRECT THE SECRETARY TO ADOPT RULES CONSISTENT WITH THIS ACT AND TO AMEND THE DUTIES OF THE HIGHWAY PATROL.

H.B. 102, AN ACT AUTHORIZING THE DIRECTOR OF THE BUDGET TO CONTINUE EXPENDITURES FOR THE OPERATION OF GOVERNMENT AT A PERCENTAGE OF THE LEVEL AUTHORIZED IN S.L. 2008-107, AS AMENDED.

H.B. 121, AN ACT TO ALLOW ALL UNITS OF LOCAL GOVERNMENT TO REGULATE GOLF CARTS.

H.B. 1098, AN ACT TO PROVIDE THE SAME PROTECTIONS TO SEARCH AND RESCUE ANIMALS AS THOSE PROVIDED TO LAW ENFORCEMENT AGENCY ANIMALS AND ANIMALS THAT ASSIST THE DISABLED.

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

July 30, 2009

ONE HUNDRED EIGHTH DAY

HOUSE OF REPRESENTATIVES
Monday, August 3, 2009

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

The following prayer is offered by the Reverend Susan Harrison, Associate Pastor, First United Methodist Church, Washington, North Carolina:

"Holy God, whose mercy is over all that You have made, we praise You and thank You for each person whom You have called and gifted to serve in this Legislature, and for each of the communities, homes, and lives they represent. We recognize that the authority represented here has been granted in trust, and we pray that this service will always be exercised responsibly and faithfully. Grant these leaders wisdom as they meet to discuss and decide upon matters of this great State and the resources with which You have blessed us. Where difficult decisions must be made, open our ears and eyes, that we might see the decisions through Your divine wisdom. Keep us ever mindful of Your abundant provision and care for all of creation, and guard us from error and thoughtlessness, from pride and selfishness, from fear and wastefulness. Bless this Session that they may accomplish faithfully all the work that You have given them to do. Amen."

The Speaker leads the Body in the Pledge of Allegiance.

Representative Luebke, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of July 30 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Boles, Dockham, Glazier, Owens, Ross, and Womble for today. Representatives Lewis and Tillis are excused for a portion of the Session.

ENROLLED BILLS

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

S.B. 345, AN ACT TO ADD PUBLIC HEALTH PREPAREDNESS AND QUALITY IMPROVEMENT TO THE LIST OF ESSENTIAL PUBLIC HEALTH SERVICES, AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON EMERGENCY PREPAREDNESS AND DISASTER MANAGEMENT RECOVERY.

August 3, 2009

S.B. 660, AN ACT TO PROVIDE AN ALTERNATIVE METHOD OF DETERMINING PROPERTY DAMAGES AS A PART OF MOTOR VEHICLE LIABILITY INSURANCE.

H.B. 1057, AN ACT TO ABOLISH DEFICIENCY JUDGMENTS IN CERTAIN CASES WHERE THE MORTGAGE IS SECURED BY PRIMARY RESIDENCE.

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

S.B. 556, AN ACT TO REVISE THE LAWS RELATING TO THE ASHEVILLE CIVIL SERVICE BOARD.

CHAPTERED BILLS

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

S.B. 920, AN ACT TO ALLOW PROBATION OFFICERS TO ACCESS CERTAIN OFFENDERS' JUVENILE RECORDS, TO MAKE WARRANTLESS SEARCHES AND DRUG SCREENING REGULAR CONDITIONS OF SUPERVISION, TO ADD ADDITIONAL CONTROLLING MEASURES FOR OFFENDERS SUBJECT TO INTERMEDIATE PUNISHMENT, AND TO MAKE CLARIFYING AMENDMENTS TO STREAMLINE PROCEDURES FOR SUPERVISION OF OFFENDERS IN THE COMMUNITY. (S.L. 2009-372)

S.B. 804, AN ACT TO MAKE CHANGES TO THE CERTIFICATE OF NEED LAW WITH RESPECT TO TIME LINES FOR ISSUANCE OF A CERTIFICATE OF NEED; TO MODIFY BOND REQUIREMENTS FOR APPEALS; TO PROHIBIT THE APPROVAL OF A CERTIFICATE OF NEED FOR CERTAIN TYPES OF EMERGENCY DEPARTMENTS FOR A SPECIFIED TIME PERIOD; AND TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO STUDY THE LICENSURE OF HOSPITAL-BASED OFF-SITE EMERGENCY DEPARTMENTS. (S.L. 2009-373)

H.B. 1523, AN ACT TO REWRITE THE NORTH CAROLINA MORTGAGE LENDING ACT IN ORDER TO CONFORM TO THE REQUIREMENTS OF FEDERAL LAW. (S.L. 2009-374)

August 3, 2009

S.B. 304, AN ACT TO INCREASE THE AMOUNT THE STATE MAY FINANCE UNDER GUARANTEED ENERGY SAVINGS CONTRACTS AND TO MODIFY THE REPORTING REQUIREMENTS. (S.L. 2009-375)

S.B. 368, AN ACT TO MAKE VARIOUS CHANGES TO THE MOTOR VEHICLE LAWS, AS REQUESTED BY THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY. (S.L. 2009-376)

H.B. 1595, AN ACT TO AUTHORIZE THE NORTH CAROLINA ALCOHOLIC BEVERAGE CONTROL COMMISSION TO ISSUE MALT BEVERAGE SPECIAL EVENT PERMITS AND MALT BEVERAGE TASTING PERMITS IN THE SAME OR SIMILAR MANNER AS WINE. (S.L. 2009-377)

S.B. 658, AN ACT TO MODIFY THE MEMBERSHIP OF THE SUPPLEMENTAL RETIREMENT BOARD OF TRUSTEES AND TO PROVIDE THAT THE FURLOUGH OF A MEMBER OF THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM SHALL NOT DIMINISH THE EMPLOYEE'S STATUS IN THE RETIREMENT SYSTEM. (S.L. 2009-378)

H.B. 1256, AN ACT TO CREATE THE CRIMINAL OFFENSE OF LARCENY OF A MOTOR VEHICLE PART. (S.L. 2009-379)

H.B. 1255, AN ACT TO PROVIDE THAT WHEN SENTENCING A DEFENDANT CONVICTED OF A SEX OFFENSE AND UPON REQUEST OF THE DISTRICT ATTORNEY, THE COURT MAY ENTER A PERMANENT NO CONTACT ORDER PROHIBITING ANY FUTURE CONTACT OF A CONVICTED SEX OFFENDER WITH THE CRIME VICTIM IF THE COURT DETERMINES THAT APPROPRIATE GROUNDS EXIST FOR THE ORDER. (S.L. 2009-380)

H.B. 1228, AN ACT TO CLARIFY THE AUTHORITY OF THE ABC COMMISSION TO ADOPT RULES CONCERNING PRIVATE CLUBS. (S.L. 2009-381)

H.B. 1183, AN ACT TO MAKE VARIOUS CHANGES IN THE LAWS GOVERNING HEALTH INSURANCE AND MANAGED CARE; TO CHANGE CERTAIN HEALTH INSURANCE LAWS TO COMPORT WITH RECENT CONGRESSIONAL ENACTMENTS; TO MAKE A TECHNICAL CORRECTION IN A CREDIT INSURANCE LAW; TO

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CONFORM MOTOR VEHICLE INSPECTION COMPLIANCE REQUIREMENT WITH DISCONTINUATION OF STICKERS; AND TO REPEAL THE EXPIRATION DATE OF THE INTERSTATE INSURANCE PRODUCT REGULATION COMPACT ACT. (S.L. 2009-382)

H.B. 1159, AN ACT TO CLARIFY THE LAWS ON INSURANCE BUSINESS ENTITY LICENSES; TO PROVIDE FOR ELECTRONIC FILINGS WITH THE DEPARTMENT OF INSURANCE; AND TO CLARIFY THE LAW ON APPOINTMENT OF AGENTS BY INSURANCE COMPANIES. (S.L. 2009-383)

H.B. 1314, AN ACT TO IMPROVE THE INSURANCE COMMISSIONER'S ABILITY TO MONITOR THE FINANCIAL CONDITION OF INSURERS. (S.L. 2009-384)

S.B. 618, AN ACT TO ALLOW ALL MUNICIPALITIES TO PARTICIPATE IN URBAN AREA REVITALIZATION PROJECTS UNDER THE MUNICIPAL SERVICE DISTRICT ACT OF 1973. (S.L. 2009-385)

H.B. 1084, AN ACT TO AMEND THE LIQUEFIED PETROLEUM GAS LAW TO CREATE CLASSES OF DEALERS FOR THE PURPOSE OF INSURANCE REQUIREMENTS, TO CLARIFY THE AUTHORITY TO CONDUCT INSPECTIONS, TO INCREASE CIVIL PENALTIES, AND TO MAKE TECHNICAL CHANGES. (S.L. 2009-386)

H.B. 506, AN ACT TO CLARIFY RESPONSIBILITY FOR PAYMENT OF WITNESS FEES AND GUARDIAN AD LITEM FEES IN INCOMPETENCY PROCEEDINGS; AUTHORIZE APPOINTMENT OF A GUARDIAN AD LITEM FOR A PERSON WHO IS ADJUDICATED INCOMPETENT; PROVIDE FOR APPOINTMENT OF COUNSEL FOR AN INDIGENT PERSON IN CERTAIN PROCEEDINGS INVOLVING SATELLITE-BASED MONITORING OF SEX OFFENDERS; PROVIDE FOR REPRESENTATION FOR THE DEPARTMENT OF CORRECTION AND APPOINTMENT OF COUNSEL FOR INDIGENT OFFENDERS IN SATELLITE-BASED MONITORING PROCEEDINGS; AND PROVIDE FOR APPOINTMENT OF COUNSEL BY THE OFFICE OF INDIGENT DEFENSE SERVICES IN CAPITAL CASES. (S.L. 2009-387)

S.B. 465, AN ACT AMENDING THE STATE FAIR HOUSING ACT. (S.L. 2009-388)

H.B. 1464, AN ACT TO CLARIFY DOMESTIC VIOLENCE LAWS REGARDING WHEN A LAW ENFORCEMENT OFFICER SHALL ARREST A PERSON WHO HAS KNOWINGLY VIOLATED A VALID

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PROTECTIVE ORDER DESPITE THE 2006 HOLDING BY THE NORTH CAROLINA COURT OF APPEALS IN COCKERHAM-ELLERBEE V. THE TOWN OF JONESVILLE. (S.L. 2009-389)

S.B. 1004, AN ACT TO PROVIDE FOR RETENTION OF FUEL AND FUEL-RELATED COST SAVINGS ASSOCIATED WITH THE PURCHASE OR CONSTRUCTION OF A CARBON OFFSET FACILITY, TO BRING CERTAIN DAMS USED IN CONNECTION WITH ELECTRIC GENERATING FACILITIES UNDER THE DAM SAFETY ACT, AND TO MAKE OTHER CHANGES TO LAWS GOVERNING THE GENERATION OF ELECTRICITY. (S.L. 2009-390)

H.B. 996, AN ACT TO REPEAL A REQUIREMENT THAT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES STUDY THE FEASIBILITY OF OPERATING A LICENSED ADULT CARE HOME IN A PUBLIC HOUSING FACILITY AND TO DIRECT THE UNC CENTER ON POVERTY, WORK AND OPPORTUNITY TO CONDUCT THE STUDY. (S.L. 2009-391)

S.B. 863, AN ACT TO PROVIDE FOR THE PURCHASE OF CREDITABLE SERVICE BY MEMBERS OF THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM FOR CERTAIN PERIODS OF NONQUALIFIED EMPLOYMENT. (S.L. 2009-392)

S.B. 935, AN ACT AMENDING THE MARRIAGE AND FAMILY THERAPY LICENSURE LAWS AND AUTHORIZING THE NORTH CAROLINA MARRIAGE AND FAMILY THERAPY LICENSURE BOARD TO INCREASE FEES. (S.L. 2009-393)

H.B. 1516, AN ACT TO MAKE CERTAIN MODIFICATIONS TO AND EXTEND THE SUNSET OF THE JOB DEVELOPMENT INVESTMENT GRANT PROGRAM. (S.L. 2009-394)

H.B. 311, AN ACT TO CONTINUE THE CONSTRUCTION FUNDING OF SCHOOLS THROUGH THE FIRST AND THE SECOND ONE-HALF CENT SALES AND USE TAXES. (S.L. 2009-395)

H.B. 816, AN ACT TO CLARIFY THE LAW REGARDING THE SPECIAL SEPARATION ALLOWANCE PROVIDED TO LAW ENFORCEMENT OFFICERS UNDER THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM. (S.L. 2009-396)

August 3, 2009

H.B. 378, AN ACT TO STATUTORILY ESTABLISH THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY, DIVISION OF EMERGENCY MANAGEMENT, AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON EMERGENCY PREPAREDNESS AND DISASTER MANAGEMENT RECOVERY. (S.L. 2009-397)

H.B. 1077, AN ACT TO AMEND THE VENUE RULES AND THE AUTHORITY OF MAGISTRATES FOR MUNICIPALITIES LYING IN FOUR OR MORE COUNTIES, EACH OF WHICH IS IN A DIFFERENT JUDICIAL DISTRICT. (S.L. 2009-398)

H.B. 102, AN ACT AUTHORIZING THE DIRECTOR OF THE BUDGET TO CONTINUE EXPENDITURES FOR THE OPERATION OF GOVERNMENT AT A PERCENTAGE OF THE LEVEL AUTHORIZED IN S.L. 2008-107, AS AMENDED. (S.L. 2009-399)

H.B. 1110, AN ACT TO CLARIFY PROCEDURES IN CIVIL ACTIONS FOR ALIENATION OF AFFECTION AND CRIMINAL CONVERSATION. (S.L. 2009-400)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Goodwin, Vice Chair, for the Committee on Judiciary I:

S.B. 252 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STRENGTHEN LOCAL EMERGENCY MANAGEMENT CAPABILITIES, AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON EMERGENCY PREPAREDNESS AND DISASTER MANAGEMENT RECOVERY, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the Senate committee substitute bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Homeland Security, Military, and Veterans Affairs.

The House committee substitute bill is re-referred to the Committee on Homeland Security, Military, and Veterans Affairs. The Senate committee substitute bill is placed on the Unfavorable Calendar.

August 3, 2009

S.B. 974 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE CONSUMER ECONOMIC PROTECTION ACT OF 2009, with a favorable report as to the House committee substitute bill, unfavorable as to the Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of August 4. The Senate committee substitute bill is placed on the Unfavorable Calendar.

SUBCOMMITTEE REFERRAL

Representatives Michaux, Adams, M. Alexander, Crawford, Haire, Jeffus, Tolson, and Yongue, Chairs, for the Committee on Appropriations, refer **H.B. 706** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ENSURE THE ACCESSIBILITY OF HANDICAPPED PARKING IN NORTH CAROLINA BY REQUIRING AN EXPIRATION DATE VISIBLE FROM AT LEAST TWENTY FEET ON ALL HANDICAPPED PLACARDS, TO ENSURE INCREASED ENFORCEMENT AND COLLECTION OF EXPIRED OR REVOKED PLACARDS BY REQUIRING THAT PLACARDS DISPLAY THE MONTH AND YEAR OF EXPIRATION, TO REQUIRE THE DIVISION OF MOTOR VEHICLES TO ISSUE HANDICAPPED PLACARD REGISTRATION CARDS, AND TO REQUIRE THAT THE PERSON TO WHOM THE PLACARD IS ISSUED BE THE OPERATOR OF OR A PASSENGER IN THE VEHICLE IN WHICH THE PLACARD IS DISPLAYED, to the Appropriations Subcommittee on Transportation.

SPECIAL MESSAGES FROM THE SENATE

The following Special Messages are received from the Senate:

Senate Committee Substitute for **H.B. 109**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF HUNTERSVILLE TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF THE TOWN'S PUBLIC NUISANCE ORDINANCE, is returned for concurrence in the Senate committee substitute bill and referred to the Committee on Local Government I.

Upon concurrence the Senate committee substitute bill changes the title.

Senate Committee Substitute No. 2 for **H.B. 291** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE COSMETIC ART ACT TO PROVIDE FOR LICENSURE OF PERSONS ENGAGING IN THE PRACTICE OF NATURAL HAIR BRAIDING, is returned for concurrence in Senate Committee Substitute Bill No. 2.

August 3, 2009

Pursuant to Rule 36(b), Senate Committee Substitute Bill No. 2 is placed on the Calendar of August 4.

Upon concurrence Senate Committee Substitute Bill No. 2 changes the title.

Senate Committee Substitute for **H.B. 775**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR ALTERNATIVE MEANS OF TESTIMONY FOR CHILDREN AND ADULTS WITH DISABILITIES AS RECOMMENDED BY THE JOINT STUDY COMMITTEE ON AUTISM SPECTRUM DISORDER AND PUBLIC SAFETY, is returned for concurrence in the Senate committee substitute bill and referred to the Committee on Judiciary III.

Upon concurrence the Senate committee substitute bill changes the title.

Senate Committee Substitute for **H.B. 1297** (Committee Substitute), A BILL TO BE ENTITLED AN ACT PERTAINING TO THE CREDENTIALING OF HEALTH CARE PROVIDERS UNDER HEALTH BENEFIT PLANS, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of August 4.

Upon concurrence the Senate committee substitute bill changes the title.

H.B. 1313 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR MEANINGFUL REGULATION OF INSURANCE PUBLIC ADJUSTERS, is returned for concurrence in the Senate committee substitute bill and referred to the Committee on Finance.

The Speaker rules the Senate committee substitute bill to be material, thus constituting its first reading.

CONFERENCE REPORTS

Representative Goodwin moves the adoption of the following Conference Report.

Senate Committee Substitute for H.B. 991

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 991, A BILL TO BE

August 3, 2009

ENTITLED AN ACT TO AUTHORIZE MONTGOMERY COUNTY TO ATTACH PERSONAL PROPERTY, GARNISH WAGES, AND PLACE LIENS ON CERTAIN REAL PROPERTY TO COLLECT UNPAID FEES FOR WATER AND SEWER SERVICES, Senate Finance Committee Substitute Adopted 7/14/09, submit the following report:

The House and Senate agree to the following amendments to the Senate Finance Committee Substitute, Senate Finance Committee Substitute Adopted 7/14/09, and the House concurs in the Senate Finance Committee Substitute as amended:

On page 1, lines 16 through 27, by rewriting those lines to read:

"charge for that service, and the date and place of furnishing that service. A lien on real property is not effective against an interest in real property conveyed after the fees become delinquent if the interest is recorded in the office of the register of deeds prior to the filing of the lien for delinquent water or sewer services. No lien under this act shall be valid unless filed in accordance with this section after 90 days of the date of the failure to pay for the service and within 180 days of the date of the failure to pay for the service. The lien may be discharged as provided in G.S. 44-48.

SECTION 2. This act applies to Montgomery County only.

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

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

Date conferees approved report: July 30, 2009.

*Conferees for the
Senate*

*Conferees for the
House of Representatives*

S/ Jerry W. Tillman, Chair

S/ Melanie Wade Goodwin, Chair

S/ John J. Snow, Jr.

S/ Justin P. Burr

S/ Don Vaughan

S/ Pryor Gibson

The Conference Report is adopted, by electronic vote (108-1), and the Senate is so notified by Special Message.

Representative Cole moves the adoption of the following Conference Report.

August 3, 2009

House Committee Substitute for S.B. 295

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 295, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE CLOSEST MARKET TO WHICH A CROP MAY BE HAULED TO BE WITHIN ONE HUNDRED FIFTY MILES OF THE FARM FROM WHICH THE CROP IS HAULED, House Committee Substitute Favorable 7/2/09, submit the following report:

The Senate and House agree to the following amendment to the House Committee Substitute Favorable 7/2/09, and the Senate concurs in the House Committee Substitute as amended:

Delete the entire House Committee Substitute and substitute the attached Proposed Conference Committee Substitute S295-PCCS75301-RW-1.

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

Date conferees approved report: July 30, 2009.

*Conferees for the
Senate*

*Conferees for the
House of Representatives*

S/ S. Clark Jenkins, Chair
S/ Charles W. Albertson

S/ Nelson Cole, Chair
S/ Arthur Williams

The Conference Report is adopted, by electronic vote (110-0), and the Senate is so notified by Special Message. (The text of the Conference Committee Substitute may be found in its entirety in the 2009 Session Laws, Chapter 531.)

CALENDAR

Action is taken on the following:

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

August 3, 2009

H.J.R. 1657 (Committee Substitute), A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF EUGENE BURNS TURNER, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

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

S.B. 40 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF MURFREESBORO AND THE CITY OF SALISBURY TO LEVY A ROOM OCCUPANCY TAX AND TO AUTHORIZE ROCKINGHAM COUNTY TO LEVY AN ADDITIONAL ONE PERCENT ROOM OCCUPANCY TAX, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House Committee Substitute Bill No. 2 by Special Message.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Barnhart, Bell, Blackwell, Bordsen, Braxton, Brisson, Bryant, Carney, Coates, Cotham, Current, Daughtry, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Frye, Gibson, Gill, Goforth, Goodwin, Grady, Guice, Gulley, Haire, Hall, Harrell, Harrison, Hill, Holliman, Howard, Hughes, Iler, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Langdon, Love, Lucas, Luebke, Mackey, Martin, McComas, McElraft, McGee, McLawhorn, Michaux, Mobley, Neumann, Parmon, Pierce, Randleman, Rapp, Rhyne, Samuelson, Spear, Stam, Starnes, Steen, Stewart, Sutton, Tarleton, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wilkins, Williams, Wray, and Yongue - 85.

Voting in the negative: Representatives Avila, Blackwood, Blust, Brown, Brubaker, Burr, Burris-Floyd, Cleveland, Dollar, Folwell, Gillespie, Hilton, Holloway, Hurley, Ingle, Killian, McCormick, Mills, Moore, Sager, Setzer, Stevens, and Wiley - 23.

Excused absences: Representatives Boles, Dockham, Glazier, Lewis, Owens, Ross, and Womble - 7.

S.B. 80 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITIES OF JACKSONVILLE, LENOIR, LOWELL, AND MOUNT HOLLY AND THE TOWNS OF CRAMERTON, MCADENVILLE, AND RANLO TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House Committee Substitute Bill No. 2 by Special Message.

August 3, 2009

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Barnhart, Bell, Blackwell, Bordsen, Braxton, Brisson, Bryant, Carney, Coates, Cotham, Current, Daughtry, Dickson, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Gibson, Gill, Goforth, Goodwin, Grady, Guice, Gulley, Haire, Hall, Harrell, Harrison, Hill, Holliman, Howard, Hughes, Iler, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Langdon, Love, Lucas, Luebke, Mackey, Martin, McComas, McElraft, McGee, McLawhorn, Michaux, Mobley, Neumann, Parmon, Pierce, Randleman, Rapp, Rhyne, Samuelson, Spear, Stam, Starnes, Stewart, Sutton, Tarleton, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wilkins, Williams, Wray, and Yongue - 84.

Voting in the negative: Representatives Avila, Blackwood, Blust, Brown, Brubaker, Burr, Burris-Floyd, Cleveland, Dollar, Folwell, Gillespie, Hilton, Holloway, Hurley, Ingle, Killian, McCormick, Mills, Moore, Sager, Setzer, Steen, Stevens, and Wiley - 24.

Excused absences: Representatives Boles, Dockham, Glazier, Lewis, Owens, Ross, and Womble - 7.

Representatives Cole and Frye request and are granted permission to be recorded as voting "aye". The adjusted vote total is (86-24).

S.B. 359 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE VILLAGE OF SNEADS FERRY.

Representative Grady offers Amendment No. 1 which is adopted by electronic vote (109-1).

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

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Avila, Barnhart, Bell, Blackwell, Blackwood, Blust, Bordsen, Braxton, Brisson, Brown, Brubaker, Bryant, Burr, Burris-Floyd, Carney, Cleveland, Coates, Cole, Cotham, Daughtry, Dickson, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Folwell, Frye, Gibson, Gill, Gillespie, Goforth, Goodwin, Grady, Guice, Gulley, Haire, Hall, Harrell, Harrison, Hill, Hilton, Holliman, Holloway, Howard, Hughes, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Killian, Langdon, Love, Lucas, Luebke, Mackey, Martin, McComas, McCormick, McElraft, McGee, McLawhorn, Michaux, Mills, Mobley,

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Moore, Neumann, Parmon, Pierce, Randleman, Rapp, Rhyne, Sager, Samuelson, Setzer, Spear, Stam, Starnes, Steen, Stevens, Stewart, Sutton, Tarleton, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wiley, Wilkins, Williams, Wray, and Yongue - 109.

Voting in the negative: None.

Excused absences: Representatives Boles, Dockham, Glazier, Lewis, Owens, Ross, and Womble - 7.

S.B. 97 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALIGN THE AUTHORIZED PURPOSES FOR SPECIAL ASSESSMENTS FOR CRITICAL INFRASTRUCTURE NEEDS WITH THE PURPOSES OF PROJECT DEVELOPMENT FINANCING; TO ADD RENEWABLE ENERGY SOURCES AND ENERGY EFFICIENCY IMPROVEMENTS AS PURPOSES; TO CLARIFY THE LAW CONCERNING FINANCING A PROJECT FOR WHICH ASSESSMENTS MAY BE PLEDGED, TO EXEMPT PRIVATE ENTITIES THAT IMPLEMENT CERTAIN PROJECTS FOR WHICH ASSESSMENTS MAY BE PLEDGED FROM THE COMPETITIVE BIDDING REQUIREMENTS OF LOCAL GOVERNMENTS; AND TO PROVIDE GUIDANCE FOR LOCAL GOVERNMENTS WHEN ISSUING CERTAIN DEBT INSTRUMENTS AND ENTERING INTO CERTAIN AGREEMENTS.

Representative Dollar offers an amendment which the Speaker rules out of order.

Representative Dollar moves that the Rules be suspended in order that his amendment, which is not in compliance with the Rules, might be considered. The motion fails by electronic vote (51-59).

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

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Barnhart, Bell, Blackwood, Bordsen, Braxton, Bryant, Burr, Carney, Coates, Cole, Cotham, Daughtry, Dickson, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Gibson, Gill, Gillespie, Goforth, Goodwin, Grady, Gulley, Haire, Hall, Harrell, Harrison, Hill, Holliman, Howard, Hughes, Iler, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Killian, Love, Lucas, Luebke, Mackey, Martin, McComas, McCormick, McElraft, McLawhorn, Michaux, Mills, Mobley, Moore,

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Parmon, Pierce, Rapp, Rhyne, Samuelson, Setzer, Spear, Steen, Stewart, Sutton, Tarleton, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wiley, Wilkins, Williams, Wray, and Yongue - 85.

Voting in the negative: Representatives Avila, Blackwell, Blust, Brisson, Brown, Brubaker, Burris-Floyd, Cleveland, Current, Folwell, Frye, Guice, Hilton, Holloway, Hurley, Ingle, Justus, Langdon, McGee, Neumann, Randleman, Sager, Stam, Starnes, and Stevens - 25.

Excused absences: Representatives Boles, Dockham, Glazier, Lewis, Owens, Ross, and Womble - 7.

H.B. 1336 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE LAWS REGULATING IRRIGATION CONTRACTORS TO PROVIDE SUBSTANTIVE REQUIREMENTS FOR LICENSING CORPORATIONS, TO PROVIDE FOR THE ISSUANCE OF LICENSES TO NONRESIDENTS, TO CLARIFY THE FEE STRUCTURE, AND TO MAKE OTHER CONFORMING CHANGES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Avila, Barnhart, Bell, Blackwell, Blackwood, Bordsen, Braxton, Brisson, Brubaker, Bryant, Burris-Floyd, Carney, Coates, Cole, Cotham, Current, Daughtry, Dickson, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Gibson, Gill, Goforth, Goodwin, Grady, Guice, Gulley, Haire, Hall, Harrell, Harrison, Hill, Holliman, Howard, Hughes, Iler, Insko, Jackson, Jeffus, Jones, Justice, Justus, Love, Lucas, Luebke, Mackey, Martin, McComas, McElraft, McGee, McLawhorn, Michaux, Mills, Mobley, Neumann, Parmon, Pierce, Randleman, Rapp, Rhyne, Sager, Samuelson, Spear, Stam, Starnes, Stevens, Stewart, Sutton, Tarleton, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, Whilden, Wilkins, Williams, Wray, and Yongue - 90.

Voting in the negative: Representatives Blust, Brown, Burr, Cleveland, Folwell, Frye, Gillespie, Hilton, Holloway, Hurley, Ingle, Johnson, Killian, Langdon, McCormick, Moore, Setzer, Steen, West, and Wiley - 20.

Excused absences: Representatives Boles, Dockham, Glazier, Lewis, Owens, Ross, Tillis, and Womble - 8.

S.B. 700 (House Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO: (1) EXTEND SUNSET DATES APPLICABLE TO THE DRY-CLEANING SOLVENT CLEANUP ACT, THE DRY-CLEANING SOLVENT CLEANUP FUND, AND THE DRY-CLEANING

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SOLVENT TAX; (2) ALLOW THE USE OF STATE AND LOCAL LAND-USE CONTROLS AND DEED NOTICES IN LIEU OF LAND-USE RESTRICTIONS FOR PROPERTIES IN THE AREA OF CONTAMINATED DRY-CLEANING SITES, NOT INCLUDING PROPERTIES ON WHICH A DRY-CLEANING FACILITY IS OR WAS LOCATED WHICH IS THE SOURCE OF A SITE'S CONTAMINATION; (3) MODIFY NOTICE AND COMMENT REQUIREMENTS ASSOCIATED WITH A NOTICE OF INTENT TO REMEDIATE; AND (4) REMOVE THE LIMITATION ON DISBURSEMENT OF MONIES FROM THE DRY-CLEANING SOLVENT CLEANUP FUND FOR COSTS INCURRED TO ADDRESS DRY-CLEANING SOLVENT CONTAMINATION ON STATE-OWNED PROPERTY, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Avila, Barnhart, Bell, Blackwell, Blackwood, Blust, Bordsen, Braxton, Brisson, Brown, Bryant, Carney, Coates, Cole, Cotham, Current, Daughtry, Dickson, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Frye, Gibson, Gill, Gillespie, Goforth, Goodwin, Guice, Haire, Hall, Harrell, Harrison, Hill, Hilton, Holliman, Hughes, Ingle, Insko, Jackson, Jeffus, Jones, Love, Lucas, Luebke, Mackey, Martin, McComas, McElraft, McGee, McLawhorn, Michaux, Mobley, Moore, Parmon, Pierce, Rapp, Rhyne, Samuelson, Setzer, Spear, Stewart, Sutton, Tarleton, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wiley, Wilkins, Williams, Wray, and Yongue - 85.

Voting in the negative: Representatives Brubaker, Burr, Burris-Floyd, Cleveland, Folwell, Grady, Gulley, Holloway, Howard, Hurley, Iler, Johnson, Justice, Justus, Killian, Langdon, McCormick, Mills, Neumann, Randleman, Sager, Stam, Starnes, Steen, and Stevens - 25.

Excused absences: Representatives Boles, Dockham, Glazier, Lewis, Owens, Ross, Tillis, and Womble - 8.

S.B. 860 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A STUDENT PROTECTION FUND FOR PROPRIETARY SCHOOL STUDENTS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Avila, Barnhart, Bell, Blackwell, Blackwood, Blust, Bordsen, Braxton, Brisson, Brown, Brubaker, Bryant, Burr, Burris-Floyd, Carney, Cleveland, Coates, Cole, Cotham, Current, Daughtry, Dickson, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd,

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Folwell, Frye, Gibson, Gill, Gillespie, Goforth, Goodwin, Grady, Guice, Gulley, Haire, Hall, Harrell, Harrison, Hill, Hilton, Holliman, Holloway, Howard, Hughes, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Killian, Langdon, Love, Lucas, Luebke, Mackey, Martin, McComas, McCormick, McElraft, McGee, McLawhorn, Michaux, Mills, Mobley, Moore, Neumann, Parmon, Pierce, Randleman, Rapp, Rhyne, Sager, Samuelson, Setzer, Spear, Stam, Starnes, Steen, Stevens, Stewart, Sutton, Tarleton, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wiley, Wilkins, Williams, Wray, and Yongue - 110.

Voting in the negative: None.

Excused absences: Representatives Boles, Dockham, Glazier, Lewis, Owens, Ross, Tillis, and Womble - 8.

S.B. 1006 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE WITHHOLDING ON CONTRACTORS IDENTIFIED BY AN INDIVIDUAL TAXPAYER IDENTIFICATION NUMBER (ITIN), passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Avila, Barnhart, Bell, Blackwell, Blackwood, Blust, Bordsen, Braxton, Brisson, Brown, Brubaker, Bryant, Burr, Burris-Floyd, Carney, Cleveland, Coates, Cole, Cotham, Current, Daughtry, Dickson, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Folwell, Frye, Gibson, Gill, Gillespie, Goforth, Goodwin, Grady, Guice, Gulley, Haire, Hall, Harrell, Harrison, Hill, Hilton, Holliman, Holloway, Howard, Hughes, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Killian, Langdon, Love, Lucas, Luebke, Mackey, Martin, McComas, McCormick, McElraft, McGee, McLawhorn, Michaux, Mills, Mobley, Moore, Neumann, Parmon, Pierce, Randleman, Rapp, Rhyne, Sager, Samuelson, Setzer, Spear, Stam, Starnes, Steen, Stevens, Stewart, Sutton, Tarleton, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wiley, Wilkins, Williams, Wray, and Yongue - 110.

Voting in the negative: None.

Excused absences: Representatives Boles, Dockham, Glazier, Lewis, Owens, Ross, Tillis, and Womble - 8.

H.B. 1117, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DIVISION OF MOTOR VEHICLES SHALL NOT ISSUE OR RENEW COMMERCIAL DRIVERS LICENSES WITH ENDORSEMENTS THAT QUALIFY A PERSON TO DRIVE A COMMERCIAL PASSENGER

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VEHICLE OR SCHOOL BUS FOR ANYONE REQUIRED TO REGISTER UNDER THE SEX OFFENDER AND PUBLIC PROTECTION REGISTRATION PROGRAMS, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

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

S.B. 269 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PILOT PROGRAM TO IMPROVE PUBLIC SAFETY BY AUTHORIZING THE USE OF ELECTRONIC SPEED-MEASURING SYSTEMS BY THE DEPARTMENT OF TRANSPORTATION TO DETECT SPEED LIMIT VIOLATIONS IN HIGHWAY WORK AND SCHOOL ZONES, TO ESTABLISH STANDARDS FOR THE APPROVAL, USE, AND CALIBRATION OF ELECTRONIC SPEED-MEASURING SYSTEMS, TO ESTABLISH A CIVIL PENALTY FOR SPEED VIOLATIONS IN WORK AND SCHOOL ZONES THAT ARE DETECTED BY THOSE SYSTEMS, TO CREATE A NEW SPECIAL FUND WITHIN THE STATE CIVIL PENALTY AND FORFEITURE FUND, TO PROVIDE FOR THE PAYMENT OF THE PENALTIES INTO THE DESIGNATED SPECIAL FUND, AND TO DECREASE THE AMOUNT OF HIGHWAY FUNDS TRANSFERRED TO THE DEPARTMENT OF PUBLIC INSTRUCTION FOR DRIVERS EDUCATION.

Representative Rapp offers Amendment No. 1 which is adopted by electronic vote (107-2).

Representative Sutton moves that the bill be removed from the Calendar and re-referred to the Committee on Judiciary III. The motion carries by electronic vote (88-22).

The bill, as amended, is removed from the Calendar, ordered engrossed, and re-referred to the Committee on Judiciary III.

S.B. 859 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW CITIES WITH POPULATION GREATER THAN A CERTAIN POPULATION THRESHOLD TO BE SUBJECT TO THE STATE TORT CLAIMS ACT WITH CERTAIN MODIFICATIONS.

Representative Stam offers Amendment No. 1 which is adopted by electronic vote (109-0).

The bill, as amended, passes its second reading, by electronic vote (109-1).

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

S.B. 955 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT BICYCLES HAVE VISIBLE LIGHTS ON THE FRONT AND REAR OF THE BICYCLE, OR ON THE PERSON OPERATING THE BICYCLE, WHEN OPERATED DURING THE PERIOD FROM SUNSET TO SUNRISE ON A STREET, HIGHWAY, OR PUBLIC VEHICULAR AREA, AND TO REQUIRE THE REPORT OF A CRASH INVOLVING A MOTOR VEHICLE AND A BICYCLE WHERE THE TOTAL PROPERTY DAMAGE EXCEEDS FIVE HUNDRED DOLLARS.

On motion of Representative Harrison and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of August 4.

INTRODUCTION OF PAGES

Pages for the week of August 3 are introduced to the membership. They are: Jullian Abarca of Franklin; Allyn Carlos-Barr of Cumberland; Benjamin Carruth of Cabarrus; Chase Creech of Catawba; Christian Crumpton of Moore; Matthew Draelos of Guilford; Deans Eatman of Halifax; Joseph Gardner of Wilson; Zakeria Haidary of Wake; Rachael Harris of Beaufort; Dylan Haynes of Jackson; Matthew Martin of Wake; Hannah Osborne of Orange; Callie Wahab of Beaufort; and Andy Wilson of Mecklenburg.

CALENDAR (continued)

S.B. 958 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING DISCIPLINARY PROCEEDINGS OF THE NORTH CAROLINA MEDICAL BOARD, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

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

S.B. 960 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO FACILITATE EXPEDITED USE AND EXPENDITURE OF FEDERAL FUNDS PROVIDED UNDER THE AMERICAN RECOVERY AND REINVESTMENT ACT.

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

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The bill, as amended, passes its second reading, by electronic vote (108-2), and there being no objection is read a third time.

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

MOTION TO RECALL BILL

Pursuant to Rule 39, Representative Stam moves to recall **H.B. 1268** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO PROHIBIT CONDEMNATION OF PRIVATE PROPERTY TO CONVEY AN INTEREST IN THAT PROPERTY FOR ECONOMIC DEVELOPMENT AND TO PROVIDE FOR THE PAYMENT OF JUST COMPENSATION WITH RIGHT OF TRIAL BY JURY IN ALL CONDEMNATION CASES, from the Committee on Judiciary II.

The Chair rules the motion out of order, stating that the bill had previously been reported to the floor and action taken.

Representative Stam appeals from the ruling of the Chair.

The ruling of the Chair is sustained by electronic vote (62-48).

The bill remains in the Committee on Judiciary II.

BILL WITHDRAWN FROM COMMITTEE

On motion of Representative Luebke and without objection, **H.B. 1196** (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO DEDICATE AND ACCEPT CERTAIN PROPERTIES AS PART OF THE STATE NATURE AND HISTORIC PRESERVE AND TO REMOVE CERTAIN LANDS FROM THE STATE NATURE AND HISTORIC PRESERVE, is withdrawn from the Committee on Environment and Natural Resources and pursuant to Rule 36(b), is placed on the Calendar of August 4.

SPECIAL MESSAGE FROM THE SENATE

2009 GENERAL ASSEMBLY FIRST SESSION

Senate Chamber
August 3, 2009

August 3, 2009

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees for **H.B. 991** (Conference Report), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE MONTGOMERY COUNTY TO ATTACH PERSONAL PROPERTY, GARNISH WAGES, AND PLACE LIENS ON CERTAIN REAL PROPERTY TO COLLECT UNPAID FEES FOR WATER AND SEWER SERVICES, to the end that when a similar action has been taken on the part of your Honorable Body, the Speaker may order the bill enrolled.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

The Speaker orders the bill enrolled.

SPECIAL MESSAGE FROM THE SENATE

**2009 GENERAL ASSEMBLY
FIRST SESSION**

Senate Chamber
August 3, 2009

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees for **S.B. 295** (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE CLOSEST MARKET TO WHICH A CROP MAY BE HAULED TO BE WITHIN ONE HUNDRED FIFTY MILES OF THE FARM FROM WHICH THE CROP IS HAULED.

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

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

Representative Luebke moves, seconded by Representative Coates, that the House adjourn, subject to the ratification of bills, the receipt of Committee Reports, the receipt of Conference Reports, and the receipt of Messages from the Senate, to reconvene August 4 at 3:00 p.m.

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The motion carries.

CONFERENCE REPORT

Representative Michaux sends forth the Conference Report on **S.B. 202** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE BASE BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES; TO PROVIDE FOR TWO NEW PERMANENT UPPER-INCOME TAX BRACKETS WITH BEGINNING THRESHOLDS AT TWICE AND FIVE TIMES THE CURRENT HIGHEST BRACKET EFFECTIVE JANUARY 1, 2009; TO PERMANENTLY PROVIDE FOR MANDATORY COMBINED REPORTING FOR CORPORATE INCOME TAX PURPOSES EFFECTIVE JANUARY 1, 2010; TO PERMANENTLY EXPAND THE CORPORATE FRANCHISE TAX BASE TO INCLUDE ALL LIMITED LIABILITY BUSINESS ENTITIES EFFECTIVE JANUARY 1, 2010; TO PERMANENTLY MODIFY THE CORPORATE INCOME TAX APPORTIONMENT FORMULA BY REQUIRING THAT SALES BE INCLUDED IN THE NUMERATOR OF THE SALES FACTOR IF THE PROPERTY IS SHIPPED FROM THIS STATE AND THE TAXPAYER IS NOT TAXABLE IN THE STATE WHERE THE PROPERTY IS DELIVERED, EFFECTIVE JANUARY 1, 2010; TO PERMANENTLY CONFORM THE EXEMPTION FOR FINANCIAL INSTITUTIONS FOR INTEREST EXPENSE THAT IS ALLOCABLE TO TAX-EXEMPT INTEREST INCOME TO THE GENERAL FEDERAL TREATMENT OF THIS EXPENSE EFFECTIVE JANUARY 1, 2010; TO PERMANENTLY INCREASE THE STATE GENERAL SALES AND USE TAX RATE BY ONE-QUARTER PERCENTAGE POINT EFFECTIVE AUGUST 1, 2009; TO PERMANENTLY IMPOSE THE STATE AND LOCAL SALES AND USE TAX ON SERVICE CONTRACTS AND ON REPAIR, MAINTENANCE, AND INSTALLATION SERVICES FOR TANGIBLE PERSONAL PROPERTY EFFECTIVE OCTOBER 1, 2009; TO PERMANENTLY IMPOSE THE STATE AND LOCAL SALES AND USE TAX ON LOCAL AND INTERSTATE COURIER SERVICES EFFECTIVE OCTOBER 1, 2009; TO PERMANENTLY IMPOSE THE STATE AND LOCAL SALES AND USE TAX ON SALES OF DIGITAL PRODUCTS EFFECTIVE OCTOBER 1, 2009; TO PERMANENTLY REQUIRE A REMOTE SELLER TO COLLECT SALES TAX WHEN THE SELLER ENTERS INTO AN AGREEMENT WITH ONE OR MORE STATE RESIDENTS PROVIDING FOR A COMMISSION WHEN THE RESIDENT REFERS CUSTOMERS TO THE SELLER AND THE SELLER HAS GROSS RECEIPTS OF AT LEAST TEN THOUSAND DOLLARS ANNUALLY FROM SALES TO ALL CUSTOMERS REFERRED TO THE SELLER BY ALL SUCH RESIDENTS, EFFECTIVE

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WHEN IT BECOMES LAW; TO PERMANENTLY IMPOSE THE STATE AND LOCAL SALES TAX ON MOVIES AND OTHER AMUSEMENTS IN LIEU OF THE PRIVILEGE TAXES CURRENTLY IMPOSED ON THESE ACTIVITIES EFFECTIVE OCTOBER 1, 2009; AND TO PERMANENTLY INCREASE THE EXCISE TAX RATE ON SPIRITUOUS LIQUOR BY ONE AND ONE-HALF PERCENTAGE POINTS EFFECTIVE AUGUST 1, 2009. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of August 4.

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

The House stands adjourned.

ONE HUNDRED NINTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, August 4, 2009

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

The following prayer is offered by the Reverend Dr. Byron Wade, Davie Street Presbyterian Church, Raleigh, North Carolina:

"O Creator, God, who rules the heavens and the earth, we thank You for another day in which we are able to live, see, and breathe. Today, we call upon Your name for guidance as the House of Representatives meets once again. As they discuss and deliberate the many important measures that will affect the citizens of our State, we ask that You may instruct them to follow Your ways instead of their own. Help them to listen for Your guidance in all the issues that come before them. And at the end of the day, let us be assured that all of our actions are pleasing in Your sight. In the Name of the God Who is the Creator, Redeemer, and Sustainer of the World. Amen."

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

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Leaves of absence are granted Representatives Glazier, Goodwin, and Ross for today.

ENROLLED BILLS

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

S.B. 295, AN ACT TO REQUIRE THE CLOSEST MARKET TO WHICH A CROP MAY BE HAULED TO BE WITHIN ONE HUNDRED FIFTY MILES OF THE FARM FROM WHICH THE CROP IS HAULED.

S.B. 464, AN ACT TO AMEND THE LAW REQUIRING THE COLLECTION OF TRAFFIC LAW ENFORCEMENT STATISTICS IN ORDER TO PREVENT RACIAL PROFILING AND TO PROVIDE FOR THE CARE OF MINOR CHILDREN WHEN PRESENT AT THE ARREST OF CERTAIN ADULTS.

S.B. 509, AN ACT TO MAKE TECHNICAL, CLARIFYING, AND ADMINISTRATIVE CHANGES TO THE TAX AND RELATED LAWS.

S.B. 810, AN ACT PROVIDING THAT IT IS A VIOLATION OF THE STATE'S FAIR HOUSING ACT TO DISCRIMINATE IN LAND-USE DECISIONS OR THE PERMITTING OF DEVELOPMENT BASED ON THE FACT THAT A DEVELOPMENT CONTAINS AFFORDABLE HOUSING UNITS.

S.B. 853, AN ACT TO PROVIDE THAT AN ATTORNEY MAKING A MOTION FOR APPROPRIATE RELIEF IN SUPERIOR COURT, WHETHER BY ORAL OR WRITTEN MOTION, MUST CERTIFY IN WRITING TO THE COURT THAT THE MOTION IS MADE IN GOOD FAITH AND ON SOUND LEGAL BASIS, THAT THE ATTORNEY HAS REVIEWED THE TRIAL TRANSCRIPT AS APPROPRIATE, OR IF THE TRANSCRIPT IS UNAVAILABLE, STATE THE EFFORTS UNDERTAKEN TO LOCATE THE TRANSCRIPT, AND THE ATTORNEY HAS NOTIFIED BOTH THE DISTRICT ATTORNEY AND THE DEFENSE ATTORNEY WHO INITIALLY REPRESENTED THE DEFENDANT OF THE MOTION, TO REQUIRE THAT THE CERTIFICATION APPEAR IN WRITING ON THE MOTION; AND TO REQUIRE THAT PRIOR TRIAL AND APPELLATE COUNSEL FOR THE DEFENDANT AND THE STATE MAKE ALL FILES RELATED TO THE DEFENDANT'S CASE AVAILABLE TO THE DEFENDANT'S ATTORNEY FOR POSTCONVICTION PROCEEDINGS IN SUPERIOR COURT.

H.B. 1280, AN ACT CLARIFYING VARIOUS PROVISIONS UNDER THE LAWS PERTAINING TO THE FEDERAL WORK FIRST PROGRAM.

August 4, 2009

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

H.B. 991, AN ACT TO AUTHORIZE MONTGOMERY COUNTY TO ATTACH PERSONAL PROPERTY, GARNISH WAGES, AND PLACE LIENS ON CERTAIN REAL PROPERTY TO COLLECT UNPAID FEES FOR WATER AND SEWER SERVICES.

CHAPTERED BILLS

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

S.B. 556, AN ACT TO REVISE THE LAWS RELATING TO THE ASHEVILLE CIVIL SERVICE BOARD. (S.L. 2009-401)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Goforth and Wray, Chairs, for the Committee on Insurance:

S.B. 563 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO IMPROVE PYROTECHNICS SAFETY IN NORTH CAROLINA, with a favorable report as to the House committee substitute bill, unfavorable as to Senate Committee Substitute Bill No. 2, and recommendation that the House committee substitute bill be re-referred to the Committee on Finance.

The House committee substitute bill is re-referred to the Committee on Finance. Senate Committee Substitute Bill No. 2 is placed on the Unfavorable Calendar.

By Representatives Luebke, Gibson, Wainwright, and Weiss, Chairs, for the Committee on Finance:

H.B. 829, A BILL TO BE ENTITLED AN ACT TO MODIFY THE EXCEPTION FOR TWO-COUNTY INDUSTRIAL PARKS FOR DEVELOPMENT TIER DESIGNATION PURPOSES, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of August 5. The original bill is placed on the Unfavorable Calendar.

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By Representative Hall, Chair, for the Committee on Homeland Security, Military, and Veterans Affairs:

S.B. 252 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND STATE LAW REGARDING THE INTRODUCTION OF LAB REPORTS AND RELATED DOCUMENTS TO COMPLY WITH REQUIREMENTS OF THE UNITED STATES SUPREME COURT DECISION IN MELENDEZ-DIAZ V. MASSACHUSETTS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of August 5.

By Representative Sutton, Chair, for the Committee on Judiciary III:

S.B. 726 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT HOUSE ARREST MAY BE IMPOSED AS A CONDITION OF PRETRIAL RELEASE; TO PROVIDE THAT THE COURT MAY AUTHORIZE AN OFFENDER UNDER ELECTRONIC HOUSE ARREST TO LEAVE THE OFFENDER'S RESIDENCE FOR SPECIFIC PURPOSES AND THE COURT OR PROBATION OFFICER MAY MODIFY THOSE CONDITIONS; AND TO AMEND THE DEFINITION OF HOUSE ARREST UNDER JUVENILE LAW TO STATE THE SPECIFIC PURPOSES FOR WHICH A JUVENILE MAY BE AUTHORIZED TO LEAVE THE JUVENILE'S RESIDENCE, with a favorable report as to the House committee substitute bill, unfavorable as to the Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of August 5. The Senate committee substitute bill is placed on the Unfavorable Calendar.

S.B. 990 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE CRIMINAL PENALTY FOR CUTTING, INJURING, OR REMOVING ANOTHER'S TIMBER RESULTING IN DAMAGES THAT EXCEED ONE THOUSAND DOLLARS, with a favorable report as to House Committee Substitute Bill No. 2, unfavorable as to House Committee Substitute Bill No. 1, and recommendation that House Committee Substitute Bill No. 2 be re-referred to the Committee on Appropriations.

House Committee Substitute Bill No. 2 is re-referred to the Committee on Appropriations. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

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SPECIAL MESSAGES FROM THE SENATE

The following Special Messages are received from the Senate:

H.B. 209 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADD THE OFFENSE OF TAKING INDECENT LIBERTIES WITH A STUDENT TO THE LIST OF SEX OFFENSES THAT REQUIRE REGISTRATION UNDER THE SEX OFFENDER AND PUBLIC PROTECTION REGISTRATION PROGRAM, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON SEX OFFENDER ISSUES, is returned for concurrence in one Senate amendment.

Pursuant to Rule 36(b), the bill is placed on the Calendar of August 5.

Senate Committee Substitute for **H.B. 1274** (Committee Substitute), A BILL TO BE ENTITLED AN ACT RELATING TO THE STATE HEALTH PLAN BLUE RIBBON TASK FORCE, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of August 5.

Upon concurrence the Senate committee substitute bill changes the title.

CONFERENCE REPORT

Representative Michaux moves the adoption of the following Conference Report.

House Committee Substitute No. 2 for S.B. 202

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 202, A BILL TO BE ENTITLED AN ACT TO MAKE BASE BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES; TO PROVIDE FOR TWO NEW PERMANENT UPPER-INCOME TAX BRACKETS WITH BEGINNING THRESHOLDS AT TWICE AND FIVE TIMES THE CURRENT HIGHEST BRACKET EFFECTIVE JANUARY 1, 2009; TO PERMANENTLY PROVIDE FOR MANDATORY COMBINED REPORTING FOR CORPORATE INCOME TAX PURPOSES EFFECTIVE JANUARY 1, 2010; TO PERMANENTLY

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EXPAND THE CORPORATE FRANCHISE TAX BASE TO INCLUDE ALL LIMITED LIABILITY BUSINESS ENTITIES EFFECTIVE JANUARY 1, 2010; TO PERMANENTLY MODIFY THE CORPORATE INCOME TAX APPORTIONMENT FORMULA BY REQUIRING THAT SALES BE INCLUDED IN THE NUMERATOR OF THE SALES FACTOR IF THE PROPERTY IS SHIPPED FROM THIS STATE AND THE TAXPAYER IS NOT TAXABLE IN THE STATE WHERE THE PROPERTY IS DELIVERED, EFFECTIVE JANUARY 1, 2010; TO PERMANENTLY CONFORM THE EXEMPTION FOR FINANCIAL INSTITUTIONS FOR INTEREST EXPENSE THAT IS ALLOCABLE TO TAX-EXEMPT INTEREST INCOME TO THE GENERAL FEDERAL TREATMENT OF THIS EXPENSE EFFECTIVE JANUARY 1, 2010; TO PERMANENTLY INCREASE THE STATE GENERAL SALES AND USE TAX RATE BY ONE-QUARTER PERCENTAGE POINT EFFECTIVE AUGUST 1, 2009; TO PERMANENTLY IMPOSE THE STATE AND LOCAL SALES AND USE TAX ON SERVICE CONTRACTS AND ON REPAIR, MAINTENANCE, AND INSTALLATION SERVICES FOR TANGIBLE PERSONAL PROPERTY EFFECTIVE OCTOBER 1, 2009; TO PERMANENTLY IMPOSE THE STATE AND LOCAL SALES AND USE TAX ON LOCAL AND INTERSTATE COURIER SERVICES EFFECTIVE OCTOBER 1, 2009; TO PERMANENTLY IMPOSE THE STATE AND LOCAL SALES AND USE TAX ON SALES OF DIGITAL PRODUCTS EFFECTIVE OCTOBER 1, 2009; TO PERMANENTLY REQUIRE A REMOTE SELLER TO COLLECT SALES TAX WHEN THE SELLER ENTERS INTO AN AGREEMENT WITH ONE OR MORE STATE RESIDENTS PROVIDING FOR A COMMISSION WHEN THE RESIDENT REFERS CUSTOMERS TO THE SELLER AND THE SELLER HAS GROSS RECEIPTS OF AT LEAST TEN THOUSAND DOLLARS ANNUALLY FROM SALES TO ALL CUSTOMERS REFERRED TO THE SELLER BY ALL SUCH RESIDENTS, EFFECTIVE WHEN IT BECOMES LAW; TO PERMANENTLY IMPOSE THE STATE AND LOCAL SALES TAX ON MOVIES AND OTHER AMUSEMENTS IN LIEU OF THE PRIVILEGE TAXES CURRENTLY IMPOSED ON THESE ACTIVITIES EFFECTIVE OCTOBER 1, 2009; AND TO PERMANENTLY INCREASE THE EXCISE TAX RATE ON SPIRITUOUS LIQUOR BY ONE AND ONE-HALF PERCENTAGE POINTS EFFECTIVE AUGUST 1, 2009, House Committee Substitute #2 Favorable 6/10/09, Sixth Edition Engrossed 6/13/09, submit the following report:

The Senate concurs in the House Committee Substitute #2 Favorable 6/10/09, Sixth Edition Engrossed 6/13/09, with an amendment:

Delete the entire House Committee Substitute #2 Favorable 6/10/09, Sixth Edition Engrossed 6/13/09, and substitute the attached Proposed Conference Committee Substitute S202-PCCS35380-MAxf-3.

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

Date conferees approved report: August 3, 2009.

*Conferees for the
Senate*

S/ Linda Garrou, Co-Chair
 S/ Charles W. Albertson, Co-Chair
 S/ Charlie Smith Dannelly, Co-Chair
 S/ A. B. Swindell, Co-Chair
 S/ Doug Berger
 S/ Dan Blue
 S/ Daniel G. Clodfelter
 S/ Don Davis
 S/ Katie G. Dorsett
 S/ Tony Foriest
 S/ Steve Goss
 S/ Fletcher L. Hartsell, Jr.
 S/ David W. Hoyle
 S/ S. Clark Jenkins
 S/ Edward W. Jones
 S/ Eleanor Kinnaird
 S/ Floyd B. McKissick, Jr.
 S/ Martin Nesbitt
 S/ William R. Purcell
 S/ Tony Rand
 S/ Larry Shaw
 S/ John Snow
 S/ R. C. Soles, Jr.
 S/ Josh Stein
 S/ Don Vaughan
 S/ David F. Weinstein

*Conferees for the
House of Representatives*

S/ H. M. Michaux, Jr., Chair
 S/ Alma Adams, Chair
 S/ Martha B. Alexander, Chair
 S/ R. Phillip Haire, Chair
 S/ Maggie Jeffus, Chair
 S/ Joe P. Tolson, Chair
 S/ Douglas Y. Yongue, Chair
 S/ Paul Luebke, Chair
 S/ Pryor Gibson, Chair
 S/ William L. Wainwright, Chair
 S/ Jennifer Weiss, Chair
 S/ Hugh Holliman, Chair
 S/ Kelly M. Alexander, Jr.
 S/ Lucy T. Allen
 S/ Jeff Barnhart
 S/ Larry M. Bell
 S/ Alice L. Bordsen
 S/ R. Van Braxton
 S/ William D. Brisson
 S/ Angela R. Bryant
 S/ Becky Carney
 S/ Lorene Coates
 S/ Nelson Cole
 S/ T. A. Cotham
 S/ Margaret Highsmith Dickson
 S/ Beverly M. Earle
 S/ Bob England, M.D.
 S/ Jean Farmer-Butterfield
 S/ Susan C. Fisher
 S/ Elmer Floyd
 S/ Bruce Goforth
 S/ Melanie Wade Goodwin
 S/ Larry D. Hall
 S/ Ty Harrell
 S/ Dewey L. Hill
 S/ Sandra Spaulding Hughes

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S/ Verla Insko
S/ Jimmy L. Love, Sr.
S/ Marvin W. Lucas
S/ Nick Mackey
S/ Grier Martin
S/ Marian N. McLawhorn
S/ A. W. Mobley
S/ Garland E. Pierce
S/ Ray Rapp
S/ Randy Stewart
S/ Ronnie Sutton
S/ Cullie M. Tarleton
S/ Russell E. Tucker
S/ Alice Graham Underhill
S/ Edith D. Warren
S/ Ray Warren
S/ Jane Whilden
S/ W. A. Wilkins
S/ Arthur Williams III
S/ Michael H. Wray

The material Conference Report, which changes the title, is adopted on its second roll call reading by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Hackney; Representatives Adams, K. Alexander, M. Alexander, Allen, Bell, Bordsen, Braxton, Brisson, Bryant, Carney, Coates, Cole, Cotham, Crawford, Dickson, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Gibson, Gill, Goforth, Haire, Hall, Harrell, Harrison, Hill, Holliman, Hughes, Insko, Jackson, Jeffus, Jones, Love, Lucas, Luebke, Mackey, Martin, McLawhorn, Michaux, Mobley, Owens, Parmon, Pierce, Rapp, Spear, Stewart, Sutton, Tarleton, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, Whilden, Wilkins, Williams, Womble, Wray, and Yongue - 65.

Voting in the negative: Representatives Avila, Barnhart, Blackwell, Blackwood, Blust, Boles, Brown, Brubaker, Burr, Burris-Floyd, Cleveland, Current, Daughtry, Dockham, Dollar, Folwell, Frye, Gillespie, Grady, Guice, Gulley, Hilton, Holloway, Howard, Hurley, Iler, Ingle, Johnson, Justice, Justus, Killian, Langdon, Lewis, McComas, McCormick, McElraft, McGee, Mills, Moore, Neumann, Randleman, Rhyne, Sager, Samuelson, Setzer, Stam, Starnes, Steen, Stevens, Tillis, West, and Wiley - 52.

Excused absences: Representatives Glazier, Goodwin, and Ross - 3.

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CALENDAR

Action is taken on the following:

H.B. 1196 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO DEDICATE AND ACCEPT CERTAIN PROPERTIES AS PART OF THE STATE NATURE AND HISTORIC PRESERVE AND TO REMOVE CERTAIN LANDS FROM THE STATE NATURE AND HISTORIC PRESERVE.

On motion of Representative England, the House concurs in the material Senate Committee Substitute Bill No. 2, on its second roll call reading, by the following three-fifths majority vote, and the bill remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Avila, Barnhart, Bell, Blackwell, Blackwood, Blust, Boles, Bordsen, Braxton, Brisson, Brown, Brubaker, Bryant, Burr, Burris-Floyd, Carney, Cleveland, Coates, Cole, Cotham, Current, Dickson, Dockham, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Folwell, Frye, Gibson, Gill, Gillespie, Goforth, Grady, Guice, Gulley, Haire, Hall, Harrell, Harrison, Hill, Hilton, Holliman, Holloway, Hughes, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Killian, Langdon, Lewis, Love, Lucas, Luebke, Mackey, Martin, McComas, McCormick, McElraft, McGee, McLawhorn, Michaux, Mills, Mobley, Moore, Neumann, Owens, Parmon, Pierce, Randleman, Rapp, Rhyne, Sager, Samuelson, Setzer, Spear, Stam, Starnes, Steen, Stevens, Stewart, Sutton, Tarleton, Tillis, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 113.

Voting in the negative: None.

Excused absences: Representatives Glazier, Goodwin, and Ross - 3.

Representative Howard requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (114-0).

H.B. 291 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT AMENDING THE COSMETIC ART ACT TO PROVIDE FOR LICENSURE OF PERSONS ENGAGING IN THE PRACTICE OF NATURAL HAIR CARE AND TO ALLOW BARBERS TO ENGAGE IN BARBERING OUTSIDE OF A BARBER SHOP.

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On motion of Representative Parmon, the House does not concur in Senate Committee Substitute Bill No. 2, by electronic vote (109-5), and conferees are requested.

Senate Committee Substitute for **H.B. 1297** (Committee Substitute), A BILL TO BE ENTITLED AN ACT PERTAINING TO THE CREDENTIALING OF HEALTH CARE PROVIDERS UNDER HEALTH BENEFIT PLANS.

On motion of Representative Stewart, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (113-0), and the bill is ordered enrolled and presented to the Governor by Special Message.

S.B. 346 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE A DESCRIBED AREA FROM THE CORPORATE LIMITS OF THE CITY OF KANNAPOLIS, TO ASSIST CABARRUS COUNTY WITH THE EXPEDITING OF PUBLIC SCHOOL CONSTRUCTION, AND TO MODIFY THE FILING PERIOD FOR THE ELECTION OF MEMBERS TO THE CABARRUS COUNTY BOARD OF EDUCATION.

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

Representative Hall offers Amendment No. 2 which is adopted by electronic vote (112-0).

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

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Avila, Barnhart, Bell, Blackwell, Blackwood, Blust, Boles, Bordsen, Braxton, Brisson, Brown, Brubaker, Bryant, Burr, Burris-Floyd, Carney, Cleveland, Coates, Cole, Cotham, Current, Dickson, Dockham, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Folwell, Frye, Gibson, Gill, Gillespie, Goforth, Grady, Guice, Gulley, Haire, Hall, Harrell, Harrison, Hill, Hilton, Holliman, Holloway, Howard, Hughes, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Killian, Langdon, Lewis, Love, Lucas, Luebke, Mackey, Martin, McComas, McCormick, McElraft, McGee, McLawhorn, Mills, Mobley, Moore, Neumann, Owens, Parmon, Pierce, Randleman, Rapp, Rhyne, Sager, Samuelson, Setzer, Spear, Stam, Starnes, Steen, Stevens, Stewart,

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Sutton, Tarleton, Tillis, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 113.

Voting in the negative: None.

Excused absences: Representatives Glazier, Goodwin, and Ross - 3.

H.B. 1336 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE LAWS REGULATING IRRIGATION CONTRACTORS TO PROVIDE SUBSTANTIVE REQUIREMENTS FOR LICENSING CORPORATIONS, TO PROVIDE FOR THE ISSUANCE OF LICENSES TO NONRESIDENTS, TO CLARIFY THE FEE STRUCTURE, AND TO MAKE OTHER CONFORMING CHANGES, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Avila, Barnhart, Bell, Blackwell, Blackwood, Blust, Boles, Bordsen, Braxton, Brisson, Brubaker, Bryant, Burris-Floyd, Carney, Coates, Cole, Cotham, Current, Dickson, Dockham, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Frye, Gibson, Gill, Goforth, Grady, Guice, Gulley, Haire, Hall, Harrell, Harrison, Hill, Holliman, Howard, Hughes, Iler, Insko, Jackson, Jeffus, Jones, Justice, Justus, Killian, Lewis, Love, Lucas, Luebke, Mackey, Martin, McComas, McElraft, McGee, McLawhorn, Mills, Mobley, Owens, Parmon, Pierce, Randleman, Rapp, Rhyne, Sager, Samuelson, Spear, Stam, Starnes, Stevens, Stewart, Sutton, Tarleton, Tillis, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, Whilden, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 96.

Voting in the negative: Representatives Brown, Burr, Cleveland, Folwell, Gillespie, Hilton, Holloway, Hurley, Ingle, Johnson, Langdon, McCormick, Moore, Neumann, Setzer, Steen, and West - 17.

Excused absences: Representatives Glazier, Goodwin, and Ross - 3.

S.B. 955 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT BICYCLES HAVE VISIBLE LIGHTS ON THE FRONT AND REAR OF THE BICYCLE, OR ON THE PERSON OPERATING THE BICYCLE, WHEN OPERATED DURING THE PERIOD FROM SUNSET TO SUNRISE ON A STREET, HIGHWAY, OR PUBLIC VEHICULAR AREA, AND TO REQUIRE THE REPORT OF A CRASH INVOLVING A MOTOR VEHICLE AND A BICYCLE WHERE THE TOTAL PROPERTY DAMAGE EXCEEDS FIVE HUNDRED DOLLARS.

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

S.B. 700 (House Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO: (1) EXTEND SUNSET DATES APPLICABLE TO THE DRY-CLEANING SOLVENT CLEANUP ACT, THE DRY-CLEANING SOLVENT CLEANUP FUND, AND THE DRY-CLEANING SOLVENT TAX; (2) ALLOW THE USE OF STATE AND LOCAL LAND-USE CONTROLS AND DEED NOTICES IN LIEU OF LAND-USE RESTRICTIONS FOR PROPERTIES IN THE AREA OF CONTAMINATED DRY-CLEANING SITES, NOT INCLUDING PROPERTIES ON WHICH A DRY-CLEANING FACILITY IS OR WAS LOCATED WHICH IS THE SOURCE OF A SITE'S CONTAMINATION; (3) MODIFY NOTICE AND COMMENT REQUIREMENTS ASSOCIATED WITH A NOTICE OF INTENT TO REMEDIATE; AND (4) REMOVE THE LIMITATION ON DISBURSEMENT OF MONIES FROM THE DRY-CLEANING SOLVENT CLEANUP FUND FOR COSTS INCURRED TO ADDRESS DRY-CLEANING SOLVENT CONTAMINATION ON STATE-OWNED PROPERTY.

Representative Blackwell offers Amendment No. 1 which is adopted by electronic vote (113-0).

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate for concurrence in House Committee Substitute Bill No. 3 by Special Message.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Avila, Barnhart, Bell, Blackwell, Blackwood, Blust, Boles, Bordsen, Braxton, Brisson, Brown, Bryant, Burr, Carney, Cleveland, Coates, Cole, Cotham, Current, Dickson, Dockham, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Folwell, Frye, Gibson, Gill, Gillespie, Goforth, Grady, Guice, Gulley, Haire, Hall, Harrell, Harrison, Hill, Hilton, Holliman, Holloway, Howard, Hughes, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Langdon, Lewis, Love, Lucas, Luebke, Mackey, Martin, McElraft, McGee, McLawhorn, Mills, Mobley, Moore, Owens, Parmon, Pierce, Randleman, Rapp, Rhyne, Sager, Samuelson, Setzer, Spear, Stam, Stevens, Stewart, Sutton, Tarleton, Tillis, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 104.

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Voting in the negative: Representatives Brubaker, Burris-Floyd, Hurley, Killian, McComas, McCormick, Neumann, Starnes, and Steen - 9.

Excused absences: Representatives Glazier, Goodwin, and Ross - 3.

S.B. 860 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A STUDENT PROTECTION FUND FOR PROPRIETARY SCHOOL STUDENTS, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House Committee Substitute Bill No. 2 by Special Message.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Avila, Barnhart, Bell, Blackwell, Blackwood, Blust, Boles, Bordsen, Braxton, Brisson, Brown, Brubaker, Bryant, Burr, Burris-Floyd, Carney, Cleveland, Coates, Cole, Cotham, Current, Dickson, Dockham, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Folwell, Frye, Gibson, Gill, Gillespie, Goforth, Grady, Guice, Gulley, Haire, Hall, Harrell, Harrison, Hill, Hilton, Holliman, Holloway, Howard, Hughes, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Killian, Langdon, Lewis, Love, Lucas, Luebke, Mackey, Martin, McComas, McCormick, McElraft, McGee, McLawhorn, Mills, Mobley, Moore, Neumann, Owens, Parmon, Pierce, Randleman, Rapp, Rhyne, Sager, Samuelson, Setzer, Spear, Stam, Starnes, Steen, Stevens, Stewart, Sutton, Tarleton, Tillis, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 113.

Voting in the negative: None.

Excused absences: Representatives Glazier, Goodwin, and Ross - 3.

S.B. 1006 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE WITHHOLDING ON CONTRACTORS IDENTIFIED BY AN INDIVIDUAL TAXPAYER IDENTIFICATION NUMBER (ITIN), passes its third reading, by the following vote, and is ordered enrolled and presented to the Governor by Special Message.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Avila, Barnhart, Bell, Blackwell, Blackwood, Blust, Boles, Bordsen, Braxton, Brisson, Brown, Brubaker, Bryant, Burr, Burris-Floyd, Carney, Cleveland, Coates, Cole, Cotham, Current, Dickson, Dockham, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Folwell, Frye, Gibson, Gill, Gillespie, Goforth, Grady, Guice, Gulley, Haire, Hall, Harrell, Harrison, Hill, Hilton, Holliman, Holloway, Howard,

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Hughes, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Killian, Langdon, Lewis, Love, Lucas, Luebke, Mackey, Martin, McComas, McCormick, McElraft, McGee, McLawhorn, Mills, Mobley, Moore, Neumann, Owens, Parmon, Pierce, Randleman, Rapp, Rhyne, Sager, Samuelson, Setzer, Spear, Stam, Starnes, Steen, Stevens, Stewart, Sutton, Tarleton, Tillis, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 113.

Voting in the negative: None.

Excused absences: Representatives Glazier, Goodwin, and Ross - 3.

S.B. 859 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW CITIES WITH POPULATION GREATER THAN A CERTAIN POPULATION THRESHOLD TO BE SUBJECT TO THE STATE TORT CLAIMS ACT WITH CERTAIN MODIFICATIONS, passes its third reading, by electronic vote (111-3), and is ordered engrossed and sent to the Senate for concurrence in the House committee substitute bill by Special Message.

S.B. 167 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT SMOKING ON THE PREMISES OF CORRECTIONAL INSTITUTIONS, TO PROHIBIT THE POSSESSION OF TOBACCO PRODUCTS OR CELL PHONES OUTSIDE OF A LOCKED VEHICLE ON THE PREMISES OF CORRECTIONAL INSTITUTIONS, TO MAKE IT A CRIMINAL OFFENSE TO PROVIDE TOBACCO PRODUCTS OR CELL PHONES TO INMATES IN THE CUSTODY OF THE DEPARTMENT OF CORRECTION OR A LOCAL CONFINEMENT FACILITY, AND TO MAKE IT A CRIMINAL OFFENSE FOR INMATES OF A LOCAL CONFINEMENT FACILITY TO POSSESS TOBACCO PRODUCTS OR CELL PHONES, passes its second reading, by electronic vote (81-31).

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

S.B. 974 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE CONSUMER ECONOMIC PROTECTION ACT OF 2009, passes its second reading, by electronic vote (105-7).

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

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CONFERENCE REPORT

Representative Cotham sends forth the Conference Report on **H.B. 804** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING PERSONAL EDUCATION PLANS FOR STUDENTS AT RISK OF ACADEMIC FAILURE. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of August 5.

SPECIAL MESSAGE FROM THE SENATE**2009 GENERAL ASSEMBLY
FIRST SESSION**

Senate Chamber
August 4, 2009

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in the House Committee Substitute to **S.B. 960** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO FACILITATE EXPEDITED USE AND EXPENDITURE OF FEDERAL FUNDS PROVIDED UNDER THE AMERICAN RECOVERY AND REINVESTMENT ACT, and requests conferees. The President *Pro Tempore* appoints:

Senator Nesbitt, Chair
Senator Stein
Senator Vaughan
Senator Soles

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

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

The following Special Message is received from the Senate:

S.B. 898 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE EXCEPTION FOR TWO-COUNTY INDUSTRIAL

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PARKS FOR DEVELOPMENT TIER DESIGNATION PURPOSES, is read the first time and referred to the Committee on Finance.

CONFEREES APPOINTED

The Speaker appoints the following conferees on **S.B. 960** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO FACILITATE EXPEDITED USE AND EXPENDITURE OF FEDERAL FUNDS PROVIDED UNDER THE AMERICAN RECOVERY AND REINVESTMENT ACT: Representative Tolson, Chair; Representatives Bryant, Neumann, and Goforth.

The Senate is so notified by Special Message.

The Speaker appoints the following conferees on **H.B. 291** (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT AMENDING THE COSMETIC ART ACT TO PROVIDE FOR LICENSURE OF PERSONS ENGAGING IN THE PRACTICE OF NATURAL HAIR CARE AND TO ALLOW BARBERS TO ENGAGE IN BARBERING OUTSIDE OF A BARBER SHOP: Representative Parmon, Chair; Representatives Womble and Justice.

The Senate is so notified by Special Message.

BILLS WITHDRAWN FROM COMMITTEE

On motion of Representative Owens and without objection, **S.B. 133** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADJUST THE LIMIT ON THE MONTHLY PENSION AMOUNT PAYABLE FROM THE REGISTERS OF DEEDS' SUPPLEMENTAL PENSION FUND, is withdrawn from the Committee on Appropriations and pursuant to Rule 36(b), is placed on the Calendar of August 5.

On motion of Representative Owens and without objection, **S.B. 138**, A BILL TO BE ENTITLED AN ACT TO CREATE THE OFFENSE OF UNLAWFUL MANUFACTURE, SALE, DELIVERY, OR POSSESSION OF SALVIA DIVINORUM, is withdrawn from the Committee on Appropriations and pursuant to Rule 36(b), is placed on the Calendar of August 5.

On motion of Representative Owens and without objection, **S.B. 990** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO INCREASE THE CRIMINAL PENALTY FOR CUTTING, INJURING, OR REMOVING ANOTHER'S TIMBER RESULTING IN DAMAGES

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THAT EXCEED ONE THOUSAND DOLLARS, is withdrawn from the Committee on Appropriations and pursuant to Rule 36(b), is placed on the Calendar of August 5.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Bordsen and Mobley, Chairs, for the Committee on Juvenile Justice:

S.B. 984 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE JUVENILE CODE REGARDING ACCESS TO AND USE OF JUVENILE COURT RECORDS WHEN THE INDIVIDUAL IS LATER CHARGED AS AN ADULT IN A CRIMINAL PROCEEDING, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the Senate committee substitute bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Judiciary III.

The House committee substitute bill is re-referred to the Committee on Judiciary III. The Senate committee substitute bill is placed on the Unfavorable Calendar.

Representative Owens moves, seconded by Representative Hall, that the House adjourn, subject to the receipt of Committee Reports, the receipt of Conference Reports, and the receipt of Messages from the Senate, to reconvene August 5 at 3:00 p.m.

The motion carries.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Holliman, Chair, for the Committee on Financial Institutions:

H.B. 1341, A BILL TO BE ENTITLED AN ACT TO MODERNIZE THE NORTH CAROLINA CONSUMER FINANCE ACT, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as

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to the original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Rules, Calendar, and Operations of the House.

The serial referrals to the Committees on Judiciary II and Finance are stricken.

The committee substitute bill is re-referred to the Committee on Rules, Calendar, and Operations of the House. The original bill is placed on the Unfavorable Calendar.

By Representatives Bell and Lucas, Chairs, for the Committee on Education:

S.B. 738 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE BOARDS OF DIRECTORS OF CHARTER SCHOOLS TO IMPLEMENT THE GUIDELINES ADOPTED BY THE STATE BOARD OF EDUCATION FOR THE DEVELOPMENT AND IMPLEMENTATION OF INDIVIDUAL DIABETES CARE PLANS AND TO REQUIRE LOCAL BOARDS OF EDUCATION AND BOARDS OF DIRECTORS OF CHARTER SCHOOLS TO REPORT ANNUALLY TO THE STATE BOARD OF EDUCATION ABOUT THEIR COMPLIANCE WITH THESE GUIDELINES, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of August 5.

The House stands adjourned at 7:12 p.m.

ONE HUNDRED TENTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, August 5, 2009

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

The following prayer is offered by the Reverend Dr. Byron Wade, Davie Street Presbyterian Church, Raleigh, North Carolina:

"O Merciful and Almighty God:

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"You have allowed us to live and see another glorious and warm day. We thank You that in all of life Your faithfulness continues to be plentiful and everlasting. As we convene for this Session, we ask that You may extend Your faithfulness to our lawmakers today. Help them to be mindful of your faithfulness that they extend the same to each other in their work and deliberations. Guide them in their joys and struggles that they will follow Your ways for the general welfare of the people of North Carolina. Amen."

Representative Owens, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of August 4 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Glazier, Goodwin, and Ross for today. Representatives Boles, Dockham, and Tucker are excused for a portion of the Session.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Carney, Chair, for the Committee on Transportation:

S.B. 914 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY DEALER TERMINATION ASSISTANCE RIGHTS, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the Senate committee substitute bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Judiciary III.

The House committee substitute bill is re-referred to the Committee on Judiciary III. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representative Faison, Chair, for the Committee on Ways and Means/Broadband Connectivity:

S.B. 749 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE AND CLARIFY THE REQUIREMENTS FOR UNINSURED AND UNDERINSURED MOTORIST COVERAGE IN MOTOR VEHICLE LIABILITY INSURANCE POLICIES, with a favorable report as to House Committee Substitute Bill No. 2, unfavorable as to House Committee Substitute Bill No. 1.

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Pursuant to Rule 36(b), House Committee Substitute Bill No. 2 is placed on the Calendar of August 6. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representative Hill, Chair, for the Committee on Agriculture:

S.B. 1067 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA SUSTAINABLE LOCAL FOOD POLICY COUNCIL TO ADDRESS POLICY CONSIDERATIONS REGARDING THE DEVELOPMENT OF A SUSTAINABLE LOCAL FOOD ECONOMY IN NORTH CAROLINA, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the Senate committee substitute bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Appropriations.

The serial referral to the Committee on Appropriations is stricken.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of August 6. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representative Allen, Chair, for the Committee on Environment and Natural Resources:

S.B. 838, A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL AMENDMENTS TO VARIOUS LAWS RELATED TO THE ENVIRONMENT, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the original bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Finance.

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

By Representatives Luebke, Gibson, Wainwright, and Weiss, Chairs, for the Committee on Finance:

H.B. 641 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF ARCHER LODGE, SUBJECT TO A REFERENDUM, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

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Pursuant to Rule 36(b), Committee Substitute Bill No. 2 is placed on the Calendar of August 6. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

S.B. 423 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE DIVISION OF MOTOR VEHICLES TO WAIVE THE COMMERCIAL MOTOR VEHICLES SKILLS TEST FOR MEMBERS OF THE ARMED FORCES IF THE APPLICANT MEETS THE QUALIFICATIONS FOR ISSUANCE AND HAS PREVIOUSLY TAKEN A SKILLS TEST FOR THE VEHICLE CLASS AND SIZE TO BE OPERATED OR HAS, WHILE IN SERVICE TO AN ACTIVE OR RESERVE COMPONENT OF THE UNITED STATES ARMED FORCES, OPERATED THE VEHICLE CLASS AND SIZE FOR A RELEVANT TWO-YEAR PERIOD PRIOR TO APPLICATION FOR THE COMMERCIAL DRIVERS LICENSE AND HAS TAKEN A SKILLS TEST ADMINISTERED BY THE MILITARY, with a favorable report, as amended.

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

S.B. 553 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF SWANNANOA, SUBJECT TO A REFERENDUM, with a favorable report.

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

S.B. 777 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW AFFILIATES OF A TOBACCO PRODUCTS MANUFACTURER TO BE TREATED THE SAME AS THE MANUFACTURER FOR PURPOSES OF PAYMENT OF THE EXCISE TAX ON OTHER TOBACCO PRODUCTS, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of August 6. The Senate committee substitute bill is placed on the Unfavorable Calendar.

S.B. 1029 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA PROFESSIONAL EMPLOYER ORGANIZATION ACT CONCERNING BONDING PROVISIONS AND MAINTENANCE OF EMPLOYEE BENEFITS, AND

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TO CLARIFY THE APPLICATION OF TAX CREDITS AND OTHER INCENTIVES TO PROFESSIONAL EMPLOYER ORGANIZATIONS, with a favorable report as to House Committee Substitute Bill No. 3, unfavorable as to House Committee Substitute Bill No. 2.

Pursuant to Rule 36(b), House Committee Substitute Bill No. 3 is placed on the Calendar of August 6. House Committee Substitute Bill No. 2 is placed on the Unfavorable Calendar.

S.B. 1057 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXPAND THE SALES TAX EXEMPTION FOR AIRCRAFT SIMULATORS, with a favorable report.

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

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

H.B. 764, A BILL TO BE ENTITLED AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE RECOMMENDATION OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of August 6. The original bill is placed on the Unfavorable Calendar.

H.J.R. 1658, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF WALTER LELAND CRONKITE, JR., FORMER ANCHOR AND JOURNALIST, with a favorable report.

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

By Representative Sutton, Chair, for the Committee on Judiciary III:

S.B. 984 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE JUVENILE CODE REGARDING ACCESS TO JUVENILE COURT RECORDS, with a favorable report.

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

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ENROLLED BILLS

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

S.B. 64, AN ACT TO SHORTEN THE DURATION AND AMEND THE REQUIREMENTS FOR A MOTORCYCLE LEARNER'S PERMIT, AND CLARIFY THE REQUIREMENTS FOR OBTAINING A MOTORCYCLE ENDORSEMENT.

S.B. 458, AN ACT REQUIRING AN APPLICANT FOR LICENSURE AS A BAIL BONDSMAN OR RUNNER TO HAVE OBTAINED A HIGH SCHOOL DIPLOMA OR ITS EQUIVALENT; TO REQUIRE A RENEWAL APPLICATION EVERY YEAR AND A CRIMINAL HISTORY RECORD CHECK EVERY OTHER YEAR FOR RENEWING A LICENSE; TO PROVIDE THAT A LICENSEE SHALL PAY FOR THE COSTS OF A CRIMINAL HISTORY RECORD CHECK WHEN RENEWING A LICENSE; TO PROHIBIT THE RENEWAL OF A LICENSE OF A LICENSEE WHO HAS BEEN CONVICTED OF A MISDEMEANOR DRUG CHARGE; AND TO PROHIBIT A PERSON FROM BEING LICENSED IF THE PERSON IS CONVICTED OF A MISDEMEANOR DRUG VIOLATION WITHIN THE PREVIOUS TWENTY-FOUR MONTHS OF THE DATE OF THE APPLICATION.

S.B. 894, AN ACT TO AMEND THE EMPLOYMENT SECURITY LAWS RELATING TO THE DEFINITION OF SUBSTITUTE TEACHER AND OTHER SCHOOL-RELATED POSITIONS IN DETERMINING ELIGIBILITY FOR UNEMPLOYMENT INSURANCE BENEFITS AND RELATING TO DISQUALIFICATION FOR BENEFITS DUE TO INABILITY TO OBTAIN A LICENSE OR CERTIFICATION NECESSARY FOR THE PERFORMANCE OF AN INDIVIDUAL'S EMPLOYMENT.

S.B. 978, AN ACT TO DIRECT THE NORTH CAROLINA CRIMINAL JUSTICE EDUCATION AND TRAINING STANDARDS COMMISSION TO COORDINATE WITH LOCAL AND STATE LAW ENFORCEMENT OFFICERS AND WITH THE COMMUNITY COLLEGE SYSTEM TO PROVIDE MULTIPLE FIREARMS QUALIFICATION SITES FOR CERTIFICATION TO CARRY A CONCEALED HANDGUN PURSUANT TO FEDERAL LAW, AND TO EXPAND THE POWERS OF THE COMMISSION.

S.B. 1006, AN ACT TO REQUIRE WITHHOLDING ON CONTRACTORS IDENTIFIED BY AN INDIVIDUAL TAXPAYER IDENTIFICATION NUMBER (ITIN).

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S.B. 1073, AN ACT AMENDING THE NORTH CAROLINA ALARM SYSTEMS LICENSING ACT AND AUTHORIZING THE NORTH CAROLINA ALARM SYSTEMS LICENSING BOARD TO ESTABLISH A LATE REGISTRATION FEE.

H.B. 907, AN ACT TO AMEND THE JUDICIAL PUBLIC CAMPAIGN LAW BY ALLOWING THE ACCEPTANCE OF QUALIFYING CONTRIBUTIONS IN THE SAME FORM AS OTHER CONTRIBUTIONS; BY PROVIDING THAT NO OPPORTUNITY TO WIN ANYTHING OF VALUE MAY BE OFFERED IN EXCHANGE FOR A QUALIFYING CONTRIBUTION; BY SPECIFYING HOW MULTIPLE CONTRIBUTIONS BY THE SAME INDIVIDUAL AND CONTRIBUTIONS BY FAMILY MEMBERS ARE TREATED FOR PURPOSES OF THE QUALIFYING CONTRIBUTION THRESHOLDS; BY ADDRESSING HOW MATCHING FUNDS ARE AVAILABLE BEFORE A PRIMARY; BY PROVIDING THAT NO MATCHING FUNDS WILL BE TRIGGERED BY COMMUNICATIONS THAT SUPPORT OR OPPOSE ALL CANDIDATES; AND BY MAKING MORE FLEXIBLE THE WORD LIMITATIONS IN THE VOTER'S GUIDE.

H.B. 1020, AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF PUBLIC HEALTH, TO ASSIST CANCER PATIENTS WITH THE MANAGEMENT OF THE DISEASE.

H.B. 1297, AN ACT PERTAINING TO THE CREDENTIALING OF HEALTH CARE PROVIDERS UNDER HEALTH BENEFIT PLANS; ADDING A DEFINITION, AND AMENDING NOTICE AND CONTRACT NEGOTIATION PROVISIONS FOR HEALTH BENEFIT PLAN AND PROVIDER CONTRACTING; CLARIFYING A CON EXEMPTION CRITERION; AND MODIFYING INSPECTION PRACTICES OF CERTAIN HOSPITAL OUTPATIENT LOCATIONS.

H.B. 1500, AN ACT TO CREATE A NEW DEVELOPMENT TIER DESIGNATION EXCEPTION FOR CERTAIN SEAFOOD INDUSTRIAL PARKS.

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

S.B. 251, AN ACT LIMITING THE TOWN OF FAISON'S AUTHORITY TO EXERCISE THE POWER OF EXTRATERRITORIAL JURISDICTION WITHIN A DEFINED AREA EXTENDING MORE THAN ONE MILE BEYOND THE TOWN'S CORPORATE LIMITS.

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S.B. 475, AN ACT TO AMEND THE CHARTER OF THE TOWN OF CARRBORO TO AUTHORIZE THE BOARD OF ALDERMEN TO ADOPT ORDINANCES FOR THE ORDERLY INSTALLATION OF ENERGY-SAVING AND WATER-SAVING DEVICES.

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

H.J.R. 1657, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF EUGENE BURNS TURNER. (RESOLUTION 2009-29)

CHAPTERED BILLS

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

H.B. 991, AN ACT TO AUTHORIZE MONTGOMERY COUNTY TO ATTACH PERSONAL PROPERTY, GARNISH WAGES, AND PLACE LIENS ON CERTAIN REAL PROPERTY TO COLLECT UNPAID FEES FOR WATER AND SEWER SERVICES. (S.L. 2009-402)

SPECIAL MESSAGE FROM THE SENATE

The following Special Message is received from the Senate:

H.B. 1135 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DETER AND PUNISH PERSONS WHO MAKE FALSE OR FRAUDULENT CLAIMS FOR PAYMENT BY THE STATE AND TO PROVIDE REMEDIES IN THE FORM OF TREBLE DAMAGES AND CIVIL PENALTIES WHEN MONEY IS OBTAINED FROM THE STATE BY REASON OF SUCH CLAIMS, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of August 6.

CONFERENCE REPORT

The material Conference Report for **S.B. 202** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE BASE BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES; TO PROVIDE FOR TWO NEW PERMANENT UPPER-INCOME TAX BRACKETS WITH BEGINNING THRESHOLDS AT TWICE AND FIVE TIMES THE

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CURRENT HIGHEST BRACKET EFFECTIVE JANUARY 1, 2009; TO PERMANENTLY PROVIDE FOR MANDATORY COMBINED REPORTING FOR CORPORATE INCOME TAX PURPOSES EFFECTIVE JANUARY 1, 2010; TO PERMANENTLY EXPAND THE CORPORATE FRANCHISE TAX BASE TO INCLUDE ALL LIMITED LIABILITY BUSINESS ENTITIES EFFECTIVE JANUARY 1, 2010; TO PERMANENTLY MODIFY THE CORPORATE INCOME TAX APPORTIONMENT FORMULA BY REQUIRING THAT SALES BE INCLUDED IN THE NUMERATOR OF THE SALES FACTOR IF THE PROPERTY IS SHIPPED FROM THIS STATE AND THE TAXPAYER IS NOT TAXABLE IN THE STATE WHERE THE PROPERTY IS DELIVERED, EFFECTIVE JANUARY 1, 2010; TO PERMANENTLY CONFORM THE EXEMPTION FOR FINANCIAL INSTITUTIONS FOR INTEREST EXPENSE THAT IS ALLOCABLE TO TAX-EXEMPT INTEREST INCOME TO THE GENERAL FEDERAL TREATMENT OF THIS EXPENSE EFFECTIVE JANUARY 1, 2010; TO PERMANENTLY INCREASE THE STATE GENERAL SALES AND USE TAX RATE BY ONE-QUARTER PERCENTAGE POINT EFFECTIVE AUGUST 1, 2009; TO PERMANENTLY IMPOSE THE STATE AND LOCAL SALES AND USE TAX ON SERVICE CONTRACTS AND ON REPAIR, MAINTENANCE, AND INSTALLATION SERVICES FOR TANGIBLE PERSONAL PROPERTY EFFECTIVE OCTOBER 1, 2009; TO PERMANENTLY IMPOSE THE STATE AND LOCAL SALES AND USE TAX ON LOCAL AND INTERSTATE COURIER SERVICES EFFECTIVE OCTOBER 1, 2009; TO PERMANENTLY IMPOSE THE STATE AND LOCAL SALES AND USE TAX ON SALES OF DIGITAL PRODUCTS EFFECTIVE OCTOBER 1, 2009; TO PERMANENTLY REQUIRE A REMOTE SELLER TO COLLECT SALES TAX WHEN THE SELLER ENTERS INTO AN AGREEMENT WITH ONE OR MORE STATE RESIDENTS PROVIDING FOR A COMMISSION WHEN THE RESIDENT REFERS CUSTOMERS TO THE SELLER AND THE SELLER HAS GROSS RECEIPTS OF AT LEAST TEN THOUSAND DOLLARS ANNUALLY FROM SALES TO ALL CUSTOMERS REFERRED TO THE SELLER BY ALL SUCH RESIDENTS, EFFECTIVE WHEN IT BECOMES LAW; TO PERMANENTLY IMPOSE THE STATE AND LOCAL SALES TAX ON MOVIES AND OTHER AMUSEMENTS IN LIEU OF THE PRIVILEGE TAXES CURRENTLY IMPOSED ON THESE ACTIVITIES EFFECTIVE OCTOBER 1, 2009; AND TO PERMANENTLY INCREASE THE EXCISE TAX RATE ON SPIRITUOUS LIQUOR BY ONE AND ONE-HALF PERCENTAGE POINTS EFFECTIVE AUGUST 1, 2009, which changes the title, is adopted on its third roll call reading, by the following vote, and the Senate is so notified by Special Message. (The text of the Conference Committee Substitute may be found in its entirety in the 2009 Session Laws, Chapter 451.)

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Those voting in the affirmative are: Speaker Hackney; Representatives Adams, K. Alexander, M. Alexander, Allen, Bell, Bordsen, Braxton, Brisson, Brown, Bryant, Carney, Coates, Cole, Cotham, Crawford, Dickson, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Gibson, Gill, Goforth, Haire, Hall, Harrell, Harrison, Hill, Holliman, Hughes, Insko, Jackson, Jeffus, Jones, Love, Lucas, Luebke, Mackey, Martin, McLawhorn, Michaux, Mobley, Owens, Parmon, Pierce, Rapp, Spear, Stewart, Sutton, Tarleton, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, Whilden, Wilkins, Williams, Womble, Wray, and Yongue - 66.

Voting in the negative: Representatives Avila, Barnhart, Blackwell, Blackwood, Blust, Boles, Brubaker, Burr, Burris-Floyd, Cleveland, Current, Daughtry, Dockham, Dollar, Folwell, Frye, Gillespie, Grady, Guice, Gulley, Hilton, Holloway, Howard, Hurley, Iler, Ingle, Johnson, Justice, Justus, Killian, Langdon, Lewis, McComas, McCormick, McElraft, McGee, Mills, Moore, Neumann, Randleman, Rhyne, Sager, Samuelson, Setzer, Stam, Starnes, Steen, Stevens, Tillis, West, and Wiley - 51.

Excused absences: Representatives Glazier, Goodwin, and Ross - 3.

Representative Brown states that his voting equipment malfunctioned and he requests to change his vote from "aye" to "no". This request is granted. The adjusted vote total is (65-52).

CONFERENCE REPORT

Representative Cotham moves the adoption of the following Conference Report.

Senate Committee Substitute for H.B. 804

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 804, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING PERSONAL EDUCATION PLANS FOR STUDENTS AT RISK OF ACADEMIC FAILURE, Senate Education/Higher Education Committee Substitute Adopted 7/1/09, submit the following report:

The House and Senate agree to the following amendments to the Senate Education/Higher Education Committee Substitute adopted 7/1/09, and the House concurs in the Senate Education/Higher Education Committee Substitute as amended:

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On page 1, lines 12-14, by rewriting those lines to read:

"results of end-of-grade or end-of-course tests. ~~At the beginning of the school year,~~ No later than the end of the first quarter, or after a teacher has had up to nine weeks of instructional time with a student, a personal education plan for academic improvement with focused intervention and";

And on page 1, line 26, by inserting between the word "action" and the word "shall" the phrase "for monetary damages".

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

Date conferees approved report: August 4, 2009.

*Conferees for the
Senate*

S/ A. B. Swindell, Chair
S/ Tony Foriest
S/ Katie G. Dorsett

*Conferees for the
House of Representatives*

S/ T. A. Cotham, Chair
S/ Darren G. Jackson
S/ Marvin W. Lucas
S/ Earline W. Parmon

The Conference Report is adopted, by electronic vote (114-1), and the Senate is so notified by Special Message.

SPECIAL MESSAGE FROM THE SENATE

The following Special Message is received from the Senate:

Senate Committee Substitute for **H.B. 1172** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT ALLOWING STATE GOVERNMENT EMPLOYEES AND PUBLIC SCHOOL PERSONNEL TO TAKE VOLUNTARY FURLOUGHS TO EFFECT NECESSARY ECONOMIES IN STATE EXPENDITURES, THEREBY REDUCING THE NEED FOR REDUCTIONS IN FORCE AND MANDATORY FURLOUGHS DURING THE CURRENT AND ANY FUTURE ECONOMIC CRISIS, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on today's Calendar.

Upon concurrence the Senate committee substitute bill changes the title.

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CALENDAR

Action is taken on the following:

Senate Committee Substitute for **H.B. 1172** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT ALLOWING STATE GOVERNMENT EMPLOYEES AND PUBLIC SCHOOL PERSONNEL TO TAKE VOLUNTARY FURLOUGHS TO EFFECT NECESSARY ECONOMIES IN STATE EXPENDITURES, THEREBY REDUCING THE NEED FOR REDUCTIONS IN FORCE AND MANDATORY FURLOUGHS DURING THE CURRENT AND ANY FUTURE ECONOMIC CRISIS.

Pursuant to Rule 24.1A, Representative Cotham requests that she be excused from voting on this bill. This request is granted.

On motion of Representative Michaux, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (115-0), and the bill is ordered enrolled and presented to the Governor by Special Message.

H.B. 1196 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO DEDICATE AND ACCEPT CERTAIN PROPERTIES AS PART OF THE STATE NATURE AND HISTORIC PRESERVE AND TO REMOVE CERTAIN LANDS FROM THE STATE NATURE AND HISTORIC PRESERVE.

On motion of Representative England, the House concurs in the material Senate Committee Substitute Bill No. 2, on its third roll call reading, by the following three-fifths majority vote, and the bill is ordered enrolled and presented to the Governor by Special Message.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Avila, Barnhart, Bell, Blackwell, Blackwood, Blust, Boles, Bordsen, Braxton, Brisson, Brown, Brubaker, Bryant, Burr, Burris-Floyd, Carney, Cleveland, Coates, Cole, Cotham, Crawford, Current, Daughtry, Dickson, Dockham, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Folwell, Frye, Gibson, Gill, Gillespie, Goforth, Grady, Guice, Gulley, Haire, Hall, Harrell, Harrison, Hill, Hilton, Holliman, Holloway, Howard, Hughes, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Killian, Langdon, Lewis, Love, Lucas, Luebke, Mackey, Martin, McComas, McCormick, McElraft, McGee, McLawhorn, Michaux, Mills, Mobley, Moore, Neumann, Owens, Parmon, Pierce, Randleman, Rapp, Rhyne, Sager, Samuelson, Setzer, Spear, Stam,

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Starnes, Steen, Stevens, Stewart, Sutton, Tarleton, Tillis, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 116.

Voting in the negative: None.

Excused absences: Representatives Glazier, Goodwin, and Ross - 3.

H.B. 209 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADD THE OFFENSE OF TAKING INDECENT LIBERTIES WITH A STUDENT TO THE LIST OF SEX OFFENSES THAT REQUIRE REGISTRATION UNDER THE SEX OFFENDER AND PUBLIC PROTECTION REGISTRATION PROGRAM, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON SEX OFFENDER ISSUES.

On motion of Representative Goforth, the House concurs in the Senate amendment, by electronic vote (116-0), and the bill is ordered enrolled and presented to the Governor by Special Message.

Senate Committee Substitute for **H.B. 1274** (Committee Substitute), A BILL TO BE ENTITLED AN ACT RELATING TO THE STATE HEALTH PLAN BLUE RIBBON TASK FORCE.

On motion of Representative Insko, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (113-1), and the bill is ordered enrolled and presented to the Governor by Special Message.

S.B. 346 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE A DESCRIBED AREA FROM THE CORPORATE LIMITS OF THE CITY OF KANNAPOLIS, TO ASSIST CABARRUS COUNTY WITH THE EXPEDITING OF PUBLIC SCHOOL CONSTRUCTION, AND TO MODIFY THE FILING PERIOD FOR THE ELECTION OF MEMBERS TO THE CABARRUS COUNTY BOARD OF EDUCATION.

Representative Barnhart offers Amendment No. 3 which is adopted by electronic vote (115-0).

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

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Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Avila, Barnhart, Bell, Blackwell, Blackwood, Boles, Bordsen, Braxton, Brisson, Brown, Brubaker, Bryant, Burr, Burris-Floyd, Carney, Cleveland, Coates, Cole, Cotham, Crawford, Current, Daughtry, Dickson, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Folwell, Frye, Gibson, Gill, Gillespie, Goforth, Grady, Guice, Gulley, Haire, Hall, Harrell, Harrison, Hill, Hilton, Holloway, Howard, Hughes, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Killian, Langdon, Lewis, Love, Lucas, Luebke, Mackey, Martin, McComas, McCormick, McElraft, McGee, McLawhorn, Michaux, Mills, Mobley, Moore, Neumann, Owens, Parmon, Pierce, Randleman, Rapp, Rhyne, Sager, Samuelson, Setzer, Spear, Starnes, Steen, Stevens, Stewart, Sutton, Tarleton, Tillis, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 112.

Voting in the negative: None.

Excused absences: Representatives Dockham, Glazier, Goodwin, and Ross - 4.

S.B. 167 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT SMOKING ON THE PREMISES OF CORRECTIONAL INSTITUTIONS, TO PROHIBIT THE POSSESSION OF TOBACCO PRODUCTS OR CELL PHONES OUTSIDE OF A LOCKED VEHICLE ON THE PREMISES OF CORRECTIONAL INSTITUTIONS, TO MAKE IT A CRIMINAL OFFENSE TO PROVIDE TOBACCO PRODUCTS OR CELL PHONES TO INMATES IN THE CUSTODY OF THE DEPARTMENT OF CORRECTION OR A LOCAL CONFINEMENT FACILITY, AND TO MAKE IT A CRIMINAL OFFENSE FOR INMATES OF A LOCAL CONFINEMENT FACILITY TO POSSESS TOBACCO PRODUCTS OR CELL PHONES.

Representative Tillis offers Amendment No. 1 which fails of adoption by electronic vote (50-64).

Representative Insko requests and is granted permission to change her vote from "aye" to "no". The adjusted vote total is (49-65).

The bill passes its third reading, by electronic vote (75-40), and is ordered sent to the Senate for concurrence in the House committee substitute bill by Special Message.

Representative Tillis requests and is granted permission to change his vote from "aye" to "no". The adjusted vote total is (74-41).

August 5, 2009

S.B. 974 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE CONSUMER ECONOMIC PROTECTION ACT OF 2009.

Representative Stam offers Amendment No. 1 which fails of adoption by electronic vote (52-62).

Representative Stam offers Amendment No. 2 which fails of adoption by electronic vote (53-59).

The bill passes its third reading, by electronic vote (83-30), and is ordered sent to the Senate for concurrence in the House committee substitute bill by Special Message.

H.B. 829 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE EXCEPTION FOR TWO-COUNTY INDUSTRIAL PARKS FOR DEVELOPMENT TIER DESIGNATION PURPOSES.

On motion of Representative Hill and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of August 10.

S.B. 133 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADJUST THE LIMIT ON THE MONTHLY PENSION AMOUNT PAYABLE FROM THE REGISTERS OF DEEDS' SUPPLEMENTAL PENSION FUND, passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor by Special Message.

SPECIAL MESSAGE FROM THE SENATE

2009 GENERAL ASSEMBLY FIRST SESSION

Senate Chamber
August 5, 2009

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees for **S.B. 202** (Conference Committee Substitute), A BILL TO BE ENTITLED

August 5, 2009

AN ACT TO MAKE BASE BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, and when a similar action has been taken on the part of your Honorable Body, the President will order the bill enrolled.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

ENROLLED BILLS

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

S.B. 202, AN ACT TO MAKE BASE BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES.

H.B. 1172, AN ACT TO ENACT THE BASE SALARY SCHEDULE FOR SCHOOL-BASED ADMINISTRATORS.

CALENDAR (continued)

S.B. 138 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE OFFENSE OF UNLAWFUL MANUFACTURE, SALE, DELIVERY, OR POSSESSION OF SALVIA DIVINORUM, passes its second reading, by electronic vote (96-15), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor by Special Message.

S.B. 252 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND STATE LAW REGARDING THE INTRODUCTION OF LAB REPORTS AND RELATED DOCUMENTS TO COMPLY WITH REQUIREMENTS OF THE UNITED STATES SUPREME COURT DECISION IN MELENDEZ-DIAZ V. MASSACHUSETTS, passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

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

August 5, 2009

S.B. 726 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT HOUSE ARREST MAY BE IMPOSED AS A CONDITION OF PRETRIAL RELEASE; TO PROVIDE THAT THE COURT MAY AUTHORIZE AN OFFENDER UNDER ELECTRONIC HOUSE ARREST TO LEAVE THE OFFENDER'S RESIDENCE FOR SPECIFIC PURPOSES AND THE COURT OR PROBATION OFFICER MAY MODIFY THOSE CONDITIONS; AND TO AMEND THE DEFINITION OF HOUSE ARREST UNDER JUVENILE LAW TO STATE THE SPECIFIC PURPOSES FOR WHICH A JUVENILE MAY BE AUTHORIZED TO LEAVE THE JUVENILE'S RESIDENCE.

Pursuant to Rule 24.1A, Representative Burr requests that he be excused from voting on this bill. This request is granted.

Representative Guice offers Amendment No. 1 which is adopted by electronic vote (111-0).

The bill, as amended, passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

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

S.B. 738 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE BOARDS OF DIRECTORS OF CHARTER SCHOOLS TO IMPLEMENT THE GUIDELINES ADOPTED BY THE STATE BOARD OF EDUCATION FOR THE DEVELOPMENT AND IMPLEMENTATION OF INDIVIDUAL DIABETES CARE PLANS AND TO REQUIRE LOCAL BOARDS OF EDUCATION AND BOARDS OF DIRECTORS OF CHARTER SCHOOLS TO REPORT ANNUALLY TO THE STATE BOARD OF EDUCATION ABOUT THEIR COMPLIANCE WITH THESE GUIDELINES, passes its second reading, by electronic vote (112-1).

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

S.B. 990 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO INCREASE THE CRIMINAL PENALTY FOR CUTTING, INJURING, OR REMOVING ANOTHER'S TIMBER RESULTING IN DAMAGES THAT EXCEED ONE THOUSAND DOLLARS.

August 5, 2009

Representative Sutton offers Amendment No. 1 which is adopted by electronic vote (109-4).

The bill, as amended, passes its second reading, by electronic vote (109-3), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate for concurrence in House Committee Substitute Bill No. 2 by Special Message.

CONFERENCE REPORTS

Representative Justice sends forth the Conference Report on **H.B. 1409** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN ELECTRICAL LIGHTING DEVICES AND FIXTURES AND WATER HEATER REPLACEMENT IN RESIDENCES FROM BUILDING PERMITTING REQUIREMENTS. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of August 6.

Representative Hurley sends forth the Conference Report on **H.B. 473** (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A MAGISTRATE WHO HAS A CONCEALED HANDGUN PERMIT MAY CARRY OR POSSESS A CONCEALED HANDGUN WHILE IN A COURTHOUSE TO DISCHARGE OFFICIAL DUTIES. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of August 6.

Representative McLawhorn sends forth the Conference Report on **S.B. 468** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COUNTIES TO PROVIDE HEALTH INSURANCE BENEFITS TO FORMER EMPLOYEES WHO ARE NOT RECEIVING RETIREMENT BENEFITS. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of August 6.

SPECIAL MESSAGE FROM THE SENATE

2009 GENERAL ASSEMBLY FIRST SESSION

Senate Chamber
August 5, 2009

August 5, 2009

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees for **H.B. 804** (Conference Report), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING PERSONAL EDUCATION PLANS FOR STUDENTS AT RISK OF ACADEMIC FAILURE.

Pursuant to your message that your Honorable Body has adopted the report of the conferees, the Speaker may order the bill enrolled.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

The Speaker orders the bill enrolled and sent to the Governor by Special Message.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Tarleton, Chair, for the Committee on Water Resources and Infrastructure:

S.B. 967 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO CREATE THE YADKIN RIVER TRUST IN ORDER TO: (1) DEVELOP THE YADKIN RIVER IN DAVIDSON, MONTGOMERY, ROWAN, AND STANLY COUNTIES AS AN INSTRUMENTALITY OF INTRASTATE, INTERSTATE, AND FOREIGN COMMERCE AND NAVIGATION; (2) ACQUIRE AND OPERATE THE YADKIN PROJECT, AN EXISTING HYDROELECTRIC FACILITY, AND TO AUTHORIZE ISSUANCE OF BONDS AND NOTES BY THE TRUST FOR THAT PURPOSE; AND (3) PRODUCE, DISTRIBUTE, AND SELL HYDROELECTRIC POWER FROM EXISTING OR NEW HYDROELECTRIC FACILITIES, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to Senate Committee Substitute Bill No. 2, and recommendation that the House committee substitute bill be re-referred to the Committee on Public Utilities.

The House committee substitute bill is re-referred to the Committee on Public Utilities. Senate Committee Substitute Bill No. 2 is placed on the Unfavorable Calendar.

August 5, 2009

By Representative Dickson, Chair, for the Committee on Commerce, Small Business, and Entrepreneurship:

S.B. 982 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE SMALL BUSINESS ASSISTANCE ACT OF 2009 AND TO ESTABLISH THE SMALL BUSINESS JOBS PRESERVATION FUND IN THE OFFICE OF STATE BUDGET AND MANAGEMENT WITH RELATED PROGRAMS COORDINATED BY A TECHNICAL ASSISTANCE PROVIDER, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the Senate committee substitute bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Finance.

The serial referral to the Committee on Finance is stricken.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of August 6. The Senate committee substitute bill is placed on the Unfavorable Calendar.

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

S.B. 1083 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE LITTLE TENNESSEE RIVER BASIN ADVISORY COMMISSION, with a favorable report as to House Committee Substitute Bill No. 2, unfavorable as to House Committee Substitute Bill No. 1, and recommendation that House Committee Substitute Bill No. 2 be re-referred to the Committee on Finance.

House Committee Substitute Bill No. 2 is re-referred to the Committee on Finance. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

BILLS WITHDRAWN FROM COMMITTEE

On motion of Representative Owens and without objection, Senate Committee Substitute for **H.B. 109**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF HUNTERSVILLE TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF THE TOWN'S PUBLIC NUISANCE ORDINANCE, is withdrawn from the Committee on Local Government I and pursuant to Rule 36(b), is placed on the Calendar of August 6.

August 5, 2009

On motion of Representative Owens and without objection, Senate Committee Substitute for **H.B. 775**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR ALTERNATIVE MEANS OF TESTIMONY FOR CHILDREN AND ADULTS WITH DISABILITIES AS RECOMMENDED BY THE JOINT STUDY COMMITTEE ON AUTISM SPECTRUM DISORDER AND PUBLIC SAFETY, is withdrawn from the Committee on Judiciary III and pursuant to Rule 36(b), is placed on the Calendar of August 6.

On motion of Representative Owens and without objection, **S.B. 488**, A BILL TO BE ENTITLED AN ACT TO MAKE THE INCREASE IN SENTENCE LENGTHS BETWEEN PRIOR RECORD LEVELS MORE PROPORTIONATE USING A SET PERCENTAGE INCREMENT, is withdrawn from the Committee on Appropriations and pursuant to Rule 36(b), is placed on the Calendar of August 6.

On motion of Representative Owens and without objection, **S.B. 489**, A BILL TO BE ENTITLED AN ACT TO RESTRUCTURE THE PRIOR RECORD LEVEL POINT RANGES IN ORDER TO EXPAND THE POINTS IN PRIOR RECORD LEVEL I AND TO EVEN OUT THE REMAINING RANGES, is withdrawn from the Committee on Appropriations and pursuant to Rule 36(b), is placed on the Calendar of August 6.

On motion of Representative Owens and without objection, **S.B. 898** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE EXCEPTION FOR TWO-COUNTY INDUSTRIAL PARKS FOR DEVELOPMENT TIER DESIGNATION PURPOSES, is withdrawn from the Committee on Finance and pursuant to Rule 36(b), is placed on the Calendar of August 6.

RE-REFERRAL

On motion of Representative Owens, pursuant to Rule 39.2 and without objection, **S.B. 425** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE STATE FAIR HOUSING ACT TO PROHIBIT DISCRIMINATION ON THE BASIS OF RECEIPT OF HOUSING ASSISTANCE, is withdrawn from the Committee on Commerce, Small Business, and Entrepreneurship and re-referred to the Committee on Rules, Calendar, and Operations of the House.

Representative Owens moves, seconded by Representative Carney, that the House adjourn, subject to the receipt of Committee Reports, the receipt of Conference Reports, and the receipt of Messages from the Senate, to reconvene August 6 at 1:00 p.m.

August 5, 2009

The motion carries.

SPECIAL MESSAGES FROM THE SENATE

The following Special Messages are received from the Senate:

Senate Committee Substitute No. 2 for **H.B. 1329** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO CONSOLIDATE ALL STATUTES RELATED TO EXPUNCTION OF RECORDS IN ONE ARTICLE OF THE GENERAL STATUTES, is returned for concurrence in Senate Committee Substitute Bill No. 2 and referred to the Committee on Judiciary I.

Upon concurrence Senate Committee Substitute Bill No. 2 changes the title.

Senate Committee Substitute for **H.B. 1260**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR PREREGISTRATION OF QUALIFIED INDIVIDUALS WHO ARE SIXTEEN OR SEVENTEEN YEARS OF AGE AND TO EXPAND INSTRUCTION ON THE IMPORTANCE OF VOTING IN THE HIGH SCHOOL SOCIAL STUDIES CURRICULUM AND TO ENCOURAGE LOCAL BOARDS OF EDUCATION TO PROMOTE REGISTRATION AND PREREGISTRATION OF STUDENTS, is returned for concurrence in the Senate committee substitute bill and referred to the Committee on Judiciary II.

Upon concurrence the Senate committee substitute bill changes the title.

Senate Committee Substitute for **H.B. 1236** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROMOTE VOLUNTARY, YEAR-ROUND WATER CONSERVATION AND WATER USE EFFICIENCY MEASURES BY COMMERCIAL AND INDUSTRIAL WATER USERS, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of August 6.

Upon concurrence the Senate committee substitute bill changes the title.

H.B. 760 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXEMPT PESTICIDE CONTAINERS FROM THE PROHIBITION ON DISPOSAL OF RIGID PLASTIC CONTAINERS IN LANDFILLS, is returned for concurrence in the Senate committee substitute bill.

August 5, 2009

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of August 6.

Senate Committee Substitute for **H.B. 512** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO EXTEND THE SUNSET FOR THE CREDIT FOR INVESTING IN RENEWABLE ENERGY PROPERTY AND TO CLARIFY THE DEFINITION OF NONRESIDENTIAL PROPERTY, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of August 6.

Upon concurrence the Senate committee substitute bill changes the title.

Senate Committee Substitute for **H.B. 212** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ESTABLISHMENT OF HEALTH INSURANCE PILOT DEMONSTRATION PROJECTS IN INTERESTED COUNTIES TO PROVIDE A MODEL FOR AFFORDABLE EMPLOYER-BASED HEALTH INSURANCE, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of August 6.

Upon concurrence the Senate committee substitute bill changes the title.

Senate Committee Substitute for **H.B. 104** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR FOUR-YEAR STAGGERED TERMS OF OFFICE FOR MEMBERS OF THE LEGISLATIVE ETHICS COMMITTEE AND TO AMEND THE TIMING OF ETHICS TRAINING FOR LEGISLATORS AS RECOMMENDED BY THE LEGISLATIVE ETHICS COMMITTEE, is returned for concurrence in the Senate committee substitute bill and referred to the Committee on Judiciary I.

Upon concurrence the Senate committee substitute bill changes the title.

Senate Committee Substitute for **H.B. 1389** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ANY CITY AND ANY COUNTY TO DESIGNATE AN AREA WITHIN THE CITY AND THE COUNTY RESPECTIVELY WITHIN WHICH DESIGNATED AREA LOCAL GOVERNMENT OFFICIALS AND FREE AND WILLING PROPERTY OWNERS MAY ENTER INTO LOAN AGREEMENTS WHEREBY THE LOANS ARE TO BE REPAYED BY CONTRACTUAL

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ASSESSMENTS, TO FINANCE THE INSTALLATION OF DISTRIBUTED GENERATION RENEWABLE ENERGY SOURCES OR ENERGY EFFICIENCY IMPROVEMENTS THAT ARE PERMANENTLY AFFIXED TO REAL PROPERTY, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of August 6.

Upon concurrence the Senate committee substitute bill changes the title.

S.B. 3, A BILL TO BE ENTITLED AN ACT TO ALLOW THE USE OF FEES COLLECTED FROM THE FRIENDS OF THE GREAT SMOKY MOUNTAINS NATIONAL PARK SPECIAL STATE ATTRACTION PLATE TO BE USED FOR ORDINARY ADMINISTRATIVE AND OPERATING EXPENSES AND TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE VARIOUS SPECIAL PLATES ON A BACKGROUND OTHER THAN "FIRST IN FLIGHT", is read the first time and referred to the Committee on Finance.

S.B. 460 (Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO ELIMINATE ABUSIVE PRACTICES AND PROVIDE FOR THE HUMANE CARE AND TREATMENT OF DOGS AND PUPPIES BY ESTABLISHING STANDARDS FOR THEIR CARE AT COMMERCIAL BREEDING OPERATIONS, EXCLUDING KENNELS OR ESTABLISHMENTS OPERATED FOR THE PURPOSE OF BOARDING OR TRAINING HUNTING, SPORTING, HERDING, SHOW, OR WORKING DOGS, is read the first time and referred to the Committee on Commerce, Small Business, and Entrepreneurship and, if favorable, to the Committee on Finance.

S.B. 535 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF ARCHER LODGE, SUBJECT TO A REFERENDUM, is read the first time and referred to the Committee on Finance.

Senate Committee Substitute for **H.B. 921** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A SEASON FOR THE TRAPPING OF FOXES IN LENOIR COUNTY AND TO AMEND THE LAW ESTABLISHING A SEASON FOR TAKING FOXES WITH WEAPONS AND BY TRAPPING IN JOHNSTON COUNTY, is returned for concurrence in the Senate committee substitute bill.

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Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of August 6.

Upon concurrence the Senate committee substitute bill changes the title.

The Speaker rules the Senate committee substitute bill to be material, thus constituting its first reading.

Senate Committee Substitute No. 2 for **H.B. 578** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE NOTICE OF RIGHT TO SEEK LEGAL COUNSEL AND CLARIFY NOTICE REQUIRED TO PARTIES WHO MAY BE UNKNOWN OR UNLOCATABLE IN A PARTITION PROCEEDING; TO CODIFY THE CURRENT PRACTICE OF GRANTING OWNERS CREDIT FOR THEIR EXISTING INTEREST IN LAND WHEN BIDDING ON A PARTITION SALE; TO PERMIT A COURT TO ORDER AN INDEPENDENT APPRAISAL IF REQUESTED AND PAID FOR BY A PARTY TO THE PARTITION WHO CHALLENGES THE AMOUNT BID IN A PARTITION SALE, AS RECOMMENDED BY THE PARTITION SALES STUDY COMMITTEE, is returned for concurrence in Senate Committee Substitute Bill No. 2 and referred to the Committee on Ways and Means/Broadband Connectivity.

Upon concurrence Senate Committee Substitute Bill No. 2 changes the title.

S.B. 825 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE REQUIREMENTS FOR A GRANT FROM THE JOB MAINTENANCE AND CAPITAL DEVELOPMENT FUND, is read the first time and referred to the Committee on Appropriations.

S.B. 968 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO SUPPORT PLANNING FOR MOUNTAIN RESOURCES, is read the first time and referred to the Committee on Environment and Natural Resources and, if favorable, to the Committee on Finance and, if favorable, to the Committee on Appropriations.

Senate Committee Substitute for **H.B. 1305** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE COASTAL PROPERTY INSURANCE POOL, PRESENTLY KNOWN AS THE BEACH PLAN, AS RECOMMENDED BY THE JOINT SELECT STUDY COMMITTEE ON THE POTENTIAL IMPACT OF MAJOR HURRICANES ON THE NORTH CAROLINA INSURANCE INDUSTRY; REQUIRE THAT THE NORTH CAROLINA RATE BUREAU PROVIDE PUBLIC NOTICE OF CERTAIN FILINGS IN NEWSPAPER PUBLICATIONS AND VIA INTERNET; REAFFIRM THAT THE NORTH

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CAROLINA INSURANCE UNDERWRITING ASSOCIATION IS INTENDED TO BE EXEMPT FROM STATE AND FEDERAL TAXATION, EXCEPT FOR PREMIUM TAXES; CLARIFY THE POWERS AND DUTIES OF THE ASSOCIATION; CLARIFY AND PROVIDE CERTAINTY REGARDING ASSESSMENTS AGAINST MEMBER INSURANCE COMPANIES BY THE ASSOCIATION; ADJUST THE COASTAL INSURANCE COVERAGE LIMITS OF THE ASSOCIATION IN ORDER TO ENSURE THAT THE COASTAL PROPERTY INSURANCE POOL IS THE MARKET OF LAST RESORT; MANDATE THAT THE ASSOCIATION SHALL RETAIN ALL SURPLUS FOR USE IN PURCHASING REINSURANCE, PAYING CLAIMS TO POLICYHOLDERS, AND FOR ASSOCIATION OBLIGATIONS; PROHIBIT DISTRIBUTION OF SURPLUS TO MEMBER INSURANCE COMPANIES; REQUIRE THE ASSOCIATION TO FILE A SCHEDULE OF PREMIUM CREDITS FOR COASTAL INSURANCE POLICYHOLDERS WHO HAVE VOLUNTARILY MITIGATED THEIR RISK OF DAMAGE FROM HURRICANES AND OTHER WIND DAMAGE; REQUIRE THE ASSOCIATION TO ESTABLISH AND MAINTAIN AN INSTALLMENT PLAN FOR PREMIUM PAYMENTS FOR THE EASE OF POLICYHOLDERS; DEFINE AND ESTABLISH WHAT ACTIONS ARE ALLOWED UPON THE OCCURRENCE OF A DEFICIT EVENT, INCLUDING CAPPING ANY CATASTROPHIC ASSESSMENT RECOUPMENT FROM HOMEOWNERS STATEWIDE; IMPOSE AN ADDITIONAL REGULATORY CHARGE ON THE ASSOCIATION TO BE PAID TO THE DEPARTMENT; REQUIRE THAT ASSOCIATION ACTIVITIES BE MADE TRANSPARENT AND AVAILABLE TO ANY MEMBER COMPANY OR BOARD MEMBER; PROVIDE FOR SUCCESSION AND DISSOLUTION OF THE ASSOCIATION; PROVIDE FOR SURCHARGES OF TEN PERCENT FOR SEPARATE WIND AND HAIL COVERAGE, TWENTY PERCENT FOR WIND AND HAIL HOMEOWNERS COVERAGE, AND A MINIMUM NAMED STORM WIND AND HAIL DEDUCTIBLE OF ONE PERCENT FOR COVERAGE WRITTEN BY THE ASSOCIATION; PROVIDE FOR SURCHARGES ON COMMERCIAL AND DWELLING COVERAGE IN ADDITION TO SURCHARGES CURRENTLY IMPOSED ON HOMEOWNERS POLICIES; DELETE THE TIME LIMIT FOR THE COMMISSIONER TO DISAPPROVE A RATE BUREAU FILING; AND TO MAKE OTHER CHANGES CONSISTENT WITH THE FINDINGS OF THE JOINT SELECT STUDY COMMITTEE ON THE POTENTIAL IMPACT OF committee MAJOR HURRICANES, is returned for concurrence in the Senate substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of August 6.

August 5, 2009

Upon concurrence the Senate committee substitute bill changes the title.

**REPORTS OF STANDING COMMITTEES AND PERMANENT
SUBCOMMITTEES**

The following report from standing committee is presented:

By Representative Faison, Chair, for the Committee on Ways and Means/Broadband Connectivity:

S.B. 293 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE QUALIFICATIONS FOR PROSPECTIVE JURORS AND TO AUTHORIZE THE REGISTER OF DEEDS TO STORE AN ELECTRONIC COPY OF THE JUROR MASTER LIST, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the Senate committee substitute bill, as amended.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of August 6. The Senate committee substitute bill, as amended, is placed on the Unfavorable Calendar.

SPECIAL MESSAGE FROM THE SENATE

**2009 GENERAL ASSEMBLY
FIRST SESSION**

Senate Chamber
August 5, 2009

Mr. Speaker:

Pursuant to your message received on August 4, 2009, that the House of Representatives fails to concur in Senate Committee Substitute No. 2 to **H.B. 291** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE COSMETIC ART ACT TO PROVIDE FOR LICENSURE OF PERSONS ENGAGING IN THE PRACTICE OF NATURAL HAIR BRAIDING, and requests conferees, the President *Pro Tempore* appoints:

Senator Garrou, Chair
Senator Swindell
Senator Rand

August 5, 2009

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

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

The House stands adjourned at 8:17 p.m.

ONE HUNDRED ELEVENTH DAY

HOUSE OF REPRESENTATIVES
Thursday, August 6, 2009

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

The following prayer is offered by the Reverend Dr. Byron Wade, Davie Street Presbyterian Church, Raleigh, North Carolina:

"O Sovereign God, Who is the Creator and Ruler of the Earth:

"We are thankful that You have brought us to the end of this week. As Your servants have dealt with many tough issues, we are aware that we are not necessarily satisfied with the results and are anxious for what is to come in the future. However, this is exactly the time in which we are to have assurance in Your guidance. We ask once again for Your presence and direction in their work today. Give us all hope and confidence that even when we are uncertain about our actions that You will always provide us comfort and peace in the days ahead. Amen."

Representative Owens, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of August 5 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Dockham, Glazier, Goodwin, Luebke, McLawhorn, Ross, and Tillis for today. Representatives Folwell, Gill, Grady, McGee, Tucker, and Underhill are excused for a portion of the Session.

August 6, 2009

ENROLLED BILLS

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

S.B. 133, AN ACT TO ADJUST THE LIMIT ON THE MONTHLY PENSION AMOUNT PAYABLE FROM THE REGISTERS OF DEEDS' SUPPLEMENTAL PENSION FUND.

S.B. 138, AN ACT TO CREATE THE OFFENSE OF UNLAWFUL MANUFACTURE, SALE, DELIVERY, OR POSSESSION OF SALVIA DIVINORUM.

S.B. 253, AN ACT TO MAKE IMPROVEMENTS TO THE ABSENTEE VOTING LAWS, ESPECIALLY TO IMPROVE THE ABILITY OF MILITARY AND OVERSEAS VOTERS TO CAST TIMELY BALLOTS.

S.B. 461, AN ACT TO PROHIBIT SEEKING OR IMPOSING THE DEATH PENALTY ON THE BASIS OF RACE; TO ESTABLISH A PROCESS BY WHICH RELEVANT EVIDENCE MAY BE USED TO ESTABLISH THAT RACE WAS A SIGNIFICANT FACTOR IN SEEKING OR IMPOSING THE DEATH PENALTY WITHIN THE COUNTY, THE PROSECUTORIAL DISTRICT, THE JUDICIAL DIVISION, OR THE STATE, TO IDENTIFY TYPES OF EVIDENCE THAT MAY BE CONSIDERED BY THE COURT WHEN CONSIDERING WHETHER RACE WAS A BASIS FOR SEEKING OR IMPOSING THE DEATH PENALTY, INCLUDING STATISTICAL EVIDENCE, AND TO AUTHORIZE THE DEFENDANT TO RAISE THIS CLAIM AT THE PRETRIAL CONFERENCE OR IN POSTCONVICTION PROCEEDINGS; TO PROVIDE THAT THE DEFENDANT HAS THE BURDEN OF PROVING THAT RACE WAS A SIGNIFICANT FACTOR IN SEEKING OR IMPOSING THE DEATH PENALTY AND TO PROVIDE THAT THE STATE MAY OFFER EVIDENCE TO REBUT THE CLAIMS OR EVIDENCE OF THE DEFENDANT AND IN DOING SO TO USE STATISTICAL EVIDENCE AS WELL AS ANY OTHER EVIDENCE THE COURT DEEMS RELEVANT AND MATERIAL; TO PROVIDE THAT IF RACE IS FOUND TO BE A SIGNIFICANT FACTOR IN THE IMPOSITION OF THE DEATH PENALTY, THE DEATH SENTENCE SHALL BE VACATED AND THE DEFENDANT RESENTENCED TO LIFE IMPRISONMENT WITHOUT THE POSSIBILITY OF PAROLE; TO PROVIDE THAT THIS ACT IS EFFECTIVE WHEN IT BECOMES LAW AND APPLIES RETROACTIVELY, THAT MOTIONS UNDER THIS ACT FOR THOSE CURRENTLY UNDER A DEATH SENTENCE SHALL BE FILED

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WITHIN ONE YEAR OF THE EFFECTIVE DATE OF THIS ACT, AND THAT MOTIONS FOR THOSE WHOSE DEATH SENTENCE IS IMPOSED ON OR AFTER THE EFFECTIVE DATE OF THIS ACT SHALL BE FILED AS PROVIDED IN THIS ACT.

S.B. 958, AN ACT AMENDING DISCIPLINARY PROCEEDINGS OF THE NORTH CAROLINA MEDICAL BOARD.

H.B. 209, AN ACT TO ADD THE OFFENSE OF TAKING INDECENT LIBERTIES WITH A STUDENT TO THE LIST OF SEX OFFENSES THAT REQUIRE REGISTRATION UNDER THE SEX OFFENDER AND PUBLIC PROTECTION REGISTRATION PROGRAM, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON SEX OFFENDER ISSUES.

H.B. 804, AN ACT TO AMEND THE LAW REGARDING PERSONAL EDUCATION PLANS FOR STUDENTS AT RISK OF ACADEMIC FAILURE.

H.B. 1160, AN ACT TO ALLOW CERTAIN FIREFIGHTERS THE OPPORTUNITY TO CONTINUE AS MEMBERS OF THE FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND BY MAKING RETROACTIVE PAYMENTS.

H.B. 1196, AN ACT TO DEDICATE AND ACCEPT CERTAIN PROPERTIES AS PART OF THE STATE NATURE AND HISTORIC PRESERVE AND TO REMOVE CERTAIN LANDS FROM THE STATE NATURE AND HISTORIC PRESERVE.

H.B. 1274, AN ACT MAKING TECHNICAL AND OTHER CHANGES PERTAINING TO THE STATE HEALTH PLAN BLUE RIBBON TASK FORCE AND TO THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES.

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

H.J.R. 1652, A JOINT RESOLUTION HONORING THE FALLEN SOLDIERS WHO SERVED OUR NATION IN OPERATIONS IRAQI FREEDOM AND ENDURING FREEDOM. (RESOLUTION 2009-30)

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CHAPTERED BILLS

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

H.B. 1452, AN ACT TO REQUIRE ALL CITIES, COUNTIES, LOCAL BOARDS OF EDUCATION, UNIFIED GOVERNMENTS, SANITARY DISTRICTS, AND CONSOLIDATED CITY-COUNTIES TO ADOPT A CODE OF ETHICS FOR THE GOVERNING BOARD AND TO REQUIRE THE MEMBERS OF THOSE GOVERNING BOARDS TO RECEIVE EDUCATION ON ETHICS LAWS APPLICABLE TO LOCAL GOVERNMENT OFFICIALS. (S.L. 2009-403)

S.B. 708, AN ACT TO AMEND THE COMPULSORY SCHOOL ATTENDANCE LAW. (S.L. 2009-404)

S.B. 820, AN ACT TO CREATE NEW MOTOR VEHICLE TITLING AND REGISTRATION CATEGORIES FOR MOTOR VEHICLES CLASSIFIED AS REPLIC A VEHICLES, STREET RODS, AND CUSTOM VEHICLES, AND TO MAKE CORRESPONDING CHANGES. (S.L. 2009-405)

S.B. 831, AN ACT TO EXTEND CERTAIN GOVERNMENT APPROVALS AFFECTING THE DEVELOPMENT OF REAL PROPERTY WITHIN THE STATE. (S.L. 2009-406)

S.B. 195, AN ACT TO DIRECT THE UNIVERSITY OF NORTH CAROLINA INSTITUTE ON AGING, AND THE DIVISION OF AGING AND ADULT SERVICES, DEPARTMENT OF HEALTH AND HUMAN SERVICES, TO TAKE A LEADERSHIP ROLE IN HELPING NORTH CAROLINA PREPARE FOR INCREASED NUMBERS OF OLDER ADULTS, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING. (S.L. 2009-407)

S.B. 969, AN ACT AMENDING THE POLICY OF NORTH CAROLINA REGARDING THE PROTECTION OF CHILDREN'S WELFARE UNDER THE LAWS PERTAINING TO CHILD PLACING AND CARE. (S.L. 2009-408)

H.B. 1005, AN ACT TO ALLOW THE DEPARTMENT OF TRANSPORTATION TO PARTICIPATE IN FUNDING FIXED RAIL PROJECTS THAT DO NOT INCLUDE FEDERAL FUNDS. (S.L. 2009-409)

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H.B. 1078, AN ACT TO ENSURE THAT ACTS OF VIOLENCE IN SCHOOLS ARE REPORTED TO THE LOCAL SUPERINTENDENT OR THE SUPERINTENDENT'S DESIGNEE AND TO REQUIRE LOCAL BOARDS OF EDUCATION TO ADOPT A POLICY ON NOTIFICATION TO THE PARENTS OR LEGAL GUARDIANS OF STUDENTS ALLEGED TO BE VICTIMS OF ANY ACT REQUIRED TO BE REPORTED TO LAW ENFORCEMENT AND THE SUPERINTENDENT. (S.L. 2009-410)

S.B. 513, AN ACT TO AUTHORIZE SERVICE BY MAIL OF NOTICES OF HEARINGS ON VIOLATIONS OF UNSUPERVISED PROBATION, CLARIFYING PROCEDURES FOR COMMUNITY SERVICE STAFF NOTIFYING PERSONS OF WILLFUL VIOLATIONS, AND TO CLARIFY THE COURT'S AUTHORITY WHEN A NOTICE OF VIOLATION OF UNSUPERVISED PROBATION IS SERVED BY MAIL. (S.L. 2009-411)

S.B. 1078, AN ACT TO PROVIDE THE PROCEDURE FOR DETERMINING PRETRIAL RELEASE CONDITIONS WHEN A PROBATIONER IS ARRESTED AND CHARGED WITH THE COMMISSION OF A FELONY, AND TO PROVIDE THAT WHEN A PROBATIONER IS CHARGED WITH A VIOLATION OF PROBATION AND HAS A PENDING FELONY CHARGE, A JUDICIAL OFFICIAL MUST DETERMINE WHETHER THE PROBATIONER POSES A DANGER TO THE PUBLIC AND, IF THE PROBATIONER IS A DANGER TO THE PUBLIC, THE JUDICIAL OFFICIAL MUST DENY RELEASE ON THE PROBATION VIOLATION CHARGE. (S.L. 2009-412)

S.B. 909, AN ACT EXTINGUISHING THE LIABILITY OF RETAILERS FOR SALES TAX OVERCOLLECTIONS MADE IN RELIANCE ON WRITTEN ADVICE OF THE SECRETARY OF REVENUE. (S.L. 2009-413)

S.B. 38, AN ACT TO CONTINUALLY APPLY THE SPECIAL RULES FOLLOWING A FEDERAL DECENNIAL CENSUS TO MUNICIPAL REDISTRICTING AFTER THAT CENSUS. (S.L. 2009-414)

S.B. 713, AN ACT TO CREATE THE CRIMINAL OFFENSE OF REMOVING, DESTROYING, OR CIRCUMVENTING THE OPERATION OF AN ELECTRONIC MONITORING DEVICE. (S.L. 2009-415)

S.B. 931, AN ACT TO PROVIDE RECIPROCITY TO A PERSON WHO HOLDS ANY COMMERCIAL DRIVERS LICENSE RECOGNIZED BY THE FEDERAL GOVERNMENT, TO EXPAND THE DEFINITION

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OF CONVICTION FOR OUT-OF-STATE VIOLATIONS, TO EXPAND THE DEFINITION OF EMPLOYER WITH REGARDS TO COMMERCIAL DRIVERS LICENSES, TO ADD A DISQUALIFYING VIOLATION TO COMMERCIAL DRIVERS LICENSES, TO INCREASE CIVIL PENALTIES, TO EXPAND EMPLOYER REPORTING RESPONSIBILITIES, AND TO MODIFY REQUIREMENTS FOR CONVICTIONS TEN YEARS OLD OR OLDER. (S.L. 2009-416)

H.B. 1058, AN ACT TO INCREASE THE STATUTORY HOMESTEAD EXEMPTION. (S.L. 2009-417)

S.B. 687, AN ACT TO EXEMPT PLUMBING CONTRACTORS FROM WELL CONTRACTOR CERTIFICATION REQUIREMENTS. (S.L. 2009-418)

S.B. 514, AN ACT TO PROVIDE CERTAIN MAGISTRATES WITH THE AUTHORITY TO PROVIDE FOR THE APPOINTMENT OF COUNSEL TO INDIGENT PERSONS WHEN AUTHORIZED BY THE CHIEF DISTRICT JUDGE. (S.L. 2009-419)

S.B. 882, AN ACT TO CLARIFY AND REFORM THE STATUTES OF LIMITATION AND REPOSE IN PRODUCT LIABILITY ACTIONS. (S.L. 2009-420)

S.B. 44, AN ACT TO CLARIFY THE LAW REGARDING APPEALS OF QUASI-JUDICIAL DECISIONS MADE UNDER ARTICLE 19 OF CHAPTER 160A AND ARTICLE 18 OF CHAPTER 153A OF THE GENERAL STATUTES. (S.L. 2009-421)

S.B. 367, AN ACT TO REMOVE BILLINGS IN EXCESS OF COSTS FROM THE FRANCHISE TAX CAPITAL BASE FOR TAXPAYERS USING THE PERCENTAGE OF COMPLETION METHOD OF REVENUE RECOGNITION. (S.L. 2009-422)

H.B. 1296, AN ACT TO ESTABLISH THE DRUG, SUPPLIES, AND MEDICAL DEVICE REPOSITORY PROGRAM IN THE NORTH CAROLINA BOARD OF PHARMACY. (S.L. 2009-423)

H.B. 1433, AN ACT TO CLARIFY THE IMMUNITY FROM LIABILITY OF PERSONS USING AUTOMATED EXTERNAL DEFIBRILLATORS IN EMERGENCY SITUATIONS. (S.L. 2009-424)

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S.B. 1062, AN ACT STRENGTHENING DOMESTIC VIOLENCE PROTECTIVE ORDERS TO PROVIDE FOR THE PROTECTION OF PETS. (S.L. 2009-425)

S.B. 251, AN ACT LIMITING THE TOWN OF FAISON'S AUTHORITY TO EXERCISE THE POWER OF EXTRATERRITORIAL JURISDICTION WITHIN A DEFINED AREA EXTENDING MORE THAN ONE MILE BEYOND THE TOWN'S CORPORATE LIMITS. (S.L. 2009-426)

S.B. 475, AN ACT TO AMEND THE CHARTER OF THE TOWN OF CARRBORO TO AUTHORIZE THE BOARD OF ALDERMEN TO ADOPT ORDINANCES FOR THE ORDERLY INSTALLATION OF ENERGY-SAVING AND WATER-SAVING DEVICES. (S.L. 2009-427)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Allen, Chair, for the Committee on Environment and Natural Resources:

H.B. 569 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE DIVISION OF WATER QUALITY IN THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO AUTHORIZE THE USE OF THREE-SIDED, OPEN-BOTTOM, OR BOTTOMLESS CULVERTS ON PRIVATE PROPERTY, BASED ON SOUND ENGINEERING PRACTICES, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, with recommendation that the House concur.

Pursuant to Rule 36(b) and without objection, the bill is placed on today's Calendar.

S.B. 968 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO SUPPORT PLANNING FOR MOUNTAIN RESOURCES, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance and, if favorable, to the Committee on Appropriations.

The bill is re-referred to the Committee on Finance and, if favorable, to the Committee on Appropriations.

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By Representative Martin, Vice Chair, for the Committee on Judiciary I:

S.B. 220, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS IN THE GENERAL STATUTES AS REQUESTED BY THE GENERAL STATUTES COMMISSION, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the original bill.

Pursuant to Rule 36(b) and without objection, the House committee substitute bill is placed on today's Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Sutton, Chair, for the Committee on Judiciary III:

S.B. 914 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY MOTOR VEHICLE DEALERS AND MANUFACTURERS LICENSING LAWS, with a favorable report as to House Committee Substitute Bill No. 2, unfavorable as to House Committee Substitute Bill No. 1.

The Speaker states that without objection, House Committee Substitute Bill No. 2 will be placed on today's Calendar.

Representative Avila objects to House Committee Substitute Bill No. 2 being placed on today's Calendar.

Representative Sutton requests leave of the House to place House Committee Substitute Bill No. 2 on today's Calendar. On his motion and by electronic vote (101-11), House Committee Substitute Bill No. 2 is placed on today's Calendar.

House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

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

S.B. 425 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE STATE FAIR HOUSING ACT TO PROHIBIT DISCRIMINATION ON THE BASIS OF RECEIPT OF HOUSING ASSISTANCE, with a favorable report as to the House committee substitute bill, as amended, which changes the title, unfavorable as to the Senate committee substitute bill.

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The serial referral to the Committee on Judiciary III is stricken.

Pursuant to Rule 36(b) and without objection, the House committee substitute bill, as amended, is placed on today's Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

SPECIAL MESSAGES FROM THE SENATE

The following Special Messages are received from the Senate:

Senate Committee Substitute for **H.B. 817**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A FINANCIAL LITERACY COUNCIL TO COORDINATE AND EXPAND THE STATEWIDE DELIVERY OF FINANCIAL EDUCATION FOR ALL NORTH CAROLINIANS, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b) and without objection, the Senate committee substitute bill is placed on today's Calendar.

Upon concurrence the Senate committee substitute bill changes the title.

Senate Committee Substitute for **H.B. 1099** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN ENVIRONMENTAL AND NATURAL RESOURCES LAWS TO: (1) REPEAL THE REQUIREMENT THAT SEASONAL STATE PARK EMPLOYEES WEAR A UNIFORM VEST; (2) REQUIRE ELECTRONIC REPORTING OF ENVIRONMENTAL LEAD TEST RESULTS AND BLOOD LEAD TEST RESULTS; (3) CLARIFY THE FEE STRUCTURE FOR FOOD AND LODGING PERMITS; (4) REVISE THE SUNSET PROVISION FOR NUTRIENT OFFSET PAYMENTS; (5) AMEND THE SOLID WASTE DISPOSAL TAX TO STREAMLINE THE PROCESS WHEN A LOCAL GOVERNMENT IS SERVED BY A SOLID WASTE MANAGEMENT AUTHORITY; AND (6) EXTEND BY ONE YEAR THE DEADLINE FOR THE DEVELOPMENT AND IMPLEMENTATION OF A NUTRIENT MANAGEMENT STRATEGY FOR CERTAIN DRINKING WATER SUPPLY RESERVOIRS, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b) and without objection, the Senate committee substitute bill is placed on today's Calendar.

Upon concurrence the Senate committee substitute bill changes the title.

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H.B. 1269 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A COUNTY OR CITY TO USE EXCESS FACILITY FEES WITHOUT THE APPROVAL OF THE ADMINISTRATIVE OFFICE OF THE COURTS, TO ADD TO THE DIRECTOR'S POWERS AND DUTIES THE ESTABLISHMENT AND STAFFING OF AN INTERNAL AUDITING DIVISION FOR THE JUDICIAL DEPARTMENT, TO MODIFY CERTAIN STATUTES RELATED TO DRUG TREATMENT COURTS, AND TO CLARIFY THE EMERGENCY POWERS OF THE CHIEF JUSTICE, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b) and without objection, the Senate committee substitute bill is placed on today's Calendar.

S.B. 829 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REGULATE REAL ESTATE APPRAISAL MANAGEMENT COMPANIES, is read the first time and referred to the Committee on Commerce, Small Business, and Entrepreneurship and, if favorable, to the Committee on Finance.

SPECIAL MESSAGE FROM THE SENATE

2009 GENERAL ASSEMBLY FIRST SESSION

Senate Chamber
August 6, 2009

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives respectfully requesting the return of **S.B. 898** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE EXCEPTION FOR TWO-COUNTY INDUSTRIAL PARKS FOR DEVELOPMENT TIER DESIGNATION PURPOSES, for further consideration by the Senate.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

The bill is withdrawn from the Calendar and, without objection, is returned to the Senate in compliance with its request.

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SPECIAL MESSAGE FROM THE SENATE**2009 GENERAL ASSEMBLY
FIRST SESSION**

Senate Chamber
August 6, 2009

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees for **S.B. 468** (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COUNTIES TO PROVIDE HEALTH INSURANCE BENEFITS TO FORMER EMPLOYEES WHO ARE NOT RECEIVING RETIREMENT BENEFITS, and when a similar action has been taken on the part of your Honorable Body, the President will order the bill enrolled.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE**2009 GENERAL ASSEMBLY
FIRST SESSION**

Senate Chamber
August 6, 2009

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees for **H.B. 1409** (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN ELECTRICAL LIGHTING DEVICES AND FIXTURES AND WATER HEATER REPLACEMENT IN RESIDENCES FROM BUILDING PERMITTING REQUIREMENTS, to the end that when a similar action has been taken on the part of your Honorable Body, the Speaker may order the bill enrolled.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

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SPECIAL MESSAGE FROM THE SENATE**2009 GENERAL ASSEMBLY
FIRST SESSION**

Senate Chamber
August 6, 2009

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees for **H.B. 473** (Conference Report), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A MAGISTRATE WHO HAS A CONCEALED HANDGUN PERMIT MAY CARRY OR POSSESS A CONCEALED HANDGUN WHILE IN A COURTHOUSE TO DISCHARGE OFFICIAL DUTIES, to the end that when a similar action has been taken on the part of your Honorable Body, the Speaker may order the bill enrolled.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

CONFERENCE REPORTS

Representative Tolson sends forth the Conference Report on **S.B. 960** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO FACILITATE EXPEDITED USE AND EXPENDITURE OF FEDERAL FUNDS PROVIDED UNDER THE AMERICAN RECOVERY AND REINVESTMENT ACT. Without objection, the Conference Report is placed on today's Calendar.

Representative Parmon sends forth the Conference Report on **H.B. 291** (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT AMENDING THE COSMETIC ART ACT TO PROVIDE FOR LICENSURE OF PERSONS ENGAGING IN THE PRACTICE OF NATURAL HAIR CARE AND TO ALLOW BARBERS TO ENGAGE IN BARBERING OUTSIDE OF A BARBER SHOP. Without objection, the Conference Report is placed on today's Calendar.

BILLS WITHDRAWN FROM CALENDAR

On motion of Representative Daughtry and without objection, **H.B. 641** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO

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INCORPORATE THE TOWN OF ARCHER LODGE, SUBJECT TO A REFERENDUM, is withdrawn from the Calendar and placed on the Calendar of August 10.

On motion of Representative Bordsen and without objection, **S.B. 488**, A BILL TO BE ENTITLED AN ACT TO MAKE THE INCREASE IN SENTENCE LENGTHS BETWEEN PRIOR RECORD LEVELS MORE PROPORTIONATE USING A SET PERCENTAGE INCREMENT, is withdrawn from the Calendar and placed on the Calendar of August 10.

On motion of Representative Bordsen and without objection, **S.B. 489**, A BILL TO BE ENTITLED AN ACT TO RESTRUCTURE THE PRIOR RECORD LEVEL POINT RANGES IN ORDER TO EXPAND THE POINTS IN PRIOR RECORD LEVEL I AND TO EVEN OUT THE REMAINING RANGES, is withdrawn from the Calendar and placed on the Calendar of August 10.

CALENDAR

Action is taken on the following:

S.B. 553 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF SWANNANOVA, SUBJECT TO A REFERENDUM, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Avila, Barnhart, Bell, Blackwell, Blackwood, Blust, Boles, Bordsen, Braxton, Brisson, Brown, Brubaker, Bryant, Burr, Burris-Floyd, Carney, Cleveland, Coates, Cole, Cotham, Crawford, Current, Daughtry, Dickson, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Folwell, Frye, Gibson, Gill, Gillespie, Goforth, Grady, Guice, Gulley, Haire, Hall, Harrell, Harrison, Hill, Hilton, Holliman, Holloway, Howard, Hughes, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Killian, Langdon, Lewis, Love, Lucas, Mackey, Martin, McComas, McCormick, McElraft, McGee, Michaux, Mills, Mobley, Moore, Neumann, Owens, Parmon, Pierce, Randleman, Rapp, Sager, Samuelson, Setzer, Spear, Stam, Starnes, Steen, Stevens, Stewart, Sutton, Tarleton, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 111.

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Voting in the negative: None.

Excused absences: Representatives Dockham, Glazier, Goodwin, Luebke, McLawhorn, Ross, and Tillis - 7.

S.B. 777 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW AFFILIATES OF A TOBACCO PRODUCTS MANUFACTURER TO BE TREATED THE SAME AS THE MANUFACTURER FOR PURPOSES OF PAYMENT OF THE EXCISE TAX ON OTHER TOBACCO PRODUCTS, TO PROHIBIT INTEGRATED WHOLESALE DEALERS FROM SELLING, BORROWING, LOANING, OR EXCHANGING NON-TAX-PAID TOBACCO PRODUCTS OTHER THAN CIGARETTES TO, FROM, OR WITH OTHER INTEGRATED WHOLESALE DEALERS, AND TO REQUIRE PERSONS TRANSPORTING OTHER TOBACCO PRODUCTS TO FILE A SHIPPING REPORT WITH THE SECRETARY OF REVENUE, passes its second reading, by the following vote:

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Avila, Barnhart, Bell, Blackwell, Blackwood, Blust, Boles, Bordsen, Braxton, Brisson, Brown, Brubaker, Bryant, Burr, Burris-Floyd, Carney, Cleveland, Coates, Cole, Cotham, Crawford, Current, Daughtry, Dickson, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Folwell, Frye, Gibson, Gill, Gillespie, Goforth, Grady, Guice, Gulley, Haire, Hall, Harrell, Harrison, Hill, Hilton, Holliman, Holloway, Howard, Hughes, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Killian, Langdon, Lewis, Love, Lucas, Mackey, Martin, McComas, McCormick, McElraft, McGee, Michaux, Mills, Mobley, Moore, Neumann, Owens, Parmon, Pierce, Randleman, Rapp, Sager, Samuelson, Setzer, Spear, Stam, Starnes, Steen, Stevens, Stewart, Sutton, Tarleton, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 111.

Voting in the negative: None.

Excused absences: Representatives Dockham, Glazier, Goodwin, Luebke, McLawhorn, Ross, and Tillis - 7.

Without objection, the bill passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in the House committee substitute bill by Special Message.

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Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Avila, Barnhart, Bell, Blackwell, Blackwood, Blust, Boles, Bordsen, Braxton, Brisson, Brown, Brubaker, Bryant, Burr, Burris-Floyd, Carney, Cleveland, Coates, Cole, Cotham, Crawford, Daughtry, Dickson, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Folwell, Frye, Gibson, Gill, Gillespie, Goforth, Grady, Guice, Gulley, Haire, Hall, Harrell, Harrison, Hill, Hilton, Holliman, Holloway, Howard, Hughes, Hurley, Iler, Ingle, Insko, Jeffus, Johnson, Jones, Justice, Justus, Killian, Langdon, Lewis, Love, Lucas, Mackey, Martin, McComas, McCormick, McElraft, McGee, Michaux, Mills, Mobley, Moore, Neumann, Owens, Parmon, Pierce, Randleman, Rapp, Sager, Samuelson, Setzer, Spear, Starnes, Steen, Stevens, Stewart, Sutton, Tarleton, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 108.

Voting in the negative: None.

Excused absences: Representatives Dockham, Glazier, Goodwin, Luebke, McLawhorn, Ross, and Tillis - 7.

S.B. 1029 (House Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA PROFESSIONAL EMPLOYER ORGANIZATION ACT CONCERNING BONDING PROVISIONS AND MAINTENANCE OF EMPLOYEE BENEFITS, AND TO CLARIFY THE APPLICATION OF TAX CREDITS AND OTHER INCENTIVES TO PROFESSIONAL EMPLOYER ORGANIZATIONS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Avila, Barnhart, Bell, Blackwell, Blackwood, Blust, Boles, Bordsen, Braxton, Brisson, Brown, Brubaker, Bryant, Burr, Burris-Floyd, Carney, Cleveland, Coates, Cole, Cotham, Crawford, Current, Daughtry, Dickson, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Folwell, Frye, Gibson, Gill, Gillespie, Goforth, Grady, Guice, Gulley, Haire, Hall, Harrell, Harrison, Hill, Hilton, Holliman, Holloway, Howard, Hughes, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Killian, Langdon, Lewis, Love, Lucas, Mackey, Martin, McComas, McCormick, McElraft, Michaux, Mills, Mobley, Moore, Neumann, Owens, Parmon, Pierce, Randleman, Rapp, Rhyne, Sager, Samuelson, Setzer, Spear, Stam, Starnes, Steen, Stevens, Stewart, Sutton, Tarleton, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 111.

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Voting in the negative: None.

Excused absences: Representatives Dockham, Glazier, Goodwin, Luebke, McGee, McLawhorn, Ross, and Tillis - 8.

Representative Goforth requests leave of the House to proceed with the third reading today. On his motion and by electronic vote (109-3), the bill is read a third time.

The bill passes its third reading, by the following vote, and the bill is ordered sent to the Senate for concurrence in House Committee Substitute Bill No. 3 by Special Message.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Avila, Barnhart, Bell, Blackwell, Blackwood, Blust, Boles, Bordsen, Braxton, Brisson, Brown, Brubaker, Bryant, Burr, Burris-Floyd, Carney, Cleveland, Coates, Cole, Cotham, Crawford, Current, Daughtry, Dickson, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Folwell, Frye, Gibson, Gill, Gillespie, Goforth, Grady, Guice, Gulley, Haire, Hall, Harrell, Harrison, Hill, Hilton, Holliman, Holloway, Howard, Hughes, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Killian, Langdon, Lewis, Love, Lucas, Mackey, Martin, McComas, McCormick, McElraft, McGee, Michaux, Mills, Mobley, Moore, Neumann, Owens, Parmon, Pierce, Randleman, Rapp, Rhyne, Sager, Samuelson, Setzer, Spear, Stam, Starnes, Steen, Stevens, Stewart, Sutton, Tarleton, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 112.

Voting in the negative: None.

Excused absences: Representatives Dockham, Glazier, Goodwin, Luebke, McLawhorn, Ross, and Tillis - 7.

S.B. 738 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE BOARDS OF DIRECTORS OF CHARTER SCHOOLS TO IMPLEMENT THE GUIDELINES ADOPTED BY THE STATE BOARD OF EDUCATION FOR THE DEVELOPMENT AND IMPLEMENTATION OF INDIVIDUAL DIABETES CARE PLANS AND TO REQUIRE LOCAL BOARDS OF EDUCATION AND BOARDS OF DIRECTORS OF CHARTER SCHOOLS TO REPORT ANNUALLY TO THE STATE BOARD OF EDUCATION ABOUT THEIR COMPLIANCE WITH THESE GUIDELINES, passes its third reading, by electronic vote (112-0), and is ordered sent to the Senate for concurrence in the House committee substitute bill by Special Message.

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H.B. 764 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE RECOMMENDATION OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.

Representative Owens offers Amendment No. 1 which is adopted by electronic vote (111-0).

The bill, as amended, passes its second reading, by electronic vote (109-1), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate, without engrossment, by Special Message.

H.J.R. 1658, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF WALTER LELAND CRONKITE, JR., FORMER ANCHOR AND JOURNALIST, passes its second reading, by electronic vote (92-3), and there being no objection is read a third time.

Representatives Iler and Killian request and are granted permission to be recorded as voting "aye". The adjusted vote total is (94-3).

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

S.B. 293 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE REGISTER OF DEEDS TO STORE AN ELECTRONIC COPY OF THE JUROR MASTER LIST, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

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

S.B. 423 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE DIVISION OF MOTOR VEHICLES TO WAIVE THE COMMERCIAL MOTOR VEHICLES SKILLS TEST FOR MEMBERS OF THE ARMED FORCES IF THE APPLICANT MEETS THE QUALIFICATIONS FOR ISSUANCE AND HAS PREVIOUSLY TAKEN A SKILLS TEST FOR THE VEHICLE CLASS AND SIZE TO BE OPERATED OR HAS, WHILE IN SERVICE TO AN ACTIVE OR RESERVE COMPONENT OF THE UNITED STATES ARMED FORCES,

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OPERATED THE VEHICLE CLASS AND SIZE FOR A RELEVANT TWO-YEAR PERIOD PRIOR TO APPLICATION FOR THE COMMERCIAL DRIVERS LICENSE AND HAS TAKEN A SKILLS TEST ADMINISTERED BY THE MILITARY.

On motion of Representative Braxton, Committee Amendment No. 1 is adopted by electronic vote (110-0).

The bill, as amended, passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

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

S.B. 749 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REVISE AND CLARIFY THE REQUIREMENTS FOR UNINSURED AND UNDERINSURED MOTORIST COVERAGE IN MOTOR VEHICLE LIABILITY INSURANCE POLICIES, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House Committee Substitute Bill No. 2 by Special Message.

S.B. 982 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE SMALL BUSINESS JOBS PRESERVATION FUND IN THE DEPARTMENT OF COMMERCE WITH RELATED PROGRAMS COORDINATED BY A TECHNICAL ASSISTANCE PROVIDER, passes its second reading, by the following vote, and there being no objection is read a third time.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Avila, Barnhart, Bell, Blackwood, Blust, Boles, Bordsen, Braxton, Brisson, Bryant, Burr, Carney, Coates, Cole, Cotham, Crawford, Current, Daughtry, Dickson, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Folwell, Frye, Gibson, Gill, Gillespie, Goforth, Grady, Guice, Gulley, Haire, Hall, Harrell, Hill, Hilton, Holliman, Holloway, Howard, Hughes, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Langdon, Lewis, Love, Lucas, Mackey, Martin, McComas, McCormick, McGee, Michaux, Mills, Mobley, Moore, Neumann, Owens, Parmon, Pierce, Randleman, Rapp, Samuelson, Setzer, Spear, Steen, Stewart, Sutton, Tarleton, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, West, Whilden, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 97.

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Voting in the negative: Representatives Blackwell, Brown, Brubaker, Burris-Floyd, Cleveland, Harrison, Hurley, Killian, McElraft, Rhyne, Sager, Stam, Starnes, Stevens, and Weiss - 15.

Excused absences: Representatives Dockham, Glazier, Goodwin, Luebke, McLawhorn, Ross, and Tillis - 7.

Without objection, the bill passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in the House committee substitute bill by Special Message.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Avila, Barnhart, Bell, Blackwood, Blust, Boles, Bordsen, Braxton, Brisson, Bryant, Burr, Carney, Coates, Cole, Cotham, Crawford, Current, Daughtry, Dickson, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Folwell, Frye, Gibson, Gill, Gillespie, Goforth, Grady, Guice, Gulley, Haire, Hall, Harrell, Hill, Hilton, Holliman, Holloway, Howard, Hughes, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Langdon, Lewis, Love, Lucas, Mackey, Martin, McCormick, McGee, Michaux, Mills, Mobley, Moore, Owens, Parmon, Pierce, Randleman, Rapp, Samuelson, Setzer, Spear, Steen, Stewart, Sutton, Tarleton, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, West, Whilden, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 95.

Voting in the negative: Representatives Blackwell, Brown, Brubaker, Burris-Floyd, Cleveland, Harrison, Hurley, Killian, McElraft, Rhyne, Sager, Stam, Starnes, Stevens, and Weiss - 15.

Excused absences: Representatives Dockham, Glazier, Goodwin, Luebke, McLawhorn, Ross, and Tillis - 7.

Representative Neumann requests and is granted permission to be recorded as voting "aye". This request is granted. The adjusted vote total is (96-15).

S.B. 984 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE JUVENILE CODE REGARDING ACCESS TO JUVENILE COURT RECORDS, passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

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

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S.B. 1057 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXPAND THE SALES TAX EXEMPTION FOR AIRCRAFT SIMULATORS, passes its second reading, by electronic vote (80-32).

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

S.B. 1067 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA SUSTAINABLE LOCAL FOOD ADVISORY COUNCIL TO ADDRESS PROGRAM AND POLICY CONSIDERATIONS REGARDING THE DEVELOPMENT OF A SUSTAINABLE LOCAL FOOD ECONOMY IN NORTH CAROLINA, passes its second reading, by electronic vote (104-5), and there being no objection is read a third time.

Representative Gill requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (105-5).

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

BILLS WITHDRAWN FROM COMMITTEE

On motion of Representative Owens and without objection, Senate Committee Substitute No. 2 for **H.B. 578** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE NOTICE OF RIGHT TO SEEK LEGAL COUNSEL AND CLARIFY NOTICE REQUIRED TO PARTIES WHO MAY BE UNKNOWN OR UNLOCATABLE IN A PARTITION PROCEEDING; TO CODIFY THE CURRENT PRACTICE OF GRANTING OWNERS CREDIT FOR THEIR EXISTING INTEREST IN LAND WHEN BIDDING ON A PARTITION SALE; TO PERMIT A COURT TO ORDER AN INDEPENDENT APPRAISAL IF REQUESTED AND PAID FOR BY A PARTY TO THE PARTITION WHO CHALLENGES THE AMOUNT BID IN A PARTITION SALE, AS RECOMMENDED BY THE PARTITION SALES STUDY COMMITTEE, is withdrawn from the Committee on Ways and Means/Broadband Connectivity.

Pursuant to Rule 36(b) and without objection, the bill is placed on today's Calendar.

On motion of Representative Owens and without objection, Senate Committee Substitute No. 2 for **H.B. 1329** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO CONSOLIDATE ALL STATUTES

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RELATED TO EXPUNCTION OF RECORDS IN ONE ARTICLE OF THE GENERAL STATUTES, is withdrawn from the Committee on Judiciary I.

Pursuant to Rule 36(b) and without objection, the bill is placed on today's Calendar.

On motion of Representative Owens and without objection, **S.B. 535** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF ARCHER LODGE, SUBJECT TO A REFERENDUM, is withdrawn from the Committee on Finance.

Pursuant to Rule 36(b) and without objection, the bill is placed on today's Calendar.

RE-REFERRAL

On motion of Representative Owens, pursuant to Rule 39.2 and without objection, **S.B. 884** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE TERM 'CIGAR BAR' INCLUDES A 'HOOKAH BAR' FOR PURPOSES OF EXTENDING TO HOOKAH BARS AND NO OTHERS THE EXEMPTION OF CIGAR BARS FROM THE SMOKING PROHIBITIONS OF G.S. 130A-496(B)(2) AND G.S. 130A-498(B1)(6) IF THE HOOKAH BAR MEETS THE FOLLOWING FIVE REQUIREMENTS AND NO OTHERS: (1) THE HOOKAH BAR'S PRIMARY BUSINESS IS TO RENT TO PATRONS A HOOKAH PIPE THAT CONTAINS A SPECIFIED AMOUNT OF FLAVORED TOBACCO FOR THE PURPOSE OF SMOKING THE HOOKAH PIPE ON THE PREMISES, (2) FORTY PERCENT OF THE HOOKAH BAR'S QUARTERLY GROSS REVENUE IS GENERATED FROM HOOKAH PIPE RENTALS AND THE SALE OF FLAVORED TOBACCO, (3) THE HOOKAH BAR PROHIBITS INDIVIDUALS UNDER THE AGE OF EIGHTEEN FROM ENTERING THE HOOKAH BAR PREMISES AND DOES NOT ALLOW INDIVIDUALS UNDER THE AGE OF TWENTY-ONE TO ENTER THE PREMISES IF IT HAS A PERMIT TO SELL ALCOHOLIC BEVERAGES, (4) THE HOOKAH BAR PROHIBITS THE SMOKING OF CIGARETTES AND CIGARS ON THE HOOKAH BAR'S PREMISES, AND (5) THE HOOKAH BAR MEETS THE APPLICABLE REQUIREMENTS OF ARTICLE 23 OF CHAPTER 130A OF THE GENERAL STATUTES PERTAINING TO QUARTERLY REVENUE REPORTING AND VERIFICATION AND TO STRUCTURAL AND SMOKE MIGRATION REQUIREMENTS, is withdrawn from the Committee on Judiciary II and re-referred to the Committee on Commerce, Small Business, and Entrepreneurship.

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**REPORTS OF STANDING COMMITTEES AND PERMANENT
SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representatives Gibson, Wainwright, and Weiss, Chairs, for the Committee on Finance:

H.B. 926 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE USE OF CONTINUOUS ALCOHOL MONITORING SYSTEMS AS A CONDITION OF PROBATION, TO MEET REQUIREMENTS FOR THE RESTORATION OF A REVOKED DRIVERS LICENSE, TO MITIGATE PUNISHMENTS FOR IMPAIRED DRIVING OFFENSES, AND TO ENSURE COMPLIANCE WITH CHILD CUSTODY AND VISITATION ORDERS, with a favorable report as to Committee Substitute Bill No. 2, which changes the title, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(b) and without objection, Committee Substitute Bill No. 2 is placed on today's Calendar. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

H.B. 1313 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR MEANINGFUL REGULATION OF INSURANCE PUBLIC ADJUSTERS, with recommendation that the House concur.

Pursuant to Rule 36(b) and without objection, the bill is placed on today's Calendar.

H.B. 1445 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO RESTRUCTURE THE PRIOR RECORD LEVEL POINT RANGES IN STRUCTURED SENTENCING IN ORDER TO EXPAND THE POINTS IN PRIOR RECORD LEVEL I AND TO EVEN OUT THE REMAINING RANGES; TO MAKE THE INCREASE IN SENTENCE LENGTHS BETWEEN PRIOR RECORD LEVELS MORE PROPORTIONATE USING A SET PERCENTAGE INCREMENT; TO INCREASE THE PERIOD OF POST-RELEASE SUPERVISION FROM NINE MONTHS TO TWELVE MONTHS, TO RECLASSIFY STATUTORY RAPE OR SEXUAL OFFENSE OF A PERSON WHO IS FIFTEEN YEARS OLD BY A DEFENDANT WHO IS MORE THAN FOUR YEARS BUT LESS THAN SIX YEARS OLDER AS A CLASS F FELONY; TO PROVIDE FOR THE EXPUNCTION OF CONVICTIONS FOR CERTAIN CRIMINAL

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OFFENSES; TO MODIFY THE AGE REQUIREMENTS OF CERTAIN EXPUNCTIONS TO BE THE AGE AT THE TIME OF THE OFFENSE RATHER THAN THE AGE AT THE TIME OF CONVICTION; TO MAKE CONFORMING CHANGES TO EXISTING EXPUNCTION STATUTES; AND TO REQUIRE STATE AND NATIONAL CRIMINAL RECORD CHECKS WHEN EXPUNGING RECORDS, with a favorable report as to Committee Substitute Bill No. 2, which changes the title, unfavorable as to Committee Substitute Bill No. 1.

The Speaker states that without objection, Committee Substitute Bill No. 2 will be placed on today's Calendar.

Representative Dollar objects to Committee Substitute Bill No. 2 being placed on today's Calendar.

Representative Haire requests leave of the House to place Committee Substitute Bill No. 2 on today's Calendar. On his motion and by electronic vote (61-50), Committee Substitute Bill No. 2 is placed on today's Calendar.

Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

S.B. 79, A BILL TO BE ENTITLED AN ACT PROVIDING THAT CHOWAN COUNTY MAY PROHIBIT THE ISSUANCE OF A BUILDING PERMIT TO A DELINQUENT TAXPAYER, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the original bill.

Pursuant to Rule 36(b) and without objection, the House committee substitute bill is placed on today's Calendar. The original bill is placed on the Unfavorable Calendar.

S.B. 203 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENSURE THE ACCESSIBILITY OF HANDICAPPED PARKING IN NORTH CAROLINA BY REQUIRING AN EXPIRATION DATE VISIBLE FROM AT LEAST TWENTY FEET ON ALL HANDICAPPED PLACARDS, TO ENSURE INCREASED ENFORCEMENT AND COLLECTION OF EXPIRED OR REVOKED PLACARDS BY REQUIRING THAT PLACARDS DISPLAY THE MONTH AND YEAR OF EXPIRATION, TO REQUIRE THE DIVISION OF MOTOR VEHICLES TO ISSUE HANDICAPPED PLACARD REGISTRATION CARDS, TO REQUIRE THAT THE PERSON TO WHOM THE PLACARD IS ISSUED BE THE OPERATOR OF OR A PASSENGER IN THE VEHICLE IN

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WHICH THE PLACARD IS DISPLAYED, AND TO REQUIRE THE DIVISION OF MOTOR VEHICLES TO ISSUE A SPECIAL IDENTIFICATION CARD FREE OF CHARGE TO A PERSON WHOSE VALID DRIVERS LICENSE IS ADMINISTRATIVELY REVOKED DUE TO A MEDICAL DISQUALIFICATION, with a favorable report as to House Committee Substitute Bill No. 2, which changes the title, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(b) and without objection, House Committee Substitute Bill No. 2 is placed on today's Calendar. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

S.B. 563 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPROVE PYROTECHNICS SAFETY IN NORTH CAROLINA, with a favorable report as to House Committee Substitute Bill No. 2, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(b) and without objection, House Committee Substitute Bill No. 2 is placed on today's Calendar. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

S.B. 786, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENT PROJECTS OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

The serial referral to the Committee on Appropriations is stricken.

Pursuant to Rule 36(b) and without objection, the bill is placed on today's Calendar.

S.B. 838 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN ENVIRONMENTAL AND NATURAL RESOURCES LAWS TO: (1) REQUIRE ELECTRONIC REPORTING OF ENVIRONMENTAL LEAD TEST RESULTS AND BLOOD LEAD TEST RESULTS; (2) CLARIFY THE FEE STRUCTURE FOR FOOD AND LODGING PERMITS; (3) REVISE THE SUNSET PROVISION FOR NUTRIENT OFFSET PAYMENTS; (4) AMEND THE SOLID WASTE DISPOSAL TAX TO STREAMLINE THE PROCESS WHEN A LOCAL

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GOVERNMENT IS SERVED BY A SOLID WASTE MANAGEMENT AUTHORITY; (5) REPEAL THE REQUIREMENT THAT SEASONAL STATE PARK EMPLOYEES WEAR A UNIFORM VEST; (6) CLARIFY IMPLEMENTATION OF NUTRIENT OFFSETS UNDER THE JORDAN LAKE RULES; (7) CLARIFY IMPLEMENTATION OF THE JORDAN LAKE RULES RELATED TO FEDERAL AND STATE ENTITIES; (8) MAKE CLARIFYING, CONFORMING, AND TECHNICAL AMENDMENTS TO VARIOUS LAWS RELATED TO THE ENVIRONMENT AND NATURAL RESOURCES; AND (9) AMEND OR REPEAL VARIOUS ENVIRONMENTAL REPORTING REQUIREMENTS, with a favorable report as to House Committee Substitute Bill No. 2, which changes the title, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(b) and without objection, House Committee Substitute Bill No. 2 is placed on today's Calendar. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

S.B. 1007 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE LAWS UNDER THE NORTH CAROLINA HOME INSPECTOR LICENSURE ACT, with a favorable report as to House Committee Substitute Bill No. 2, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(b) and without objection, House Committee Substitute Bill No. 2 is placed on today's Calendar. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

CALENDAR (continued)

Senate Committee Substitute for **H.B. 817**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A FINANCIAL LITERACY COUNCIL TO COORDINATE AND EXPAND THE STATEWIDE DELIVERY OF FINANCIAL EDUCATION FOR ALL NORTH CAROLINIANS.

On motion of Representative Lucas, the House does not concur in the Senate committee substitute bill, by electronic vote (109-0), and conferees are requested.

The Speaker appoints Representatives Lucas and Stam as conferees on the part of the House and the Senate is so notified by Special Message.

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Senate Committee Substitute for **H.B. 1099** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN ENVIRONMENTAL AND NATURAL RESOURCES LAWS TO: (1) REPEAL THE REQUIREMENT THAT SEASONAL STATE PARK EMPLOYEES WEAR A UNIFORM VEST; (2) REQUIRE ELECTRONIC REPORTING OF ENVIRONMENTAL LEAD TEST RESULTS AND BLOOD LEAD TEST RESULTS; (3) CLARIFY THE FEE STRUCTURE FOR FOOD AND LODGING PERMITS; (4) REVISE THE SUNSET PROVISION FOR NUTRIENT OFFSET PAYMENTS; (5) AMEND THE SOLID WASTE DISPOSAL TAX TO STREAMLINE THE PROCESS WHEN A LOCAL GOVERNMENT IS SERVED BY A SOLID WASTE MANAGEMENT AUTHORITY; AND (6) EXTEND BY ONE YEAR THE DEADLINE FOR THE DEVELOPMENT AND IMPLEMENTATION OF A NUTRIENT MANAGEMENT STRATEGY FOR CERTAIN DRINKING WATER SUPPLY RESERVOIRS.

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

Representative Michaux withdraws his motion.

On motion of Representative Allen, the House does not concur in the Senate committee substitute bill, by electronic vote (100-10), and conferees are requested.

Representative Moore requests and is granted permission to change his vote from "no" to "aye". The adjusted vote total is (101-9).

On motion of the Speaker, the House recesses at 3:15 p.m.

RECESS

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

ENROLLED BILLS

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

S.B. 97, AN ACT TO ALIGN THE AUTHORIZED PURPOSES FOR SPECIAL ASSESSMENTS FOR CRITICAL INFRASTRUCTURE NEEDS WITH THE PURPOSES OF PROJECT DEVELOPMENT FINANCING; TO ADD RENEWABLE ENERGY SOURCES AND ENERGY EFFICIENCY IMPROVEMENTS AS PURPOSES; TO CLARIFY THE

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LAW CONCERNING FINANCING A PROJECT FOR WHICH ASSESSMENTS MAY BE PLEDGED, TO EXEMPT PRIVATE ENTITIES THAT IMPLEMENT CERTAIN PROJECTS FOR WHICH ASSESSMENTS MAY BE PLEDGED FROM THE COMPETITIVE BIDDING REQUIREMENTS OF LOCAL GOVERNMENTS; AND TO PROVIDE GUIDANCE FOR LOCAL GOVERNMENTS WHEN ISSUING CERTAIN DEBT INSTRUMENTS AND ENTERING INTO CERTAIN AGREEMENTS.

S.B. 167, AN ACT TO PROHIBIT SMOKING ON THE PREMISES OF CORRECTIONAL INSTITUTIONS, TO PROHIBIT THE POSSESSION OF TOBACCO PRODUCTS OR CELL PHONES OUTSIDE OF A LOCKED VEHICLE ON THE PREMISES OF CORRECTIONAL INSTITUTIONS, TO MAKE IT A CRIMINAL OFFENSE TO PROVIDE TOBACCO PRODUCTS OR CELL PHONES TO INMATES IN THE CUSTODY OF THE DEPARTMENT OF CORRECTION OR A LOCAL CONFINEMENT FACILITY, AND TO MAKE IT A CRIMINAL OFFENSE FOR INMATES OF A LOCAL CONFINEMENT FACILITY TO POSSESS TOBACCO PRODUCTS OR CELL PHONES.

S.B. 252, AN ACT TO AMEND STATE LAW REGARDING THE INTRODUCTION OF LAB REPORTS AND RELATED DOCUMENTS TO COMPLY WITH REQUIREMENTS OF THE UNITED STATES SUPREME COURT DECISION IN MELENDEZ-DIAZ V. MASSACHUSETTS.

S.B. 726, AN ACT TO PROVIDE THAT HOUSE ARREST MAY BE IMPOSED AS A CONDITION OF PRETRIAL RELEASE; TO PROVIDE THAT THE COURT MAY AUTHORIZE AN OFFENDER UNDER ELECTRONIC HOUSE ARREST TO LEAVE THE OFFENDER'S RESIDENCE FOR SPECIFIC PURPOSES AND THE COURT OR PROBATION OFFICER MAY MODIFY THOSE CONDITIONS; AND TO AMEND THE DEFINITION OF HOUSE ARREST UNDER JUVENILE LAW TO STATE THE SPECIFIC PURPOSES FOR WHICH A JUVENILE MAY BE AUTHORIZED TO LEAVE THE JUVENILE'S RESIDENCE.

S.B. 859, AN ACT TO ALLOW CITIES WITH POPULATION GREATER THAN A CERTAIN POPULATION THRESHOLD TO BE SUBJECT TO THE STATE TORT CLAIMS ACT WITH CERTAIN MODIFICATIONS.

S.B. 990, AN ACT TO INCREASE THE CRIMINAL PENALTY FOR CUTTING, INJURING, OR REMOVING ANOTHER'S TIMBER RESULTING IN DAMAGES THAT EXCEED ONE THOUSAND DOLLARS.

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H.B. 1514, AN ACT TO EXPAND ECONOMICALLY DISTRESSED COUNTIES TO INCLUDE ALL TIER ONE AND TIER TWO COUNTIES, TO INCREASE THE MAXIMUM EXPENDITURE OF FUNDS FROM THE INDUSTRIAL DEVELOPMENT FUND, TO EXEMPT FROM RULE MAKING THE CUSTOMIZED TRAINING PROGRAM UNDER THE COMMUNITY COLLEGE SYSTEM, AND TO AMEND THE COUNTY SERVICE DISTRICT ACT OF 1973 TO ALLOW ADDITIONAL COUNTY RESEARCH AND PRODUCTION SERVICE DISTRICTS.

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

S.B. 40, AN ACT TO AUTHORIZE THE TOWN OF MURFREESBORO AND THE CITY OF SALISBURY TO LEVY A ROOM OCCUPANCY TAX AND TO AUTHORIZE ROCKINGHAM COUNTY TO LEVY AN ADDITIONAL ONE PERCENT ROOM OCCUPANCY TAX.

S.B. 80, AN ACT TO AUTHORIZE THE CITIES OF JACKSONVILLE, LENOIR, LOWELL, AND MOUNT HOLLY AND THE TOWNS OF CRAMERTON, MCADENVILLE, AND RANLO TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX.

S.B. 346, AN ACT TO REMOVE A DESCRIBED AREA FROM THE CORPORATE LIMITS OF THE CITY OF KANNAPOLIS, TO ASSIST CABARRUS COUNTY WITH THE EXPEDITING OF PUBLIC SCHOOL CONSTRUCTION, AND TO MODIFY THE FILING PERIOD FOR THE ELECTION OF MEMBERS TO THE CABARRUS COUNTY BOARD OF EDUCATION.

S.B. 359, AN ACT TO INCORPORATE THE VILLAGE OF SNEADS FERRY.

On motion of the Speaker, the House recesses at 4:03 p.m.

RECESS

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

CONFERENCE REPORTS

Representative Hurley moves the adoption of the following Conference Report.

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Senate Committee Substitute for H.B. 473

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 473, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A MAGISTRATE WHO HAS A CONCEALED HANDGUN PERMIT MAY CARRY OR POSSESS A CONCEALED HANDGUN WHILE IN A COURTHOUSE TO DISCHARGE OFFICIAL DUTIES, Senate Judiciary I Committee Substitute Adopted 6/15/09, submit the following report:

The House and Senate agree to the following amendments to the Senate Judiciary I Committee Substitute, Senate Judiciary I Committee Substitute Adopted 6/15/09, and the House concurs in the Senate Judiciary I Committee Substitute as amended:

On page 1, line 31 by deleting "itself," and substituting "itself unless the magistrate is presiding in that courtroom,";

and on page 1, line 34 by inserting the following between "completed" and "weapons" on that line: "a one-time".

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

Date conferees approved report: August 5, 2009.

*Conferees for the
Senate*

S/ Dan Blue, Chair
S/ Jerry W. Tillman
S/ Charlie Smith Dannelly
S/ Edward W. Jones

*Conferees for the
House of Representatives*

S/ Pat B. Hurley, Chair
S/ Carolyn K. Justus
S/ Roger West
S/ Timothy L. Spear
S/ Ronnie Sutton

The Conference Report is adopted, by electronic vote (95-10), and the Senate is so notified by Special Message.

Representative E. Floyd requests and is granted permission to change his vote from "no" to "aye". Representative Folwell requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (97-9).

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The Senate having previously adopted the Conference Report, the Speaker orders the bill enrolled and presented to the Governor by Special Message.

Representative Justice moves the adoption of the following Conference Report.

Senate Committee Substitute for H.B. 1409

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 1409, A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN ELECTRICAL LIGHTING DEVICES AND FIXTURES AND WATER HEATER REPLACEMENT IN RESIDENCES FROM BUILDING PERMITTING REQUIREMENTS, Senate Commerce Committee Substitute Adopted 6/23/09 Fifth Edition Engrossed 6/25/09, submit the following report:

The House and Senate agree to the following amendments to the Senate Commerce Committee Substitute Adopted 6/23/09, Fifth Edition Engrossed 6/25/09, and the House concurs in the Senate Committee Substitute as amended:

Delete the entire Senate Commerce Committee Substitute Adopted 6/23/09, Fifth Edition Engrossed 6/25/09, and substitute the attached Proposed Conference Committee Substitute H1409-PCCS50789-LB-2.

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

Date conferees approved report: August 5, 2009.

*Conferees for the
Senate*

S/ Tom Apodaca, Chair
S/ Tony Rand
S/ Joe Sam Queen

*Conferees for the
House of Representatives*

S/ Carolyn H. Justice, Chair
S/ Pryor Gibson
S/ W. Robert Grady
S/ Bill Owens

The Conference Report is adopted, by electronic vote (111-0), and the Senate is so notified by Special Message. (The text of the Conference Committee Substitute may be found in its entirety in the 2009 Session Laws, Chapter 532.)

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The Senate having previously adopted the Conference Report, the Speaker orders the bill enrolled and presented to the Governor by Special Message.

Representative Tucker moves the adoption of the following Conference Report.

House Committee Substitute for S.B. 468

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 468, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COUNTIES TO PROVIDE HEALTH INSURANCE BENEFITS TO FORMER EMPLOYEES WHO ARE NOT RECEIVING RETIREMENT BENEFITS, House Committee Substitute Favorable 6/3/09, submit the following report:

The Senate and the House agree to the following amendment to the House Committee Substitute Favorable 6/3/09, and the Senate concurs in the House Committee Substitute as amended:

Delete the entire House Committee Substitute Favorable 6/3/09, and substitute the attached Proposed Conference Committee Substitute S468-PCCS15327-RO-1.

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

Date conferees approved report: August 5, 2009.

*Conferees for the
Senate*

S/ Floyd B. McKissick, Jr., Chair
S/ Tony Rand
S/ Eleanor Kinnaird

*Conferees for the
House of Representatives*

S/ Marian N. McLawhorn, Chair
S/ Larry M. Bell
S/ Russell E. Tucker

The Conference Report is adopted, by electronic vote (105-5), and the Senate is so notified by Special Message. (The text of the Conference Committee Substitute may be found in its entirety in the 2009 Session Laws, Chapter 564.)

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CALENDAR (continued)

Representative Stam withdraws his objection to the third reading of **S.B. 1057** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXPAND THE SALES TAX EXEMPTION FOR AIRCRAFT SIMULATORS, and the bill is before the Body.

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

Senate Committee Substitute for **H.B. 921** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A SEASON FOR THE TRAPPING OF FOXES IN LENOIR COUNTY AND TO AMEND THE LAW ESTABLISHING A SEASON FOR TAKING FOXES WITH WEAPONS AND BY TRAPPING IN JOHNSTON COUNTY.

On motion of Representative Braxton, the House concurs in the material Senate committee substitute bill, on its second roll call reading, which changes the title, by the following vote, and the bill remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Avila, Barnhart, Bell, Blackwell, Blackwood, Blust, Boles, Bordsen, Braxton, Brisson, Brown, Brubaker, Bryant, Burr, Burris-Floyd, Carney, Cleveland, Coates, Cole, Cotham, Crawford, Current, Daughtry, Dickson, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Folwell, Frye, Gibson, Gill, Gillespie, Goforth, Grady, Guice, Gulley, Haire, Hall, Harrell, Harrison, Hill, Hilton, Holliman, Holloway, Howard, Hughes, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Killian, Langdon, Lewis, Love, Lucas, Mackey, Martin, McComas, McCormick, McElraft, McGee, Michaux, Mills, Mobley, Moore, Neumann, Owens, Parmon, Pierce, Randleman, Rapp, Rhyne, Sager, Samuelson, Setzer, Spear, Stam, Starnes, Steen, Stevens, Stewart, Sutton, Tarleton, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 112.

Voting in the negative: None.

Excused absences: Representatives Dockham, Glazier, Goodwin, Luebke, McLawhorn, Ross, and Tillis - 7.

Senate Committee Substitute for **H.B. 109**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF HUNTERSVILLE TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF THE TOWN'S PUBLIC NUISANCE ORDINANCE.

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On motion of Representative Langdon, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (111-0), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 212** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ESTABLISHMENT OF HEALTH INSURANCE PILOT DEMONSTRATION PROJECTS IN INTERESTED COUNTIES TO PROVIDE A MODEL FOR AFFORDABLE EMPLOYER-BASED HEALTH INSURANCE.

On motion of Representative Goforth, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (103-9), and the bill is ordered enrolled and presented to the Governor by Special Message.

Senate Committee Substitute for **H.B. 512** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO EXTEND THE SUNSET FOR THE CREDIT FOR INVESTING IN RENEWABLE ENERGY PROPERTY AND TO CLARIFY THE DEFINITION OF NONRESIDENTIAL PROPERTY.

On motion of Representative Harrison, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (83-29), and the bill is ordered enrolled and presented to the Governor by Special Message.

H.B. 760 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXEMPT PESTICIDE CONTAINERS FROM THE PROHIBITION ON DISPOSAL OF RIGID PLASTIC CONTAINERS IN LANDFILLS.

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

Representative Hurley requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (111-0).

H.B. 775 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR ALTERNATIVE MEANS OF TESTIMONY FOR PERSONS WITH DEVELOPMENTAL DISABILITIES AND PERSONS WITH MENTAL RETARDATION, AS RECOMMENDED BY THE JOINT STUDY COMMITTEE ON AUTISM SPECTRUM DISORDER AND PUBLIC SAFETY.

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On motion of Representative England, the House concurs in the Senate committee substitute bill, by electronic vote (109-2), and the bill is ordered enrolled and presented to the Governor by Special Message.

H.B. 1135 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DETER AND PUNISH PERSONS WHO MAKE FALSE OR FRAUDULENT CLAIMS FOR PAYMENT BY THE STATE AND TO PROVIDE REMEDIES IN THE FORM OF TREBLE DAMAGES AND CIVIL PENALTIES WHEN MONEY IS OBTAINED FROM THE STATE BY REASON OF SUCH CLAIMS.

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

Representative Blackwood requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (111-0).

Senate Committee Substitute for **H.B. 1236** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROMOTE VOLUNTARY, YEAR-ROUND WATER CONSERVATION AND WATER USE EFFICIENCY MEASURES BY COMMERCIAL AND INDUSTRIAL WATER USERS.

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

Senate Committee Substitute for **H.B. 1305** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE COASTAL PROPERTY INSURANCE POOL, PRESENTLY KNOWN AS THE BEACH PLAN, AS RECOMMENDED BY THE JOINT SELECT STUDY COMMITTEE ON THE POTENTIAL IMPACT OF MAJOR HURRICANES ON THE NORTH CAROLINA INSURANCE INDUSTRY; REQUIRE THAT THE NORTH CAROLINA RATE BUREAU PROVIDE PUBLIC NOTICE OF CERTAIN FILINGS IN NEWSPAPER PUBLICATIONS AND VIA INTERNET; REAFFIRM THAT THE NORTH CAROLINA INSURANCE UNDERWRITING ASSOCIATION IS INTENDED TO BE EXEMPT FROM STATE AND FEDERAL TAXATION, EXCEPT FOR PREMIUM TAXES; CLARIFY THE POWERS AND DUTIES OF THE ASSOCIATION; CLARIFY AND PROVIDE CERTAINTY REGARDING ASSESSMENTS AGAINST MEMBER INSURANCE COMPANIES BY THE ASSOCIATION; ADJUST THE COASTAL INSURANCE COVERAGE LIMITS OF THE ASSOCIATION IN ORDER

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TO ENSURE THAT THE COASTAL PROPERTY INSURANCE POOL IS THE MARKET OF LAST RESORT; MANDATE THAT THE ASSOCIATION SHALL RETAIN ALL SURPLUS FOR USE IN PURCHASING REINSURANCE, PAYING CLAIMS TO POLICYHOLDERS, AND FOR ASSOCIATION OBLIGATIONS; PROHIBIT DISTRIBUTION OF SURPLUS TO MEMBER INSURANCE COMPANIES; REQUIRE THE ASSOCIATION TO FILE A SCHEDULE OF PREMIUM CREDITS FOR COASTAL INSURANCE POLICYHOLDERS WHO HAVE VOLUNTARILY MITIGATED THEIR RISK OF DAMAGE FROM HURRICANES AND OTHER WIND DAMAGE; REQUIRE THE ASSOCIATION TO ESTABLISH AND MAINTAIN AN INSTALLMENT PLAN FOR PREMIUM PAYMENTS FOR THE EASE OF POLICYHOLDERS; DEFINE AND ESTABLISH WHAT ACTIONS ARE ALLOWED UPON THE OCCURRENCE OF A DEFICIT EVENT, INCLUDING CAPPING ANY CATASTROPHIC ASSESSMENT RECOUPMENT FROM HOMEOWNERS STATEWIDE; IMPOSE AN ADDITIONAL REGULATORY CHARGE ON THE ASSOCIATION TO BE PAID TO THE DEPARTMENT; REQUIRE THAT ASSOCIATION ACTIVITIES BE MADE TRANSPARENT AND AVAILABLE TO ANY MEMBER COMPANY OR BOARD MEMBER; PROVIDE FOR SUCCESSION AND DISSOLUTION OF THE ASSOCIATION; PROVIDE FOR SURCHARGES OF TEN PERCENT FOR SEPARATE WIND AND HAIL COVERAGE, TWENTY PERCENT FOR WIND AND HAIL HOMEOWNERS COVERAGE, AND A MINIMUM NAMED STORM WIND AND HAIL DEDUCTIBLE OF ONE PERCENT FOR COVERAGE WRITTEN BY THE ASSOCIATION; PROVIDE FOR SURCHARGES ON COMMERCIAL AND DWELLING COVERAGE IN ADDITION TO SURCHARGES CURRENTLY IMPOSED ON HOMEOWNERS POLICIES; DELETE THE TIME LIMIT FOR THE COMMISSIONER TO DISAPPROVE A RATE BUREAU FILING; AND TO MAKE OTHER CHANGES CONSISTENT WITH THE FINDINGS OF THE JOINT SELECT STUDY COMMITTEE ON THE POTENTIAL IMPACT OF MAJOR HURRICANES.

On motion of Representative Holliman, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (92-19), and the bill is ordered enrolled and presented to the Governor by Special Message.

Senate Committee Substitute for **H.B. 1389** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ANY CITY AND ANY COUNTY TO DESIGNATE AN AREA WITHIN THE CITY AND THE COUNTY RESPECTIVELY WITHIN WHICH DESIGNATED AREA LOCAL GOVERNMENT OFFICIALS AND FREE AND WILLING

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PROPERTY OWNERS MAY ENTER INTO LOAN AGREEMENTS WHEREBY THE LOANS ARE TO BE REPAID BY CONTRACTUAL ASSESSMENTS, TO FINANCE THE INSTALLATION OF DISTRIBUTED GENERATION RENEWABLE ENERGY SOURCES OR ENERGY EFFICIENCY IMPROVEMENTS THAT ARE PERMANENTLY AFFIXED TO REAL PROPERTY.

On motion of Representative Fisher, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (95-16), and the bill is ordered enrolled and presented to the Governor by Special Message.

Representative Underhill requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (96-16).

S.B. 535 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF ARCHER LODGE, SUBJECT TO A REFERENDUM, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Avila, Barnhart, Bell, Blackwell, Blackwood, Blust, Boles, Bordsen, Braxton, Brisson, Brown, Brubaker, Bryant, Burr, Burris-Floyd, Carney, Cleveland, Coates, Cole, Cotham, Crawford, Current, Daughtry, Dickson, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Folwell, Frye, Gibson, Gill, Gillespie, Goforth, Grady, Guice, Gulley, Haire, Hall, Harrell, Harrison, Hill, Hilton, Holliman, Holloway, Howard, Hughes, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Killian, Langdon, Lewis, Love, Lucas, Mackey, Martin, McComas, McCormick, McElraft, McGee, Michaux, Mills, Mobley, Moore, Neumann, Owens, Parmon, Pierce, Randleman, Rapp, Rhyne, Sager, Samuelson, Setzer, Spear, Stam, Starnes, Steen, Stevens, Stewart, Sutton, Tarleton, Tolson, Tucker, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 111.

Voting in the negative: None.

Excused absences: Representatives Dockham, Glazier, Goodwin, Luebke, McLawhorn, Ross, and Tillis - 7.

H.B. 926 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ALLOW THE USE OF CONTINUOUS ALCOHOL MONITORING SYSTEMS TO MEET REQUIREMENTS FOR THE RESTORATION

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OF A REVOKED DRIVERS LICENSE, AND TO AUTHORIZE THE USE OF CERTAIN FUNDS FOR THE PROMULGATION OF DIVISION OF MOTOR VEHICLES GUIDELINES RELATING TO THE USE OF THE RESULTS OF CONTINUOUS ALCOHOL MONITORING SYSTEMS AS EVIDENCE, passes its second reading, by electronic vote (111-0), and remains on the Calendar.

The bill is ruled to be a non-roll call bill and, without objection, is read a third time.

The bill passes its third reading, by electronic vote (109-0), and is ordered sent to the Senate by Special Message.

H.B. 1445 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO RESTRUCTURE THE PRIOR RECORD LEVEL POINT RANGES IN STRUCTURED SENTENCING IN ORDER TO EXPAND THE POINTS IN PRIOR RECORD LEVEL I AND TO EVEN OUT THE REMAINING RANGES; TO MAKE THE INCREASE IN SENTENCE LENGTHS BETWEEN PRIOR RECORD LEVELS MORE PROPORTIONATE USING A SET PERCENTAGE INCREMENT; TO INCREASE THE PERIOD OF POST-RELEASE SUPERVISION FROM NINE MONTHS TO TWELVE MONTHS, TO RECLASSIFY STATUTORY RAPE OR SEXUAL OFFENSE OF A PERSON WHO IS FIFTEEN YEARS OLD BY A DEFENDANT WHO IS MORE THAN FOUR YEARS BUT LESS THAN SIX YEARS OLDER AS A CLASS F FELONY; TO MODIFY THE AGE REQUIREMENTS OF CERTAIN EXPUNCTIONS TO BE THE AGE AT THE TIME OF THE OFFENSE RATHER THAN THE AGE AT THE TIME OF CONVICTION; TO MAKE CONFORMING CHANGES TO EXISTING EXPUNCTION STATUTES; AND TO REQUIRE STATE AND NATIONAL CRIMINAL RECORD CHECKS WHEN EXPUNGING RECORDS.

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

S.B. 563 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO IMPROVE PYROTECHNICS SAFETY IN NORTH CAROLINA, passes its second reading, by the following vote.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Avila, Barnhart, Bell, Blackwell, Blackwood, Blust, Boles, Bordsen, Braxton, Brisson, Brown, Brubaker, Bryant, Burr, Burris-Floyd, Carney, Cleveland, Coates, Cole, Cotham, Crawford, Current, Dickson, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd,

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Folwell, Frye, Gibson, Gillespie, Goforth, Grady, Guice, Gulley, Haire, Hall, Harrell, Harrison, Hill, Hilton, Holliman, Holloway, Howard, Hughes, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Killian, Langdon, Lewis, Love, Lucas, Mackey, Martin, McComas, McCormick, McElraft, McGee, Michaux, Mills, Mobley, Moore, Neumann, Owens, Parmon, Pierce, Randleman, Rapp, Rhyne, Sager, Samuelson, Setzer, Spear, Stam, Starnes, Steen, Stevens, Stewart, Sutton, Tarleton, Tolson, Tucker, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 109.

Voting in the negative: None.

Excused absences: Representatives Dockham, Gill, Glazier, Goodwin, Luebke, McLawhorn, Ross, Tillis, and Underhill - 9.

Without objection, the bill passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House Committee Substitute Bill No. 2 by Special Message.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Avila, Barnhart, Bell, Blackwell, Blackwood, Blust, Boles, Bordsen, Braxton, Brisson, Brown, Brubaker, Bryant, Burr, Burris-Floyd, Carney, Cleveland, Coates, Cole, Cotham, Crawford, Current, Dickson, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Folwell, Frye, Gibson, Gillespie, Goforth, Grady, Guice, Gulley, Haire, Hall, Harrell, Harrison, Hill, Holliman, Holloway, Howard, Hughes, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Killian, Langdon, Lewis, Love, Lucas, Mackey, Martin, McComas, McCormick, McElraft, McGee, Michaux, Mills, Mobley, Moore, Neumann, Owens, Parmon, Pierce, Randleman, Rapp, Rhyne, Sager, Samuelson, Setzer, Spear, Stam, Starnes, Steen, Stevens, Stewart, Sutton, Tarleton, Tolson, Tucker, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 108.

Voting in the negative: None.

Excused absences: Representatives Dockham, Gill, Glazier, Goodwin, Luebke, McLawhorn, Ross, Tillis, and Underhill - 9.

S.B. 838 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN ENVIRONMENTAL AND NATURAL RESOURCES LAWS TO: (1) REQUIRE ELECTRONIC REPORTING OF ENVIRONMENTAL LEAD TEST RESULTS AND BLOOD LEAD TEST RESULTS; (2) CLARIFY THE FEE STRUCTURE

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FOR FOOD AND LODGING PERMITS; (3) REVISE THE SUNSET PROVISION FOR NUTRIENT OFFSET PAYMENTS; (4) AMEND THE SOLID WASTE DISPOSAL TAX TO STREAMLINE THE PROCESS WHEN A LOCAL GOVERNMENT IS SERVED BY A SOLID WASTE MANAGEMENT AUTHORITY; (5) REPEAL THE REQUIREMENT THAT SEASONAL STATE PARK EMPLOYEES WEAR A UNIFORM VEST; (6) CLARIFY IMPLEMENTATION OF NUTRIENT OFFSETS UNDER THE JORDAN LAKE RULES; (7) CLARIFY IMPLEMENTATION OF THE JORDAN LAKE RULES RELATED TO FEDERAL AND STATE ENTITIES; (8) MAKE CLARIFYING, CONFORMING, AND TECHNICAL AMENDMENTS TO VARIOUS LAWS RELATED TO THE ENVIRONMENT AND NATURAL RESOURCES; (9) AMEND OR REPEAL VARIOUS ENVIRONMENTAL REPORTING REQUIREMENTS; AND (10) DELAY THE EFFECTIVE DATES FOR LAWS GOVERNING THE MANAGEMENT OF DISCARDED COMPUTER EQUIPMENT AND DISCARDED TELEVISIONS TO JULY 1, 2010.

Representative Gibson offers Amendment No. 1 which is ruled to be material. The amendment is adopted by the following vote:

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Avila, Barnhart, Bell, Blackwell, Blackwood, Blust, Boles, Bordsen, Braxton, Brisson, Brown, Brubaker, Bryant, Burr, Burris-Floyd, Carney, Coates, Cole, Cotham, Crawford, Current, Dickson, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Frye, Gibson, Gillespie, Goforth, Grady, Guice, Gulley, Haire, Hall, Harrell, Harrison, Hill, Hilton, Holliman, Holloway, Howard, Hughes, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Killian, Langdon, Lewis, Love, Lucas, Mackey, Martin, McComas, McCormick, McElraft, McGee, Michaux, Mills, Mobley, Moore, Neumann, Owens, Parmon, Pierce, Randleman, Rapp, Rhyne, Sager, Samuelson, Setzer, Spear, Stam, Starnes, Steen, Stevens, Stewart, Sutton, Tarleton, Tolson, Tucker, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wiley, Williams, Womble, Wray, and Yongue - 106.

Voting in the negative: Representatives Cleveland and Folwell - 2.

Excused absences: Representatives Dockham, Gill, Glazier, Goodwin, Luebke, McLawhorn, Ross, Tillis, and Underhill - 9.

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

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Representative E. Floyd offers Amendment No. 3 which is adopted by electronic vote (107-0).

The adoption of material Amendment No. 1 constitutes the first reading of the bill. The bill remains on the Calendar.

S.B. 1007 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT AMENDING THE LAWS UNDER THE NORTH CAROLINA HOME INSPECTOR LICENSURE ACT, passes its second reading, by the following vote.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Avila, Barnhart, Bell, Blackwell, Blackwood, Blust, Boles, Bordsen, Braxton, Brisson, Brown, Brubaker, Bryant, Burr, Burris-Floyd, Carney, Cleveland, Coates, Cole, Cotham, Crawford, Current, Dickson, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Folwell, Frye, Gibson, Gillespie, Goforth, Grady, Guice, Gulley, Haire, Hall, Harrell, Harrison, Hill, Hilton, Holliman, Holloway, Howard, Hughes, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Killian, Langdon, Lewis, Love, Lucas, Mackey, Martin, McComas, McCormick, McElraft, McGee, Michaux, Mills, Mobley, Moore, Neumann, Owens, Parmon, Pierce, Randleman, Rapp, Rhyne, Sager, Samuelson, Setzer, Spear, Stam, Starnes, Steen, Stevens, Stewart, Sutton, Tarleton, Tolson, Tucker, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 109.

Voting in the negative: None.

Excused absences: Representatives Dockham, Gill, Glazier, Goodwin, Luebke, McLawhorn, Ross, Tillis, and Underhill - 9.

Without objection, the bill passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House Committee Substitute Bill No. 2 by Special Message.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Avila, Barnhart, Bell, Blackwell, Blackwood, Blust, Boles, Bordsen, Braxton, Brisson, Brown, Brubaker, Bryant, Burr, Burris-Floyd, Carney, Cleveland, Coates, Cole, Cotham, Crawford, Current, Dickson, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Folwell, Frye, Gibson, Gillespie, Goforth, Grady, Guice, Gulley, Haire, Hall, Harrell, Harrison, Hill, Hilton, Holliman, Holloway, Howard, Hughes, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Killian, Langdon, Lewis, Love, Lucas, Mackey, Martin, McComas,

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McCormick, McElraft, McGee, Michaux, Mills, Mobley, Moore, Neumann, Owens, Parmon, Pierce, Randleman, Rapp, Rhyne, Sager, Samuelson, Setzer, Spear, Stam, Starnes, Steen, Stevens, Stewart, Sutton, Tarleton, Tolson, Tucker, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 109.

Voting in the negative: None.

Excused absences: Representatives Dockham, Gill, Glazier, Goodwin, Luebke, McLawhorn, Ross, Tillis, and Underhill - 9.

S.B. 79 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE TOWN OF GATESVILLE TO ELIMINATE THE STAGGERING OF TERMS OF OFFICE FOR THE MAYOR AND MEMBERS OF THE BOARD OF COMMISSIONERS, passes its second reading, by electronic vote (106-1), and there being no objection is read a third time.

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

S.B. 203 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ENSURE THE ACCESSIBILITY OF PARKING FOR PERSONS WITH DISABILITIES IN NORTH CAROLINA BY REQUIRING AN EXPIRATION DATE VISIBLE FROM AT LEAST TWENTY FEET ON ALL SUCH PLACARDS, TO ENSURE INCREASED ENFORCEMENT AND COLLECTION OF EXPIRED OR REVOKED PLACARDS BY REQUIRING THAT PLACARDS DISPLAY THE MONTH AND YEAR OF EXPIRATION, TO REQUIRE THE DIVISION OF MOTOR VEHICLES TO ISSUE "HANDICAPPED PLACARD" REGISTRATION CARDS, AND TO REQUIRE THAT THE PERSON TO WHOM THE PLACARD IS ISSUED BE THE OPERATOR OF OR A PASSENGER IN THE VEHICLE IN WHICH THE PLACARD IS DISPLAYED, passes its second reading, by electronic vote (107-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House Committee Substitute Bill No. 2 by Special Message.

S.B. 425 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STREAMLINE THE PLAN REVIEW AND INSPECTION PROCESS FOR STATE BUILDINGS BY TRANSFERRING THE AUTHORITY FOR BUILDING CODE ENFORCEMENT WITH RESPECT TO STATE BUILDINGS FROM THE DEPARTMENT OF INSURANCE

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TO THE DEPARTMENT OF ADMINISTRATION; BY TRANSFERRING FOUR CODE ENFORCEMENT POSITIONS FROM THE DEPARTMENT OF INSURANCE TO THE DEPARTMENT OF ADMINISTRATION; BY CREATING FOUR CODE ENFORCEMENT POSITIONS IN THE DEPARTMENT OF ADMINISTRATION; AND TO CONTINUE THE SECRETARY OF ADMINISTRATION'S AUTHORITY TO APPOINT MEMBERS TO THE BOARD OF AWARDS.

On motion of Representative Owens, Committee Amendment No. 1 is adopted by electronic vote (107-2).

The bill, as amended, passes its second reading, by electronic vote (106-2), and there being no objection is read a third time.

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

S.B. 786, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENT PROJECTS OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA, passes its second reading, by electronic vote (97-10), and there being no objection is read a third time.

The bill passes its third reading, by electronic vote (99-10), and is ordered enrolled and presented to the Governor by Special Message.

S.B. 914 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO CLARIFY MOTOR VEHICLE DEALERS AND MANUFACTURERS LICENSING LAWS.

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

The bill, as amended, passes its second reading, by electronic vote (107-2), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate for concurrence in House Committee Substitute Bill No. 2 by Special Message.

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H.B. 578 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO CLARIFY NOTICE REQUIRED TO PARTIES WHO MAY BE UNKNOWN OR UNLOCATABLE IN A PARTITION PROCEEDING; TO CODIFY THE CURRENT PRACTICE OF GRANTING OWNERS CREDIT FOR THEIR EXISTING INTEREST IN LAND WHEN BIDDING ON A PARTITION SALE; TO PERMIT A COURT TO ORDER AN INDEPENDENT APPRAISAL IF REQUESTED AND PAID FOR BY A PARTY TO THE PARTITION WHO CHALLENGES THE AMOUNT BID IN A PARTITION SALE; TO REVISE THE STANDARD FOR DETERMINING WHAT CONSTITUTES "SUBSTANTIAL INJURY" WITH REGARDS TO A PETITION FOR A SALE OF THE PROPERTY; AND TO PROVIDE FOR MEDIATION OF PARTITION DISPUTES.

On motion of Representative Bryant, the House does not concur in Senate Committee Substitute Bill No. 2, by electronic vote (108-0), and conferees are requested.

The Speaker appoints Representative Bryant, Chair; Representatives Faison, Allen, Michaux, Hurley, and Hall as conferees on the part of the House and the Senate is so notified by Special Message.

Senate Committee Substitute No. 2 for **H.B. 1329** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO CONSOLIDATE ALL STATUTES RELATED TO EXPUNCTION OF RECORDS IN ONE ARTICLE OF THE GENERAL STATUTES.

On motion of Representative Bryant, the House does not concur in Senate Committee Substitute Bill No. 2, by electronic vote (109-0), and conferees are requested.

The Speaker appoints Representative Bryant, Chair; Representatives Bordsen, Adams, and Moore as conferees on the part of the House and the Senate is so notified by Special Message.

H.B. 1313 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR MEANINGFUL REGULATION OF INSURANCE PUBLIC ADJUSTERS.

On motion of Representative Wray, the House concurs in the material Senate committee substitute bill, on its second roll call reading, by the following vote, and the bill remains on the Calendar.

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Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Avila, Barnhart, Bell, Blackwell, Blackwood, Blust, Boles, Bordsen, Braxton, Brisson, Brown, Brubaker, Bryant, Burr, Burris-Floyd, Carney, Cleveland, Coates, Cole, Cotham, Crawford, Current, Dickson, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Folwell, Frye, Gibson, Gillespie, Goforth, Grady, Guice, Gulley, Haire, Hall, Harrell, Harrison, Hill, Hilton, Holliman, Holloway, Howard, Hughes, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Killian, Langdon, Lewis, Love, Lucas, Mackey, Martin, McComas, McCormick, McElraft, McGee, Michaux, Mills, Mobley, Moore, Neumann, Owens, Parmon, Pierce, Randleman, Rapp, Rhyne, Sager, Samuelson, Setzer, Spear, Starnes, Steen, Stewart, Sutton, Tarleton, Tolson, Tucker, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 107.

Voting in the negative: Representative Stevens.

Excused absences: Representatives Dockham, Gill, Glazier, Goodwin, Luebke, McLawhorn, Ross, Tillis, and Underhill - 9.

CONFERENCE REPORT

Representative Tolson moves the adoption of the following Conference Report.

House Committee Substitute for S.B. 960

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 960, A BILL TO BE ENTITLED AN ACT TO FACILITATE EXPEDITED USE AND EXPENDITURE OF FEDERAL FUNDS PROVIDED UNDER THE AMERICAN RECOVERY AND REINVESTMENT ACT, House Committee Substitute Favorable 7/30/09 Fourth Edition Engrossed 8/3/09, submit the following report:

The Senate and the House agree to the following amendments and the Senate concurs in House Committee Substitute Favorable 7/30/09, Fourth Edition Engrossed 8/3/09, as amended:

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on page 7, lines 47 - 51, by rewriting the lines to read:

"SECTION 14.(c). The Energy Policy Council and the North Carolina Utilities Commission shall jointly study and design an online renewable energy certificates trading exchange to facilitate the establishment of a market for purchase and sale of renewable energy certificates. The study shall explore how to implement an exchange that will not require appropriated funds from the State and shall examine all costs to the consumer. The Energy Policy Council and the North Carolina Utilities Commission shall report their findings and recommendations to the General Assembly by April 1, 2010."

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

Date conferees approved report: August 6, 2009.

*Conferees for the
Senate*

S/ Martin Nesbitt, Jr., Chair
S/ Josh Stein
S/ Don Vaughan
S/ R. C. Soles, Jr.

*Conferees for the
House of Representatives*

S/ Joe P. Tolson, Chair
S/ Angela R. Bryant
S/ Wil Neumann
S/ Bruce Goforth

The Conference Report is adopted, by electronic vote (107-1), and the Senate is so notified by Special Message.

H.B. 569 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE DIVISION OF WATER QUALITY IN THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO AUTHORIZE THE USE OF THREE-SIDED, OPEN-BOTTOM, OR BOTTOMLESS CULVERTS ON PRIVATE PROPERTY, BASED ON SOUND ENGINEERING PRACTICES, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

Pursuant to Rule 24.1A, the request that Representative Setzer be excused from voting on May 13 is continued.

On motion of Representative Gibson, the House concurs in the Senate committee substitute bill, by electronic vote (108-0), and the bill is ordered enrolled and presented to the Governor by Special Message.

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Representative Gibson moves to suspend the Rules in order for **S.B. 838**, which was materially amended earlier today, to receive second and third readings today. The motion carries by electronic vote (97-11).

S.B. 838 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN ENVIRONMENTAL AND NATURAL RESOURCES LAWS TO: (1) REQUIRE ELECTRONIC REPORTING OF ENVIRONMENTAL LEAD TEST RESULTS AND BLOOD LEAD TEST RESULTS; (2) CLARIFY THE FEE STRUCTURE FOR FOOD AND LODGING PERMITS; (3) REVISE THE SUNSET PROVISION FOR NUTRIENT OFFSET PAYMENTS; (4) AMEND THE SOLID WASTE DISPOSAL TAX TO STREAMLINE THE PROCESS WHEN A LOCAL GOVERNMENT IS SERVED BY A SOLID WASTE MANAGEMENT AUTHORITY; (5) REPEAL THE REQUIREMENT THAT SEASONAL STATE PARK EMPLOYEES WEAR A UNIFORM VEST; (6) CLARIFY IMPLEMENTATION OF NUTRIENT OFFSETS UNDER THE JORDAN LAKE RULES; (7) CLARIFY IMPLEMENTATION OF THE JORDAN LAKE RULES RELATED TO FEDERAL AND STATE ENTITIES; (8) MAKE CLARIFYING, CONFORMING, AND TECHNICAL AMENDMENTS TO VARIOUS LAWS RELATED TO THE ENVIRONMENT AND NATURAL RESOURCES; (9) AMEND OR REPEAL VARIOUS ENVIRONMENTAL REPORTING REQUIREMENTS; AND (10) DELAY THE EFFECTIVE DATES FOR LAWS GOVERNING THE MANAGEMENT OF DISCARDED COMPUTER EQUIPMENT AND DISCARDED TELEVISIONS TO JULY 1, 2010, is before the Body.

The bill, as amended, passes its second reading by the following vote:

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Avila, Barnhart, Bell, Blackwell, Blackwood, Boles, Bordsen, Braxton, Brisson, Brown, Brubaker, Bryant, Burris-Floyd, Carney, Coates, Cole, Cotham, Crawford, Current, Dickson, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Frye, Gibson, Gillespie, Goforth, Grady, Gulley, Haire, Hall, Harrell, Harrison, Hill, Hilton, Holliman, Howard, Hughes, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Lewis, Love, Lucas, Mackey, Martin, McComas, McCormick, McElraft, McGee, Michaux, Mills, Mobley, Moore, Neumann, Owens, Parmon, Pierce, Randleman, Rapp, Rhyne, Sager, Samuelson, Setzer, Spear, Stam, Starnes, Steen, Stevens, Stewart, Sutton, Tarleton, Tolson, Tucker, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 100.

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Voting in the negative: Representatives Blust, Burr, Cleveland, Folwell, Guice, Holloway, Hurley, Killian, and Langdon - 9.

Excused absences: Representatives Dockham, Gill, Glazier, Goodwin, Luebke, McLawhorn, Ross, Tillis, and Underhill - 9.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate for concurrence in House Committee Substitute Bill No. 2 by Special Message.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Avila, Barnhart, Bell, Blackwell, Blackwood, Blust, Boles, Bordsen, Braxton, Brisson, Brubaker, Bryant, Burris-Floyd, Carney, Coates, Cole, Cotham, Crawford, Current, Dickson, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Frye, Gibson, Gillespie, Goforth, Grady, Gulley, Haire, Hall, Harrell, Harrison, Hill, Hilton, Holliman, Howard, Hughes, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Justus, Lewis, Love, Lucas, Mackey, Martin, McComas, McCormick, McElraft, McGee, Michaux, Mills, Mobley, Moore, Neumann, Owens, Parmon, Pierce, Randleman, Rapp, Rhyne, Sager, Samuelson, Setzer, Spear, Stam, Starnes, Steen, Stevens, Stewart, Sutton, Tarleton, Tolson, Tucker, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 100.

Voting in the negative: Representatives Brown, Burr, Cleveland, Folwell, Guice, Holloway, Hurley, Killian, and Langdon - 9.

Excused absences: Representatives Dockham, Gill, Glazier, Goodwin, Luebke, McLawhorn, Ross, Tillis, and Underhill - 9.

H.B. 1269 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A COUNTY OR CITY TO USE EXCESS FACILITY FEES WITHOUT THE APPROVAL OF THE ADMINISTRATIVE OFFICE OF THE COURTS, TO ADD TO THE DIRECTOR'S POWERS AND DUTIES THE ESTABLISHMENT AND STAFFING OF AN INTERNAL AUDITING DIVISION FOR THE JUDICIAL DEPARTMENT, TO MODIFY CERTAIN STATUTES RELATED TO DRUG TREATMENT COURTS, AND TO CLARIFY THE EMERGENCY POWERS OF THE CHIEF JUSTICE.

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

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**REPORTS OF STANDING COMMITTEES AND PERMANENT
SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representative Dickson, Chair, for the Committee on Commerce, Small Business, and Entrepreneurship:

S.B. 460 (Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO ELIMINATE ABUSIVE PRACTICES AND PROVIDE FOR THE HUMANE CARE AND TREATMENT OF DOGS AND PUPPIES BY ESTABLISHING STANDARDS FOR THEIR CARE AT COMMERCIAL BREEDING OPERATIONS, EXCLUDING KENNELS OR ESTABLISHMENTS OPERATED FOR THE PURPOSE OF BOARDING OR TRAINING HUNTING, SPORTING, HERDING, SHOW, OR WORKING DOGS, with a favorable report as to the House committee substitute bill, unfavorable as to Senate Committee Substitute Bill No. 3, and recommendation that the House committee substitute bill be re-referred to the Committee on Finance.

The House committee substitute bill is re-referred to the Committee on Finance. Senate Committee Substitute Bill No. 3 is placed on the Unfavorable Calendar.

S.B. 884 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE TERM 'CIGAR BAR' INCLUDES A 'HOOKAH BAR' FOR PURPOSES OF EXTENDING TO HOOKAH BARS AND NO OTHERS THE EXEMPTION OF CIGAR BARS FROM THE SMOKING PROHIBITIONS OF G.S. 130A-496(B)(2) AND G.S. 130A-498(B1)(6) IF THE HOOKAH BAR MEETS THE FOLLOWING FIVE REQUIREMENTS AND NO OTHERS: (1) THE HOOKAH BAR'S PRIMARY BUSINESS IS TO RENT TO PATRONS A HOOKAH PIPE THAT CONTAINS A SPECIFIED AMOUNT OF FLAVORED TOBACCO FOR THE PURPOSE OF SMOKING THE HOOKAH PIPE ON THE PREMISES, (2) FORTY PERCENT OF THE HOOKAH BAR'S QUARTERLY GROSS REVENUE IS GENERATED FROM HOOKAH PIPE RENTALS AND THE SALE OF FLAVORED TOBACCO, (3) THE HOOKAH BAR PROHIBITS INDIVIDUALS UNDER THE AGE OF EIGHTEEN FROM ENTERING THE HOOKAH BAR PREMISES AND DOES NOT ALLOW INDIVIDUALS UNDER THE AGE OF TWENTY-ONE TO ENTER THE PREMISES IF IT HAS A PERMIT TO SELL ALCOHOLIC BEVERAGES, (4) THE HOOKAH BAR PROHIBITS THE SMOKING OF CIGARETTES AND CIGARS ON THE HOOKAH BAR'S PREMISES, AND (5) THE HOOKAH BAR MEETS THE APPLICABLE

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REQUIREMENTS OF ARTICLE 23 OF CHAPTER 130A OF THE GENERAL STATUTES PERTAINING TO QUARTERLY REVENUE REPORTING AND VERIFICATION AND TO STRUCTURAL AND SMOKE MIGRATION REQUIREMENTS, with a favorable report as to House Committee Substitute Bill No. 2, which changes the title, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(b) and without objection, House Committee Substitute Bill No. 2 is placed on today's Calendar. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

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

S.B. 967 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE YADKIN RIVER TRUST IN ORDER TO: (1) DEVELOP THE YADKIN RIVER IN DAVIDSON, MONTGOMERY, ROWAN, AND STANLY COUNTIES AS AN INSTRUMENTALITY OF INTRASTATE, INTERSTATE, AND FOREIGN COMMERCE AND NAVIGATION; (2) ACQUIRE AND OPERATE THE YADKIN PROJECT, AN EXISTING HYDROELECTRIC FACILITY, AND TO AUTHORIZE ISSUANCE OF BONDS AND NOTES BY THE TRUST FOR THAT PURPOSE; AND (3) PRODUCE, DISTRIBUTE, AND SELL HYDROELECTRIC POWER FROM EXISTING OR NEW HYDROELECTRIC FACILITIES, with a favorable report as to House Committee Substitute Bill No. 2, which changes the title, unfavorable as to House Committee Substitute Bill No. 1.

The Speaker states that without objection, House Committee Substitute Bill No. 2 will be placed on today's Calendar.

Representative Harrison objects to House Committee Substitute Bill No. 2 being placed on today's Calendar.

Representative Coates requests leave of the House to place House Committee Substitute Bill No. 2 on today's Calendar. On her motion and by electronic vote (58-50), House Committee Substitute Bill No. 2 is placed on today's Calendar.

House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representatives Gibson, Wainwright, and Weiss, Chairs, for the Committee on Finance:

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S.B. 943, A BILL TO BE ENTITLED AN ACT TO EXPAND THE CREDIT FOR QUALIFYING EXPENSES OF A PRODUCTION COMPANY, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the original bill.

Pursuant to Rule 36(b) and without objection, the House committee substitute bill is placed on today's Calendar. The original bill is placed on the Unfavorable Calendar.

By Representatives Michaux, Adams, M. Alexander, Crawford, Haire, Jeffus, Tolson, and Yongue, Chairs, for the Committee on Appropriations:

S.B. 825 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE REQUIREMENTS FOR A GRANT FROM THE JOB MAINTENANCE AND CAPITAL DEVELOPMENT FUND, with a favorable report.

Pursuant to Rule 36(b) and without objection, the bill is placed on today's Calendar.

By Representative Allen, Chair, for the Committee on Environment and Natural Resources:

S.B. 836, A BILL TO BE ENTITLED AN ACT TO AMEND OR REPEAL VARIOUS ENVIRONMENTAL AND NATURAL RESOURCES REPORTING REQUIREMENTS, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the original bill.

Pursuant to Rule 36(b) and without objection, the House committee substitute bill is placed on today's Calendar. The original bill is placed on the Unfavorable Calendar.

S.B. 1020 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROTECT AND RESTORE WATER QUALITY AND QUANTITY IN THE UPPER NEUSE RIVER BASIN, FALLS LAKE, AND OTHER DRINKING WATER SUPPLY RESERVOIRS BY DIRECTING THE ENVIRONMENTAL MANAGEMENT COMMISSION TO PROVIDE CREDIT TO LOCAL GOVERNMENTS, LANDOWNERS, AND OTHERS WHO REDUCE WATER POLLUTION IN THE UPPER NEUSE RIVER BASIN BEFORE PERMANENT RULES ARE ADOPTED, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the Senate committee substitute bill.

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Pursuant to Rule 36(b) and without objection, the House committee substitute bill is placed on today's Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

SPECIAL MESSAGES FROM THE SENATE

The following Special Messages are received from the Senate:

H.B. 148 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A CONGESTION RELIEF AND INTERMODAL TRANSPORTATION 21ST CENTURY FUND; TO PROVIDE FOR ALLOCATION OF THOSE FUNDS TO: (1) LOCAL GOVERNMENTS AND TRANSPORTATION AUTHORITIES FOR PUBLIC TRANSPORTATION PURPOSES, (2) SHORT-LINE RAILROADS, FOR ASSISTANCE IN MAINTAINING AND EXPANDING FREIGHT SERVICE STATEWIDE, (3) RAILROADS FOR INTERMODAL FACILITIES, MULTIMODAL FACILITIES, AND INLAND PORTS, (4) MAKE CAPITAL IMPROVEMENTS ON RAIL LINES TO ALLOW IMPROVED FREIGHT SERVICE TO THE PORTS AND MILITARY INSTALLATIONS, (5) EXPAND INTERCITY PASSENGER RAIL SERVICE; TO EXTEND LEVELS OF LOCAL TRANSIT FUNDING AUTHORIZATION TO THREE URBAN REGIONS; AND TO ALLOW OTHER LOCAL GOVERNMENTS OPTIONS FOR LOCAL TRANSIT FUNDING, is returned for concurrence in one Senate amendment.

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

Senate Committee Substitute for **H.B. 465** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF RALEIGH AND THE TOWN OF CHAPEL HILL TO ALLOW ACTIVATION OF PARKING METERS BY CREDIT CARD OR OTHER ELECTRONIC MEANS AND TO USE PROCEEDS COLLECTED FROM PARKING METERS FOR PARKING PROGRAMS AND PROVIDING PARKING FACILITIES, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of August 10.

Upon concurrence the Senate committee substitute bill changes the title.

H.B. 565 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW UNION COUNTY TO ADJUST ITS FIRE PROTECTION FEES, is returned for concurrence in one Senate amendment.

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

The Speaker rules the Senate amendment to be material, thus constituting its first reading.

Senate Committee Substitute for **H.B. 589** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REQUIRE HEALTH BENEFIT PLANS AND THE STATE HEALTH PLAN TO COVER HEARING AIDS AND REPLACEMENT HEARING AIDS, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b) and without objection, the Senate committee substitute bill is placed on today's Calendar.

Upon concurrence the Senate committee substitute bill changes the title.

H.B. 1166 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES IN THE LAWS GOVERNING INSURANCE PRODUCERS AND BROKERS, BAIL BONDSMEN, MOTOR CLUBS, PREMIUM FINANCE COMPANIES, AND COLLECTION AGENCIES, TO REQUIRE AN INSURER TO PROVIDE CERTAIN INFORMATION REGARDING A DECEASED PERSON'S LIFE INSURANCE TO A FUNERAL DIRECTOR OR ESTABLISHMENT, TO DELETE OBSOLETE REFERENCES TO ASSIGNMENTS OF ERROR, AND TO MAKE OTHER CHANGES, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of August 10.

Senate Committee Substitute for **H.B. 1387** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE THE CURRENT LIMITATIONS ON CITY ORDINANCES, COUNTY ORDINANCES, AND DEED RESTRICTIONS THAT REGULATE THE INSTALLATION OF SOLAR COLLECTORS FOR SINGLE-FAMILY RESIDENCES APPLICABLE TO ALL RESIDENTIAL PROPERTY, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of August 10.

Upon concurrence the Senate committee substitute bill changes the title.

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Senate Committee Substitute for **H.B. 1474** (Committee Substitute), A BILL TO BE ENTITLED AN ACT MANDATING A WEEK OF "CREDIT EDUCATION" FOR ALL HIGH SCHOOL STUDENTS, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of August 10.

Upon concurrence the Senate committee substitute bill changes the title.

H.B. 1637 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODERNIZE THE RECORD KEEPING OF PRECIOUS METALS PURCHASES BY DEALERS, TO SUBJECT ALL DEALERS IN PRECIOUS METALS TO SIMILAR RECORD-KEEPING REQUIREMENTS, TO INCREASE PRECIOUS METALS PERMITTING FEES, TO REQUIRE THAT A CRIMINAL HISTORY RECORD CHECK BE CONDUCTED ON EMPLOYEES OF PRECIOUS METALS DEALERS, AND TO MAKE VARIOUS OTHER CHANGES TO THE PRECIOUS METALS PERMITTING STATUTES, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of August 10.

S.B. 898 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE EXCEPTION FOR TWO-COUNTY INDUSTRIAL PARKS FOR DEVELOPMENT TIER DESIGNATION PURPOSES, is read the first time.

Pursuant to Rule 36(b) and without objection, the bill is placed on today's Calendar.

S.B. 1068 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A SYSTEM OF PERMITS FOR THE SITING AND OPERATION OF WIND ENERGY FACILITIES, is read the first time and referred to the Committee on Energy and Energy Efficiency and, if favorable, to the Committee on Finance.

S.B. 1088, A BILL TO BE ENTITLED AN ACT TO MAKE PERMANENT A LAW ALLOWING THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY TO EXPEND FUNDS TO COVER FUNERAL EXPENSES FOR MEMBERS OF THE STATE HIGHWAY PATROL KILLED IN THE LINE OF DUTY, is read the first time and referred to the Committee on Homeland Security, Military, and Veterans Affairs and, if favorable, to the Committee on Appropriations.

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SPECIAL MESSAGE FROM THE SENATE**2009 GENERAL ASSEMBLY
FIRST SESSION**

Senate Chamber
August 6, 2009

Mr. Speaker:

Pursuant to your message received today, August 6, 2009, that the House of Representatives fails to concur in the Senate Committee Substitute to **H.B. 817**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A FINANCIAL LITERACY COUNCIL TO COORDINATE AND EXPAND THE STATEWIDE DELIVERY OF FINANCIAL EDUCATION FOR ALL NORTH CAROLINIANS, and requests conferees, the President *Pro Tempore* appoints:

Senator Goss, Chair
Senator Brunstetter
Senator Albertson

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

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

CONFEREES APPOINTED

The Speaker appoints the following conferees on Senate Committee Substitute for **H.B. 1099** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN ENVIRONMENTAL AND NATURAL RESOURCES LAWS TO: (1) REPEAL THE REQUIREMENT THAT SEASONAL STATE PARK EMPLOYEES WEAR A UNIFORM VEST; (2) REQUIRE ELECTRONIC REPORTING OF ENVIRONMENTAL LEAD TEST RESULTS AND BLOOD LEAD TEST RESULTS; (3) CLARIFY THE FEE STRUCTURE FOR FOOD AND LODGING PERMITS; (4) REVISE THE SUNSET PROVISION FOR NUTRIENT OFFSET PAYMENTS; (5) AMEND THE SOLID WASTE DISPOSAL TAX TO STREAMLINE THE PROCESS WHEN A LOCAL GOVERNMENT IS

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SERVED BY A SOLID WASTE MANAGEMENT AUTHORITY; AND (6) EXTEND BY ONE YEAR THE DEADLINE FOR THE DEVELOPMENT AND IMPLEMENTATION OF A NUTRIENT MANAGEMENT STRATEGY FOR CERTAIN DRINKING WATER SUPPLY RESERVOIRS: Representative Allen, Chair; Representatives Gibson, Martin, Weiss, Crawford, Justice, Tarleton, Coates, and Gillespie.

The Senate is so notified by Special Message.

CONFERENCE REPORT

Representative Allen sends forth the Conference Report on **S.B. 643**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PROSPECTIVE EMPLOYEE REQUIRED TO SUBMIT TO A CONTROLLED SUBSTANCE EXAMINATION WHOSE FIRST SCREENING TEST PRODUCES A POSITIVE RESULT MAY WAIVE A SECOND EXAMINATION THAT IS INTENDED TO CONFIRM THE RESULTS. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of August 10.

MOTION TO SUSPEND RULES

Representative Owens moves that Rule 1 be suspended in order that the House may continue its Session past the 9:00 p.m. hour of adjournment, but not later than 11:00 p.m. The motion fails for lack of a two-thirds majority by electronic vote (64-34).

On motion of the Speaker, the House recesses at 7:25 p.m.

RECESS

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

ENROLLED BILLS

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

H.B. 212, AN ACT TO AUTHORIZE THE ESTABLISHMENT OF ONE HEALTH INSURANCE PILOT DEMONSTRATION PROJECT TO PROVIDE A MODEL FOR AFFORDABLE EMPLOYER-BASED HEALTH INSURANCE; TO RECOGNIZE CREDENTIALLED HEALTH CARE PROVIDERS OF THE STATE HEALTH PLAN AND OTHER EXISTING MANAGED CARE PLANS FOR RAPID DEMONSTRATION PROJECT

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PROVIDER NETWORK DEVELOPMENT; AND TO ASSURE NETWORK PROVIDERS' CONTINUED PARTICIPATION IN THE STATE HEALTH PLAN AND OTHER MANAGED CARE PLANS, WHILE PARTICIPATING IN THE DEMONSTRATION PROJECT NETWORK.

H.B. 1117, AN ACT TO PROVIDE THAT THE DIVISION OF MOTOR VEHICLES SHALL NOT ISSUE OR RENEW COMMERCIAL DRIVERS LICENSES WITH ENDORSEMENTS THAT QUALIFY A PERSON TO DRIVE A COMMERCIAL PASSENGER VEHICLE OR SCHOOL BUS FOR ANYONE REQUIRED TO REGISTER UNDER THE SEX OFFENDER AND PUBLIC PROTECTION REGISTRATION PROGRAMS.

H.B. 1236, AN ACT TO PROMOTE VOLUNTARY, YEAR-ROUND WATER CONSERVATION AND WATER USE EFFICIENCY MEASURES BY COMMERCIAL CAR WASHES.

H.B. 1305, AN ACT TO MAKE CHANGES TO THE COASTAL PROPERTY INSURANCE POOL, PRESENTLY KNOWN AS THE BEACH PLAN, AS RECOMMENDED BY THE JOINT SELECT STUDY COMMITTEE ON THE POTENTIAL IMPACT OF MAJOR HURRICANES ON THE NORTH CAROLINA INSURANCE INDUSTRY, AND TO MAKE OTHER CHANGES.

H.B. 1570, AN ACT TO AMEND THE ALLOCATION AMONG LOCAL GOVERNMENTS OF THE TENNESSEE VALLEY AUTHORITY PAYMENT IN LIEU OF TAXES.

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

H.B. 109, AN ACT TO AUTHORIZE ARNOLD SANDY TO CONVEY CERTAIN LANDS TO THE TOWN OF ROSEBORO.

CHAPTERED BILLS

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

S.B. 40, AN ACT TO AUTHORIZE THE TOWN OF MURFREESBORO AND THE CITY OF SALISBURY TO LEVY A ROOM OCCUPANCY TAX AND TO AUTHORIZE ROCKINGHAM COUNTY TO LEVY AN ADDITIONAL ONE PERCENT ROOM OCCUPANCY TAX. (S.L. 2009-428)

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S.B. 80, AN ACT TO AUTHORIZE THE CITIES OF JACKSONVILLE, LENOIR, LOWELL, AND MOUNT HOLLY AND THE TOWNS OF CRAMERTON, MCADENVILLE, AND RANLO TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX. (S.L. 2009-429)

S.B. 346, AN ACT TO REMOVE A DESCRIBED AREA FROM THE CORPORATE LIMITS OF THE CITY OF KANNAPOLIS, TO ASSIST CABARRUS COUNTY WITH THE EXPEDITING OF PUBLIC SCHOOL CONSTRUCTION, AND TO MODIFY THE FILING PERIOD FOR THE ELECTION OF MEMBERS TO THE CABARRUS COUNTY BOARD OF EDUCATION. (S.L. 2009-430)

S.B. 359, AN ACT TO INCORPORATE THE VILLAGE OF SNEADS FERRY. (S.L. 2009-431)

CALENDAR (continued)

S.B. 884 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE FIRE-SAFETY STANDARD AND FIREFIGHTER PROTECTION ACT AND TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF HEALTH SERVICE REGULATION, TO ESTABLISH A PILOT PROGRAM TO STUDY ALTERNATIVE STAFFING REQUIREMENTS FOR FACILITIES THAT USE ELECTRONIC SUPERVISION DEVICES AND TO DIRECT THE COMMISSION FOR MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES TO ADOPT RULES ESTABLISHING ACCEPTABLE ELECTRONIC SUPERVISION STANDARDS AND RELATED PERSONNEL REQUIREMENTS AT FACILITIES FOR CHILDREN AND ADOLESCENTS WHO HAVE A PRIMARY DIAGNOSIS OF MENTAL ILLNESS AND/OR EMOTIONAL DISTURBANCE, passes its second reading, by electronic vote (90-3), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House Committee Substitute Bill No. 2 by Special Message.

S.B. 898 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE EXCEPTION FOR TWO-COUNTY INDUSTRIAL PARKS FOR DEVELOPMENT TIER DESIGNATION PURPOSES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Avila, Barnhart, Bell, Blackwell, Blackwood, Blust, Boles, Bordsen, Braxton, Brisson, Brown, Brubaker, Bryant, Burr, Burris-Floyd, Carney, Cleveland, Coates, Cole, Cotham, Current, Dickson, Dollar,

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England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Frye, Gibson, Gillespie, Goforth, Guice, Gulley, Haire, Hall, Harrell, Hill, Hilton, Holliman, Holloway, Howard, Hughes, Hurley, Iler, Ingle, Jackson, Jeffus, Johnson, Justice, Justus, Killian, Langdon, Lewis, Love, Lucas, Martin, McComas, McCormick, McElraft, McGee, Michaux, Mills, Mobley, Moore, Neumann, Owens, Parmon, Pierce, Randleman, Rapp, Rhyne, Sager, Samuelson, Setzer, Spear, Stam, Starnes, Steen, Stevens, Stewart, Sutton, Tarleton, Tolson, Wainwright, E. Warren, R. Warren, West, Whilden, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 99.

Voting in the negative: Representatives Harrison, Insko, and Weiss - 3.

Excused absences: Representatives Dockham, Folwell, Gill, Glazier, Goodwin, Grady, Luebke, McLawhorn, Ross, Tillis, Tucker, and Underhill - 12.

CONFERENCE REPORT

Representative Parmon moves the adoption of the following Conference Report.

Senate Committee Substitute for H.B. 291

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 291, A BILL TO BE ENTITLED AN ACT AMENDING THE COSMETIC ART ACT TO PROVIDE FOR LICENSURE OF PERSONS ENGAGING IN THE PRACTICE OF NATURAL HAIR CARE AND TO ALLOW BARBERS TO ENGAGE IN BARBERING OUTSIDE OF A BARBER SHOP, Senate Finance Committee Substitute Adopted 7/23/09, Sixth Edition Engrossed 7/30/09, submit the following report:

The House and Senate agree to the following amendments to the Senate Finance Committee Substitute Adopted 7/23/09, Sixth Edition Engrossed 7/30/09, and the House concurs in the Senate Finance Committee Substitute as amended:

On page 1, lines 3-4, by rewriting the lines to read:

"PERSONS ENGAGING IN THE PRACTICE OF NATURAL HAIR CARE.";

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And on page 7, lines 3-9, by rewriting the lines to read:

"SECTION 14. Section 1.2 of this act is effective when it becomes law. The remainder of this act becomes effective July 1, 2010, and applies to acts occurring on or after that date."

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

Date conferees approved report: August 6, 2009.

*Conferees for the
Senate*

*Conferees for the
House of Representatives*

S/ Linda Garrou, Chair
S/ Tony Rand
S/ A. B. Swindell

S/ Earline W. Parmon, Chair
S/ Larry Womble
S/ Carolyn H. Justice

The Conference Report, which changes the title, is adopted, by electronic vote (57-49), and the Senate is so notified by Special Message.

CALENDAR (continued)

S.B. 836 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE ALL PUBLIC AGENCIES TO RECYCLE ALL SPENT FLUORESCENT LIGHTS AND MERCURY THERMOSTATS; REQUIRE THE REMOVAL OF ALL FLUORESCENT LIGHTS AND MERCURY THERMOSTATS FROM BUILDINGS PRIOR TO DEMOLITION; AND BAN MERCURY-CONTAINING PRODUCTS FROM UNLINED LANDFILLS.

On motion of Representative Harrison and without objection, the bill is withdrawn from the Calendar and re-referred to the Committee on Environment and Natural Resources.

S.B. 1020 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROTECT AND RESTORE WATER QUALITY AND QUANTITY IN THE UPPER NEUSE RIVER BASIN, FALLS LAKE, AND OTHER DRINKING WATER SUPPLY RESERVOIRS BY DIRECTING THE ENVIRONMENTAL MANAGEMENT COMMISSION TO PROVIDE CREDIT TO LOCAL GOVERNMENTS, LANDOWNERS, AND OTHERS WHO REDUCE WATER POLLUTION IN THE UPPER NEUSE RIVER BASIN BEFORE PERMANENT RULES ARE ADOPTED

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AND TO MODIFY THE NUTRIENT MANAGEMENT STRATEGY AND ADOPT A SEDIMENTATION STRATEGY FOR CERTAIN DRINKING WATER SUPPLY RESERVOIRS, passes its second reading, by electronic vote (96-7), and there being no objection is read a third time.

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

MOTION TO SUSPEND RULES

Representative Owens moves that Rule 1 be suspended in order for the House to remain in Session past the 9:00 p.m. hour of adjournment, but not later than 11:00 p.m. The motion carries by a two-thirds majority electronic vote (84-22).

CALENDAR (continued)

S.B. 825 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE REQUIREMENTS FOR A GRANT FROM THE JOB MAINTENANCE AND CAPITAL DEVELOPMENT FUND.

Representative Owens calls the previous question on the passage of the bill and the call is sustained by electronic vote (80-25).

The bill passes its second reading, by electronic vote (54-52), and there being no objection is read a third time.

The bill fails to pass its third reading, by electronic vote (52-54), and is placed on the Unfavorable Calendar.

Senate Committee Substitute No. 2 for **H.B. 589** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REQUIRE HEALTH BENEFIT PLANS AND THE STATE HEALTH PLAN TO COVER HEARING AIDS AND REPLACEMENT HEARING AIDS.

On motion of Representative England, the House does not concur in the Senate committee substitute bill, by electronic vote (103-2), and conferees are requested.

S.B. 967 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO CREATE THE YADKIN RIVER TRUST IN ORDER TO: (1) DEVELOP THE YADKIN RIVER IN DAVIDSON, MONTGOMERY, ROWAN, AND STANLY COUNTIES AS AN INSTRUMENTALITY OF

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INTRASTATE, INTERSTATE, AND FOREIGN COMMERCE AND NAVIGATION; (2) ACQUIRE AND OPERATE THE YADKIN PROJECT, AN EXISTING HYDROELECTRIC FACILITY; AND (3) PRODUCE, DISTRIBUTE, AND SELL HYDROELECTRIC POWER FROM EXISTING OR NEW HYDROELECTRIC FACILITIES.

Representative Owens calls the previous question on the passage of the bill and the call is sustained by electronic vote (75-28).

The bill fails to pass its second reading, by electronic vote (39-66), and is placed on the Unfavorable Calendar.

MOTION TO RECONSIDER VOTE

S.B. 825 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE REQUIREMENTS FOR A GRANT FROM THE JOB MAINTENANCE AND CAPITAL DEVELOPMENT FUND.

Having voted with the prevailing side, Representative Bordsen moves that the vote by which the bill failed to pass its third reading be reconsidered.

The motion fails by electronic vote (51-54). The bill remains on the Unfavorable Calendar.

CALENDAR (continued)

S.B. 220 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS IN THE GENERAL STATUTES AS REQUESTED BY THE GENERAL STATUTES COMMISSION AND TO MAKE VARIOUS OTHER TECHNICAL CHANGES TO THE GENERAL STATUTES AND SESSION LAWS.

Representative Martin offers Amendment No. 1 which is adopted by electronic vote (103-0).

Representative Martin offers Amendment No. 2 which is adopted by electronic vote (101-0).

On motion of Representative Martin, the bill, as amended, is temporarily displaced.

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SPECIAL MESSAGE FROM THE SENATE

The following Special Message is received from the Senate:

H.B. 274 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CLARIFYING CHANGES TO THE GENERAL STATUTES AND SESSION LAWS, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b) and without objection, the Senate committee substitute bill is placed on today's Calendar for immediate consideration.

On motion of Representative Martin, the House does not concur in the Senate committee substitute bill, by electronic vote (102-0), and conferees are requested.

The Speaker appoints Representatives Martin, Insko, Bryant, and Stam as conferees on the part of the House and the Senate is so notified by Special Message.

CONFEREES APPOINTED

The Speaker appoints the following conferees on Senate Committee Substitute for **H.B. 589** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REQUIRE HEALTH BENEFIT PLANS AND THE STATE HEALTH PLAN TO COVER HEARING AIDS AND REPLACEMENT HEARING AIDS: Representatives England, Michaux, Holliman, and Barnhart.

The Senate is so notified by Special Message.

BILL WITHDRAWN FROM COMMITTEE

On motion of Representative Owens and without objection, **S.B. 968** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO SUPPORT PLANNING FOR MOUNTAIN RESOURCES, is withdrawn from the Committee on Finance and is placed on today's Calendar.

CALENDAR (continued)

S.B. 220 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS IN THE GENERAL

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STATUTES AS REQUESTED BY THE GENERAL STATUTES COMMISSION AND TO MAKE VARIOUS OTHER TECHNICAL CHANGES TO THE GENERAL STATUTES AND SESSION LAWS, which was temporarily displaced, is before the Body.

The bill, as amended, passes its second reading, by electronic vote (103-0), and there being no objection is read a third time.

Representative Bryant requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (104-0).

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

S.B. 943 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR AN ALTERNATIVE CREDIT FOR QUALIFYING EXPENSES OF A PRODUCTION COMPANY.

Pursuant to Rule 24.1A, Representative Harrison requests that she be excused from voting on this bill because family members are involved in the industry and she has been an occasional investor. This request is granted.

The bill passes its second reading, by electronic vote (77-26), and there being no objection is read a third time.

Representative Faison requests and is granted permission to be recorded as voting "aye". This request is granted. The adjusted vote total is (78-26).

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

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Gibson, Wainwright, and Weiss, Chairs, for the Committee on Finance:

S.B. 262 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT AN ORDER TO EXPUNGE AN INDIVIDUAL'S RECORD SHALL BE FORWARDED BY THE CLERK

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OF COURT TO ALL APPLICABLE STATE AND LOCAL GOVERNMENT AGENCIES, TO REQUIRE A STATE GOVERNMENT AGENCY TO FORWARD NOTICE OF EXPUNCTION ORDERS RECEIVED BY THE AGENCY TO ANY PRIVATE ENTITY THAT DISSEMINATES CRIMINAL HISTORY RECORDS FOR COMPENSATION THAT IS LICENSED BY THE AGENCY TO ACCESS THE AGENCY'S CRIMINAL HISTORY RECORD DATABASE, TO PROVIDE THAT A PRIVATE ENTITY THAT DISSEMINATES CRIMINAL HISTORY RECORDS FOR COMPENSATION HAS A DUTY TO UPDATE THOSE HISTORIES BEFORE DISSEMINATING THEM AND IS SUBJECT TO CIVIL LIABILITY, with a favorable report as to House Committee Substitute Bill No. 2, which changes the title, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(b) and without objection, House Committee Substitute Bill No. 2 is placed on today's Calendar. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representative R. Warren, Chair, for the Committee on Alcoholic Beverage Control:

H.B. 667 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE STATE'S ABC LAWS TO CREATE AN EXEMPTION FOR ACCREDITED COMMUNITY COLLEGES, COLLEGES, AND UNIVERSITIES FOR THE MANUFACTURE, POSSESSION, AND CONSUMPTION OF ALCOHOLIC BEVERAGES FOR THE PURPOSE OF CONDUCTING SCIENTIFIC, CHEMICAL, PHARMACEUTICAL, MECHANICAL, INDUSTRIAL, AND EDUCATIONAL RESEARCH, TO ALLOW THE HOLDER OF A VITICULTURE/ENOLOGY COURSE AUTHORIZATION TO SELL UNFORTIFIED WINE AT A NON-CAMPUS LOCATION, TO ALLOW WINE PRODUCERS AND WINERIES HOLDING AN OFF-PREMISES UNFORTIFIED WINERY PERMIT TO SELL UNFORTIFIED WINE AT THEIR PREMISES DURING BUSINESS HOURS AND TO ALLOW WINERIES TO SELL THEIR WINE AT AN ADDITIONAL LOCATION IN THE COUNTY UNDER SPECIFIED CONDITIONS, AND TO AMEND THE DEFINITION OF SPORTS CLUB TO INCLUDE CERTAIN EQUESTRIAN CENTERS, with recommendation that the House concur.

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

By Representative Carney, Chair, for the Committee on Transportation:

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S.B. 631, A BILL TO BE ENTITLED AN ACT TO CONFORM DEADLINES FOR LEVYING, REPEALING, INCREASING, OR DECREASING THE REGIONAL TRANSIT AUTHORITY REGISTRATION TAX TO THE DMV REGISTRATION RENEWAL SCHEDULE ADOPTED UNDER THE NEW ELECTRONIC MOTOR VEHICLE INSPECTION SYSTEM, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the original bill.

The serial referral to the Committee on Finance is stricken.

Pursuant to Rule 36(b) and without objection, the House committee substitute bill is placed on today's Calendar. The original bill is placed on the Unfavorable Calendar.

CALENDAR (continued)

S.B. 631 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT CONCERNING THE DISPOSITION AND USE OF SEIZED VEHICLES BY THE DIVISION OF MOTOR VEHICLES, BUREAU OF LICENSE AND THEFT, passes its second reading, by electronic vote (103-2).

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

S.B. 262 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT AN ORDER TO EXPUNGE AN INDIVIDUAL'S RECORD SHALL BE FORWARDED BY THE CLERK OF COURT TO ALL APPLICABLE STATE AND LOCAL GOVERNMENT AGENCIES, TO REQUIRE A STATE GOVERNMENT AGENCY TO FORWARD NOTICE OF EXPUNCTION ORDERS RECEIVED BY THE AGENCY TO ANY PRIVATE ENTITY THAT DISSEMINATES CRIMINAL HISTORY RECORDS FOR COMPENSATION THAT IS LICENSED BY THE AGENCY TO ACCESS THE AGENCY'S CRIMINAL HISTORY RECORD DATABASE, AND TO PROVIDE THAT A PRIVATE ENTITY THAT DISSEMINATES CRIMINAL HISTORY RECORDS FOR COMPENSATION HAS A DUTY TO UPDATE THOSE HISTORIES BEFORE DISSEMINATING THEM AND IS SUBJECT TO CIVIL LIABILITY, passes its second reading, by electronic vote (103-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House Committee Substitute Bill No. 2 by Special Message.

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S.B. 968 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO SUPPORT PLANNING FOR MOUNTAIN RESOURCES.

Representative Haire offers Amendment No. 1 which is adopted by electronic vote (102-1).

The bill, as amended, passes its second reading, by electronic vote (101-3).

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

WITHDRAWAL OF OBJECTION TO THIRD READING

Representative Stam withdraws his objection to the third reading of **S.B. 631** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT CONCERNING THE DISPOSITION AND USE OF SEIZED VEHICLES BY THE DIVISION OF MOTOR VEHICLES, BUREAU OF LICENSE AND THEFT, and the bill is before the Body.

Representative Stam offers Amendment No. 1 which is adopted by electronic vote (102-2).

The bill, as amended, passes its third reading, by electronic vote (105-0), and is ordered engrossed and sent to the Senate for concurrence in the House committee substitute bill by Special Message.

LEAVE OF HOUSE GRANTED

Without objection, the House grants leave to continue the day's Session beyond the 11:00 p.m. appointed hour until 11:15 p.m.

SPECIAL MESSAGE FROM THE SENATE

The following Special Message is received from the Senate:

Senate Committee Substitute for **H.B. 908** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR EQUAL TREATMENT OF POLITICAL AND COMMERCIAL EXPRESSION AROUND A VOTING PLACE; TO CLARIFY THAT SEVENTEEN-YEAR-OLDS MAY REGISTER AT EARLY VOTING SITES UNDER THE SAME CONDITIONS THEY MAY REGISTER ELSEWHERE AND TO MAKE RELATED TECHNICAL CHANGES; TO PROHIBIT THE AWARDED OF ATTORNEYS' FEES AGAINST THE STATE BOARD

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OF ELECTIONS IN ELECTION PROTEST CASES; AND TO COMPLETE THE BURDEN OF PROOF PROVISIONS IN THE CANDIDATE-CHALLENGE STATUTE, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b) and without objection, the Senate committee substitute bill is placed on today's Calendar for immediate consideration.

Upon concurrence the Senate committee substitute bill changes the title.

On motion of Representative Martin, the House does not concur in the Senate committee substitute bill, by electronic vote (101-2), and conferees are requested.

WITHDRAWAL OF OBJECTION TO THIRD READING

Representative Starnes withdraws his objection to the third reading of **S.B. 968** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO SUPPORT PLANNING FOR MOUNTAIN RESOURCES, and the bill is before the Body.

Representative Starnes offers Amendment No. 2 which is adopted by electronic vote (104-1).

On motion of the Chair, the bill, as amended, is temporarily displaced.

CONFERENCE REPORT

Representative Lucas sends forth the Conference Report on **H.B. 817** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND OTHER CHANGES TO CHAPTERS 120, 120C, AND 138A OF THE GENERAL STATUTES. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of August 10.

SPECIAL MESSAGE FROM THE SENATE

2009 GENERAL ASSEMBLY FIRST SESSION

Senate Chamber
August 6, 2009

August 6, 2009

Mr. Speaker:

Pursuant to your message received today, August 6, 2009, that the House of Representatives fails to concur in the Senate Committee Substitute No. 2 to **H.B. 578** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE NOTICE OF RIGHT TO SEEK LEGAL COUNSEL AND CLARIFY NOTICE REQUIRED TO PARTIES WHO MAY BE UNKNOWN OR UNLOCATABLE IN A PARTITION PROCEEDING; TO CODIFY THE CURRENT PRACTICE OF GRANTING OWNERS CREDIT FOR THEIR EXISTING INTEREST IN LAND WHEN BIDDING ON A PARTITION SALE; TO PERMIT A COURT TO ORDER AN INDEPENDENT APPRAISAL IF REQUESTED AND PAID FOR BY A PARTY TO THE PARTITION WHO CHALLENGES THE AMOUNT BID IN A PARTITION SALE, AS RECOMMENDED BY THE PARTITION SALES STUDY COMMITTEE, and requests conferees, the President *Pro Tempore* appoints:

Senator Hartsell, Chair
Senator Allran
Senator Queen

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

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

**2009 GENERAL ASSEMBLY
FIRST SESSION**

Senate Chamber
August 6, 2009

Mr. Speaker:

Pursuant to your message received today, August 6, 2009, that the House of Representatives fails to concur in the Senate Committee Substitute to **H.B. 1099** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN ENVIRONMENTAL AND NATURAL RESOURCES LAWS TO: (1) REPEAL THE REQUIREMENT THAT SEASONAL STATE PARK EMPLOYEES WEAR A UNIFORM VEST;

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(2) REQUIRE ELECTRONIC REPORTING OF ENVIRONMENTAL LEAD TEST RESULTS AND BLOOD LEAD TEST RESULTS; (3) CLARIFY THE FEE STRUCTURE FOR FOOD AND LODGING PERMITS; (4) REVISE THE SUNSET PROVISION FOR NUTRIENT OFFSET PAYMENTS; (5) AMEND THE SOLID WASTE DISPOSAL TAX TO STREAMLINE THE PROCESS WHEN A LOCAL GOVERNMENT IS SERVED BY A SOLID WASTE MANAGEMENT AUTHORITY; AND (6) EXTEND BY ONE YEAR THE DEADLINE FOR THE DEVELOPMENT AND IMPLEMENTATION OF A NUTRIENT MANAGEMENT STRATEGY FOR CERTAIN DRINKING WATER SUPPLY RESERVOIRS, and requests conferees, the President *Pro Tempore* appoints:

Senator Clodfelter, Chair
Senator Hartsell
Senator Queen
Senator Stein

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

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

The following Special Message is received from the Senate:

Senate Committee Substitute for **H.B. 752**, A BILL TO BE ENTITLED AN ACT TO PROVIDE APPLICANTS WHO REGISTER MOTOR VEHICLES AT THE FARMER RATE TO CHOOSE BETWEEN A STAGGERED REGISTRATION YEAR OR AN ANNUAL REGISTRATION YEAR, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of August 10.

Upon concurrence the Senate committee substitute bill changes the title.

CALENDAR (continued)

S.B. 968 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO SUPPORT PLANNING FOR MOUNTAIN RESOURCES, as amended, which was temporarily displaced, is before the Body.

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Representative Cleveland offers Amendment No. 3 which is adopted by electronic vote (102-3).

The bill, as amended, passes its third reading, by electronic vote (104-1), and is ordered sent to the Senate for concurrence in House Amendment Nos. 1, 2, and 3 by Special Message.

Representative Owens moves, seconded by Representative Bryant, that the House adjourn, subject to the ratification of bills, the receipt of Committee Reports, the receipt of Conference Reports, and the receipt of Messages from the Senate, to reconvene August 7 at 10:00 a.m.

The motion carries.

SPECIAL MESSAGE FROM THE SENATE

2009 GENERAL ASSEMBLY FIRST SESSION

Senate Chamber
August 6, 2009

Mr. Speaker:

Pursuant to your message received today, August 6, 2009, that the House of Representatives fails to concur in the Senate Committee Substitute No. 2 to **H.B. 1329** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO CONSOLIDATE ALL STATUTES RELATED TO EXPUNCTION OF RECORDS IN ONE ARTICLE OF THE GENERAL STATUTES, and requests conferees, the President *Pro Tempore* appoints:

Senator Nesbitt, Chair
Senator Soles
Senator Rand
Senator Stein

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

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

August 6, 2009

SPECIAL MESSAGE FROM THE SENATE**2009 GENERAL ASSEMBLY
FIRST SESSION**

Senate Chamber
August 6, 2009

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees for **S.B. 643** (Conference Report), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PROSPECTIVE EMPLOYEE REQUIRED TO SUBMIT TO A CONTROLLED SUBSTANCE EXAMINATION WHOSE FIRST SCREENING TEST PRODUCES A POSITIVE RESULT MAY WAIVE A SECOND EXAMINATION THAT IS INTENDED TO CONFIRM THE RESULTS, and when a similar action has been taken on the part of your Honorable Body, the President will order the bill enrolled.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE**2009 GENERAL ASSEMBLY
FIRST SESSION**

Senate Chamber
August 6, 2009

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees for **S.B. 960** (Conference Report), A BILL TO BE ENTITLED AN ACT TO FACILITATE EXPEDITED USE AND EXPENDITURE OF FEDERAL FUNDS PROVIDED UNDER THE AMERICAN RECOVERY AND RE-INVESTMENT ACT.

August 6, 2009

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

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

**2009 GENERAL ASSEMBLY
FIRST SESSION**

Senate Chamber
August 6, 2009

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees for **H.B. 817** (Conference Report), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND OTHER CHANGES TO CHAPTERS 120, 120C, AND 138A OF THE GENERAL STATUTES, to the end that when a similar action has been taken on the part of your Honorable Body, the Speaker may order the bill enrolled.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

SPECIAL MESSAGES FROM THE SENATE

The following Special Messages are received from the Senate:

Senate Committee Substitute for **H.B. 1111** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE MORE SPECIFIC WHEN AN INDIVIDUAL BECOMES A "CANDIDATE" FOR CAMPAIGN FINANCE LAW AND TO DEFINE AND PROVIDE FOR DISCLOSURE OF FUNDING FOR "CANDIDACY EXPLORATION"; TO USE DIFFERENT TERMINOLOGY AND DEFINE TERMS IN THE LEGAL EXPENSE FUNDS STATUTE AND CLARIFY CANDIDATE CONTRIBUTIONS TO LEGAL EXPENSE FUNDS; TO REVISE THE WAY THE DEFINITIONS OF "CONTRIBUTION" AND "EXPENDITURE" DEAL WITH PROMISES; AND TO REQUIRE THAT A TREASURER FOR A NORTH CAROLINA COMMITTEE BE A NORTH CAROLINA RESIDENT, is returned for concurrence in the Senate committee substitute bill.

August 6, 2009

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of August 10.

Upon concurrence the Senate committee substitute bill changes the title.

S.B. 20 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADD THE OFFICE OF STATE TREASURER TO THE COUNCIL OF STATE OFFICES SUBJECT TO THE VOTER-OWNED ELECTIONS ACT; TO MAKE TECHNICAL CHANGES TO THE ACT; AND TO PROVIDE FUNDING FOR THE ACT, is read the first time and referred to the Committee on Election Law and Campaign Finance Reform and, if favorable, to the Committee on Appropriations and, if favorable, to the Committee on Finance.

CONFEREES APPOINTED

The Speaker appoints the following conferees on Senate Committee Substitute for **H.B. 908** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR EQUAL TREATMENT OF POLITICAL AND COMMERCIAL EXPRESSION AROUND A VOTING PLACE; TO CLARIFY THAT SEVENTEEN-YEAR-OLDS MAY REGISTER AT EARLY VOTING SITES UNDER THE SAME CONDITIONS THEY MAY REGISTER ELSEWHERE AND TO MAKE RELATED TECHNICAL CHANGES; TO PROHIBIT THE AWARDED OF ATTORNEYS' FEES AGAINST THE STATE BOARD OF ELECTIONS IN ELECTION PROTEST CASES; AND TO COMPLETE THE BURDEN OF PROOF PROVISIONS IN THE CANDIDATE-CHALLENGE STATUTE: Representatives Martin, Insko, Bryant, and Stam.

The Senate is so notified by Special Message.

The House stands adjourned at 11:15 p.m.

ONE HUNDRED TWELFTH DAY

HOUSE OF REPRESENTATIVES
Friday, August 7, 2009

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

August 7, 2009

The following prayer is offered by the Reverend Alan Wimbish, Pastor of Auburn Christian Church, Garner, North Carolina, and Officer of the General Assembly Police Department:

"Father God:

"We come to You this morning through the power of prayer and we ask Your blessings upon this place and these our leaders. Lord, give us wisdom, and the ability to rightly divide the law for the betterment of the people of the great State of North Carolina.

"In Your name we pray. Amen."

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

Leaves of absence are granted Representatives Dockham, Gill, Glazier, Goodwin, Grady, Luebke, McLawhorn, Ross, Tillis, Tucker, and Underhill for today.

On motion of the Speaker, the House recesses, subject to the ratification of bills, the receipt of Committee Reports, the receipt of Conference Reports, and the receipt of Messages from the Senate at 10:05 a.m.

RECESS

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

ENROLLED BILLS

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

S.B. 293, AN ACT TO AUTHORIZE THE REGISTER OF DEEDS TO STORE AN ELECTRONIC COPY OF THE JUROR MASTER LIST.

S.B. 423, AN ACT TO ALLOW THE DIVISION OF MOTOR VEHICLES TO WAIVE THE COMMERCIAL MOTOR VEHICLES SKILLS TEST FOR MEMBERS OF THE ARMED FORCES IF THE APPLICANT MEETS THE QUALIFICATIONS FOR ISSUANCE AND HAS PREVIOUSLY TAKEN A SKILLS TEST FOR THE VEHICLE CLASS AND

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SIZE TO BE OPERATED OR HAS, WHILE IN SERVICE TO AN ACTIVE OR RESERVE COMPONENT OF THE UNITED STATES ARMED FORCES, OPERATED THE VEHICLE CLASS AND SIZE FOR A RELEVANT TWO-YEAR PERIOD PRIOR TO APPLICATION FOR THE COMMERCIAL DRIVERS LICENSE AND HAS TAKEN A SKILLS TEST ADMINISTERED BY THE MILITARY.

S.B. 468, AN ACT TO AUTHORIZE COUNTIES TO PROVIDE HEALTH INSURANCE BENEFITS TO FORMER EMPLOYEES WHO ARE NOT RECEIVING RETIREMENT BENEFITS.

S.B. 738, AN ACT TO REQUIRE BOARDS OF DIRECTORS OF CHARTER SCHOOLS TO IMPLEMENT THE GUIDELINES ADOPTED BY THE STATE BOARD OF EDUCATION FOR THE DEVELOPMENT AND IMPLEMENTATION OF INDIVIDUAL DIABETES CARE PLANS AND TO REQUIRE LOCAL BOARDS OF EDUCATION AND BOARDS OF DIRECTORS OF CHARTER SCHOOLS TO REPORT ANNUALLY TO THE STATE BOARD OF EDUCATION ABOUT THEIR COMPLIANCE WITH THESE GUIDELINES.

S.B. 749, AN ACT TO REVISE AND CLARIFY THE REQUIREMENTS FOR UNINSURED AND UNDERINSURED MOTORIST COVERAGE IN MOTOR VEHICLE LIABILITY INSURANCE POLICIES.

S.B. 786, AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENT PROJECTS OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA.

S.B. 960, AN ACT TO FACILITATE EXPEDITED USE AND EXPENDITURE OF FEDERAL FUNDS PROVIDED UNDER THE AMERICAN RECOVERY AND REINVESTMENT ACT.

S.B. 974, AN ACT TO ENACT THE CONSUMER ECONOMIC PROTECTION ACT OF 2009.

S.B. 1067, AN ACT TO ESTABLISH THE NORTH CAROLINA SUSTAINABLE LOCAL FOOD ADVISORY COUNCIL TO ADDRESS PROGRAM AND POLICY CONSIDERATIONS REGARDING THE DEVELOPMENT OF A SUSTAINABLE LOCAL FOOD ECONOMY IN NORTH CAROLINA.

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H.B. 512, AN ACT TO EXTEND THE CREDIT FOR INVESTING IN RENEWABLE ENERGY PROPERTY TO GEOTHERMAL HEAT PUMPS AND EQUIPMENT, TO ALLOW THE CREDIT TO BE TAKEN AGAINST THE GROSS PREMIUMS TAX, AND TO EXTEND THE SUNSET FOR THE CREDIT.

H.B. 569, AN ACT TO DIRECT THE DIVISION OF WATER QUALITY IN THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO AUTHORIZE THE USE OF THREE-SIDED, OPEN-BOTTOM, OR BOTTOMLESS CULVERTS ON PRIVATE PROPERTY, BASED ON SOUND ENGINEERING PRACTICES, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

H.B. 760, AN ACT TO EXEMPT PESTICIDE CONTAINERS FROM THE PROHIBITION ON DISPOSAL OF RIGID PLASTIC CONTAINERS IN LANDFILLS.

H.B. 775, AN ACT TO PROVIDE FOR ALTERNATIVE MEANS OF TESTIMONY FOR PERSONS WITH DEVELOPMENTAL DISABILITIES AND PERSONS WITH MENTAL RETARDATION, AS RECOMMENDED BY THE JOINT STUDY COMMITTEE ON AUTISM SPECTRUM DISORDER AND PUBLIC SAFETY.

H.B. 1135, AN ACT TO DETER AND PUNISH PERSONS WHO MAKE FALSE OR FRAUDULENT CLAIMS FOR PAYMENT BY THE STATE AND TO PROVIDE REMEDIES IN THE FORM OF TREBLE DAMAGES AND CIVIL PENALTIES WHEN MONEY IS OBTAINED FROM THE STATE BY REASON OF SUCH CLAIMS.

H.B. 1269, AN ACT TO AUTHORIZE A COUNTY OR CITY TO USE EXCESS FACILITY FEES WITHOUT THE APPROVAL OF THE ADMINISTRATIVE OFFICE OF THE COURTS, TO ADD TO THE DIRECTOR'S POWERS AND DUTIES THE ESTABLISHMENT AND STAFFING OF AN INTERNAL AUDITING DIVISION FOR THE JUDICIAL DEPARTMENT, TO MODIFY CERTAIN STATUTES RELATED TO DRUG TREATMENT COURTS, AND TO CLARIFY THE EMERGENCY POWERS OF THE CHIEF JUSTICE.

H.B. 1389, AN ACT TO AUTHORIZE CITIES AND COUNTIES TO ESTABLISH LOAN PROGRAMS TO FINANCE THE INSTALLATION OF DISTRIBUTED GENERATION RENEWABLE ENERGY SOURCES OR ENERGY EFFICIENCY IMPROVEMENTS THAT ARE PERMANENTLY AFFIXED TO REAL PROPERTY.

August 7, 2009

H.B. 1409, AN ACT TO EXEMPT CERTAIN ELECTRICAL LIGHTING DEVICES AND FIXTURES AND WATER HEATER REPLACEMENT IN RESIDENCES FROM BUILDING PERMITTING REQUIREMENTS.

H.B. 473, AN ACT TO PROVIDE THAT A MAGISTRATE WHO HAS A CONCEALED HANDGUN PERMIT MAY CARRY OR POSSESS A CONCEALED HANDGUN WHILE IN A COURTHOUSE TO DISCHARGE OFFICIAL DUTIES.

S.B. 563, AN ACT TO IMPROVE PYROTECHNICS SAFETY IN NORTH CAROLINA.

CHAPTERED BILLS

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

H.B. 109, AN ACT TO AUTHORIZE ARNOLD SANDY TO CONVEY CERTAIN LANDS TO THE TOWN OF ROSEBORO. (S.L. 2009-432)

SPECIAL MESSAGES FROM THE SENATE

The following Special Messages are received from the Senate:

Senate Committee Substitute for **H.B. 12** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE ISSUANCE OF DRIVERS LICENSES TO PERSONS USING BIOPTIC TELESCOPIC LENSES PROVIDED THEY MEET OTHER LICENSING REQUIREMENTS, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of August 10.

Upon concurrence the Senate committee substitute bill changes the title.

Senate Committee Substitute for **H.B. 374**, A BILL TO BE ENTITLED AN ACT TO ADD PUBLIC HEALTH PREPAREDNESS AND QUALITY IMPROVEMENT TO THE LIST OF ESSENTIAL PUBLIC HEALTH SERVICES, AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON EMERGENCY PREPAREDNESS AND DISASTER MANAGEMENT RECOVERY, is returned for concurrence in the Senate committee substitute bill.

August 7, 2009

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of August 10.

Upon concurrence the Senate committee substitute bill changes the title.

Senate Committee Substitute for **H.B. 713**, A BILL TO BE ENTITLED AN ACT TO AMEND OR REPEAL VARIOUS ENVIRONMENTAL AND NATURAL RESOURCES REPORTING REQUIREMENTS, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of August 10.

Upon concurrence the Senate committee substitute bill changes the title.

Senate Committee Substitute for **H.B. 889** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO EXPAND COVERAGE UNDER THE INSURANCE GUARANTY ASSOCIATION WITH RESPECT TO STRUCTURED SETTLEMENT ANNUITIES FOR MATTERS INVOLVING PERSONAL INJURY OR ILLNESS, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of August 10.

Upon concurrence the Senate committee substitute bill changes the title.

Senate Committee Substitute for **H.B. 1002**, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONTROLLED SUBSTANCES REPORTING ACT TO MAKE CHANGES PERTAINING TO CONFIDENTIALITY OF PRESCRIPTION INFORMATION, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of August 10.

Upon concurrence the Senate committee substitute bill changes the title.

Senate Committee Substitute for **H.B. 1261**, A BILL TO BE ENTITLED AN ACT PROTECTING CHILDREN OF THIS STATE BY MAKING CYBER BULLYING A CRIMINAL OFFENSE PUNISHABLE AS A CLASS 1 MISDEMEANOR, is returned for concurrence in the Senate committee substitute bill.

August 7, 2009

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of August 10.

Upon concurrence the Senate committee substitute bill changes the title.

Senate Committee Substitute for **H.B. 945** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO STUDY HOW THE TRADITIONAL NATIVE AMERICAN CULTURE, CUSTOMS, AND TRADITIONS OF STATE INDIAN TRIBE CHILDREN CAN BE PROTECTED WHEN THE CHILDREN ARE INVOLVED IN CUSTODY, ADOPTION, AND OTHER PROCEEDINGS IN STATE COURTS, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of August 10.

Upon concurrence the Senate committee substitute bill changes the title.

Senate Committee Substitute for **H.B. 709**, A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL AMENDMENTS TO VARIOUS LAWS RELATED TO THE ENVIRONMENT, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of August 10.

Upon concurrence the Senate committee substitute bill changes the title.

S.B. 923, A BILL TO BE ENTITLED AN ACT RELATING TO THE LONGEVITY RATES FOR MEMBERS OF THE UTILITIES COMMISSION, is read the first time and referred to the Committee on Pensions and Retirement and, if favorable, to the Committee on Appropriations.

SPECIAL MESSAGE FROM THE SENATE

2009 GENERAL ASSEMBLY FIRST SESSION

Senate Chamber
August 7, 2009

August 7, 2009

Mr. Speaker:

Pursuant to your message received today, August 7, 2009, that the House of Representatives fails to concur in the Senate Committee Substitute to **H.B. 274**, A BILL TO BE ENTITLED AN ACT TO REWRITE THE LAW CONCERNING THE RECOGNITION OF FOREIGN MONEY JUDGMENTS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, and requests conferees, the President *Pro Tempore* appoints:

Senator Hartsell, Chair
Senator Jones
Senator Vaughan

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

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

**2009 GENERAL ASSEMBLY
FIRST SESSION**

Senate Chamber
August 7, 2009

Mr. Speaker:

Pursuant to your message received today, August 7, 2009, that the House of Representatives fails to concur in the Senate Committee Substitute to **H.B. 589** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REQUIRE HEALTH BENEFIT PLANS AND THE STATE HEALTH PLAN TO COVER HEARING AIDS AND REPLACEMENT HEARING AIDS, and requests conferees, the President *Pro Tempore* appoints:

Senator Purcell, Chair
Senator Garrou
Senator Rand

August 7, 2009

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

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

**2009 GENERAL ASSEMBLY
FIRST SESSION**

Senate Chamber
August 7, 2009

Mr. Speaker:

Pursuant to your message received today, August 7, 2009, that the House of Representatives fails to concur in the Senate Committee Substitute to **H.B. 908** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR EQUAL TREATMENT OF POLITICAL AND COMMERCIAL EXPRESSION AROUND A VOTING PLACE; TO CLARIFY THAT SEVENTEEN-YEAR-OLDS MAY REGISTER AT EARLY VOTING SITES UNDER THE SAME CONDITIONS THEY MAY REGISTER ELSEWHERE AND TO MAKE RELATED TECHNICAL CHANGES; TO PROHIBIT THE AWARDED OF ATTORNEYS' FEES AGAINST THE STATE BOARD OF ELECTIONS IN ELECTION PROTEST CASES; AND TO COMPLETE THE BURDEN OF PROOF PROVISIONS IN THE CANDIDATE-CHALLENGE STATUTE, and requests conferees, the President *Pro Tempore* appoints:

Senator Clodfelter, Chair
Senator Purcell
Senator Hoyle

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

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

August 7, 2009

SPECIAL MESSAGE FROM THE SENATE**2009 GENERAL ASSEMBLY
FIRST SESSION**

Senate Chamber
August 7, 2009

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in the House Committee Substitute to **S.B. 982** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE SMALL BUSINESS ASSISTANCE ACT OF 2009 AND TO ESTABLISH THE SMALL BUSINESS JOBS PRESERVATION FUND IN THE OFFICE OF STATE BUDGET AND MANAGEMENT WITH RELATED PROGRAMS COORDINATED BY A TECHNICAL ASSISTANCE PROVIDER, and requests conferees. The President *Pro Tempore* appoints:

Senator Jenkins, Chair
Senator Rand
Senator Soles

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

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

CONFEREES APPOINTED

The Speaker appoints the following additional conferees on Senate Committee Substitute for **H.B. 589** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REQUIRE HEALTH BENEFIT PLANS AND THE STATE HEALTH PLAN TO COVER HEARING AIDS AND REPLACEMENT HEARING AIDS: Representatives Spear and E. Warren.

The Senate is so notified by Special Message.

August 7, 2009

CONFERENCE REPORT

Representative Bryant sends forth the Conference Report on Senate Committee Substitute No. 2 for **H.B. 1329** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO CONSOLIDATE ALL STATUTES RELATED TO EXPUNCTION OF RECORDS IN ONE ARTICLE OF THE GENERAL STATUTES. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of August 10.

On motion of the Speaker, the House recesses, subject to the ratification of bills, the receipt of Committee Reports, the receipt of Conference Reports, and the receipt of Messages from the Senate at 12:25 p.m.

RECESS**SPECIAL MESSAGE FROM THE SENATE****2009 GENERAL ASSEMBLY
FIRST SESSION**

Senate Chamber
August 7, 2009

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in House Committee Substitute No. 2 to **S.B. 203** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DIVISION OF MOTOR VEHICLES TO ISSUE A SPECIAL IDENTIFICATION CARD FREE OF CHARGE TO INDIVIDUALS WHOSE VALID DRIVERS LICENSE IS ADMINISTRATIVELY REVOKED DUE TO A MEDICAL DISQUALIFICATION, and requests conferees. The President *Pro Tempore* appoints:

Senator Berger of Franklin, Chair
Senator Snow
Senator Vaughan

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

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

August 7, 2009

The Speaker appoints Representative Dollar as the conferee on the part of the House and the Senate is so notified by Special Message.

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

CONFERENCE REPORT

Representative Dollar sends forth the Conference Report on **S.B. 203** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ENSURE THE ACCESSIBILITY OF PARKING FOR PERSONS WITH DISABILITIES IN NORTH CAROLINA BY REQUIRING AN EXPIRATION DATE VISIBLE FROM AT LEAST TWENTY FEET ON ALL SUCH PLACARDS, TO ENSURE INCREASED ENFORCEMENT AND COLLECTION OF EXPIRED OR REVOKED PLACARDS BY REQUIRING THAT PLACARDS DISPLAY THE MONTH AND YEAR OF EXPIRATION, TO REQUIRE THE DIVISION OF MOTOR VEHICLES TO ISSUE "HANDICAPPED PLACARD" REGISTRATION CARDS, AND TO REQUIRE THAT THE PERSON TO WHOM THE PLACARD IS ISSUED BE THE OPERATOR OF OR A PASSENGER IN THE VEHICLE IN WHICH THE PLACARD IS DISPLAYED. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of August 10.

CONFEREES APPOINTED

The Speaker appoints the following conferees on **S.B. 982** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE SMALL BUSINESS JOBS PRESERVATION FUND IN THE DEPARTMENT OF COMMERCE WITH RELATED PROGRAMS COORDINATED BY A TECHNICAL ASSISTANCE PROVIDER: Representatives Dickson, Martin, Mobley, Parmon, and Dollar.

The Senate is so notified by Special Message.

On motion of the Speaker, the House recesses, subject to the ratification of bills, the receipt of Committee Reports, the receipt of Conference Reports, and the receipt of Messages from the Senate at 1:36 p.m.

RECESS

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

August 7, 2009

CONFERENCE REPORT

Representative Holliman sends forth the Conference Report on Senate Committee Substitute for **H.B. 589** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REQUIRE HEALTH BENEFIT PLANS AND THE STATE HEALTH PLAN TO COVER HEARING AIDS AND REPLACEMENT HEARING AIDS. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of August 10.

On motion of the Speaker, the House recesses, subject to the ratification of bills, the receipt of Committee Reports, the receipt of Conference Reports, and the receipt of Messages from the Senate at 2:04 p.m.

RECESS

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

SPECIAL MESSAGE FROM THE SENATE**2009 GENERAL ASSEMBLY
FIRST SESSION**

Senate Chamber
August 7, 2009

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees for **H.B. 1329** (Conference Report), A BILL TO BE ENTITLED AN ACT TO CONSOLIDATE ALL STATUTES RELATED TO EXPUNCTION OF RECORDS IN ONE ARTICLE OF THE GENERAL STATUTES, TO MODIFY THE AGE REQUIREMENTS OF CERTAIN EXPUNCTIONS TO BE THE AGE AT THE TIME OF THE OFFENSE RATHER THAN THE AGE AT THE TIME OF CONVICTION, TO ALLOW THE EXPUNCTION OF MISDEMEANOR LARCENY, AND TO MAKE CLARIFYING AND CONFORMING CHANGES TO THE EXPUNCTION STATUTES, to the end that when a similar action has been taken on the part of your Honorable Body, the Speaker may order the bill enrolled.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

August 7, 2009

SPECIAL MESSAGE FROM THE SENATE**2009 GENERAL ASSEMBLY
FIRST SESSION**

Senate Chamber
August 7, 2009

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the conferees appointed fail to resolve the differences arising between the two Bodies on **H.B. 291** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE COSMETIC ART ACT TO PROVIDE FOR LICENSURE OF PERSONS ENGAGING IN THE PRACTICE OF NATURAL HAIR BRAIDING, and have been dismissed.

Second conferees are respectfully requested and the President *Pro Tempore* appoints:

Senator Garrou, Chair
Senator Berger of Franklin
Senator East
Senator Rand

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

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

SPECIAL MESSAGES FROM THE SENATE

The following Special Messages are received from the Senate:

Senate Committee Substitute for **H.B. 530** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT FURTHER AUTHORIZING THE UTILITIES COMMISSION TO DETERMINE THE UNIVERSAL SERVICE PROVIDER IN CERTAIN SUBDIVISIONS AND AREAS, is returned for concurrence in the Senate committee substitute bill and referred to the Committee on Finance.

August 7, 2009

Upon concurrence the Senate committee substitute bill changes the title.

Senate Committee Substitute for **H.B. 764** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE RECOMMENDATION OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of August 10.

Upon concurrence the Senate committee substitute bill changes the title.

H.B. 806 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT A HOMEOWNERS ASSOCIATION MAKE REASONABLE AND DILIGENT EFFORTS TO LOCATE AND NOTIFY A LOT OWNER UNDER THE PLANNED COMMUNITY ACT OR A UNIT OWNER UNDER THE CONDOMINIUM ACT PRIOR TO FILING A CLAIM OF LIEN FOR ASSESSMENTS, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of August 10.

Senate Committee Substitute for **H.B. 884** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO CLARIFY SAFETY INSPECTION STATION AND SAFETY SELF-INSPECTOR RESPONSIBILITIES AND NOTICE REQUIREMENTS, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of August 10.

Upon concurrence the Senate committee substitute bill changes the title.

On motion of the Speaker, the House recesses, subject to the ratification of bills, the receipt of Committee Reports, the receipt of Conference Reports, and the receipt of Messages from the Senate at 2:55 p.m.

RECESS

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

August 7, 2009

CONFERENCE REPORTS

Representative Bryant sends forth the Conference Report on Senate Committee Substitute No. 2 for **H.B. 578** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE NOTICE OF RIGHT TO SEEK LEGAL COUNSEL AND CLARIFY NOTICE REQUIRED TO PARTIES WHO MAY BE UNKNOWN OR UNLOCATABLE IN A PARTITION PROCEEDING; TO CODIFY THE CURRENT PRACTICE OF GRANTING OWNERS CREDIT FOR THEIR EXISTING INTEREST IN LAND WHEN BIDDING ON A PARTITION SALE; TO PERMIT A COURT TO ORDER AN INDEPENDENT APPRAISAL IF REQUESTED AND PAID FOR BY A PARTY TO THE PARTITION WHO CHALLENGES THE AMOUNT BID IN A PARTITION SALE, AS RECOMMENDED BY THE PARTITION SALES STUDY COMMITTEE. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of August 10.

Representative Martin sends forth the Conference Report on Senate Committee Substitute for **H.B. 908** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR EQUAL TREATMENT OF POLITICAL AND COMMERCIAL EXPRESSION AROUND A VOTING PLACE; TO CLARIFY THAT SEVENTEEN-YEAR-OLDS MAY REGISTER AT EARLY VOTING SITES UNDER THE SAME CONDITIONS THEY MAY REGISTER ELSEWHERE AND TO MAKE RELATED TECHNICAL CHANGES; TO PROHIBIT THE AWARDED OF ATTORNEYS' FEES AGAINST THE STATE BOARD OF ELECTIONS IN ELECTION PROTEST CASES; AND TO COMPLETE THE BURDEN OF PROOF PROVISIONS IN THE CANDIDATE-CHALLENGE STATUTE. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of August 10.

SPECIAL MESSAGE FROM THE SENATE

The following Special Message is received from the Senate:

Senate Committee Substitute for **H.B. 1335** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE AN ALTERNATIVE METHOD OF DEMONSTRATING THAT A NEW OR MODIFIED SOURCE OF HAZARDOUS AIR POLLUTANT EMISSIONS WILL NOT RESULT IN AN EXCEEDANCE OF HAZARDOUS AIR POLLUTANT EMISSION CONTROL STANDARDS THROUGH A MODELING ANALYSIS OR THROUGH ANOTHER METHOD APPROVED BY THE COMMISSION, is returned for concurrence in the Senate committee substitute bill and referred to the Committee on Rules, Calendar, and Operations of the House.

August 7, 2009

Upon concurrence the Senate committee substitute bill changes the title.

On motion of the Speaker, the House recesses, subject to the ratification of bills, the receipt of Committee Reports, the receipt of Conference Reports, and the receipt of Messages from the Senate at 3:20 p.m.

RECESS

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

On motion of the Speaker, the House recesses, subject to the ratification of bills, the receipt of Committee Reports, the receipt of Conference Reports, and the receipt of Messages from the Senate at 3:37 p.m.

RECESS

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

SPECIAL MESSAGE FROM THE SENATE

2009 GENERAL ASSEMBLY FIRST SESSION

Senate Chamber
August 7, 2009

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees for **H.B. 578** (Conference Report), A BILL TO BE ENTITLED AN ACT TO CLARIFY NOTICE REQUIRED TO PARTIES WHO MAY BE UNKNOWN OR UNLOCATABLE IN A PARTITION PROCEEDING; TO CODIFY THE CURRENT PRACTICE OF GRANTING OWNERS CREDIT FOR THEIR EXISTING INTEREST IN LAND WHEN BIDDING ON A PARTITION SALE; TO PERMIT A COURT TO ORDER AN INDEPENDENT APPRAISAL IF REQUESTED AND PAID FOR BY A PARTY TO THE PARTITION WHO CHALLENGES THE AMOUNT BID IN A PARTITION SALE; TO CLARIFY THE STANDARD FOR DETERMINING WHAT CONSTITUTES "SUBSTANTIAL INJURY" WITH REGARDS TO A PETITION FOR A SALE OF THE PROPERTY; AND TO PROVIDE

August 7, 2009

FOR MEDIATION OF PARTITION DISPUTES, to the end that when a similar action has been taken on the part of your Honorable Body, the Speaker may order the bill enrolled.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

The following Special Message is received from the Senate:

Senate Committee Substitute for **H.B. 1490** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND CERTAIN PERMITS AND APPROVALS AFFECTING THE PHYSICAL DEVELOPMENT OF REAL PROPERTY LOCATED WITHIN THE STATE OF NORTH CAROLINA, THEREBY SUPERSEDING ALL STATUTORY AND REGULATORY REQUIREMENTS TO THE CONTRARY, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of August 10.

Upon concurrence the Senate committee substitute bill changes the title.

Representative Michaux moves, seconded by Representative Dollar, that the House adjourn, subject to the ratification of bills, the receipt of Committee Reports, the receipt of Conference Reports, and the receipt of Messages from the Senate, to reconvene Monday, August 10, 2009, at 7:00 p.m.

The motion carries.

SPECIAL MESSAGE FROM THE SENATE

2009 GENERAL ASSEMBLY FIRST SESSION

Senate Chamber
August 7, 2009

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees for August 7, 2009

H.B. 589 (Conference Report), A BILL TO BE ENTITLED AN ACT TO REQUIRE HEALTH BENEFIT PLANS AND THE STATE HEALTH PLAN TO COVER HEARING AIDS AND REPLACEMENT HEARING AIDS; AND TO REQUIRE THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES TO PROVIDE COVERAGE FOR AUTISM TREATMENT DISORDERS, to the end that when a similar action has been taken on the part of your Honorable Body, the Speaker may order the bill enrolled.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

**2009 GENERAL ASSEMBLY
FIRST SESSION**

Senate Chamber
August 7, 2009

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees for **H.B. 908** (Conference Report), A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES TO THE ELECTION LAWS RELATED TO VOTING EQUIPMENT, PREPARATION OF BALLOTS, AND TO THE DUTIES OF THE COUNTY BOARDS OF ELECTIONS AND THE STATE BOARD OF ELECTIONS; TO PROVIDE FOR PREREGISTRATION OF QUALIFIED INDIVIDUALS WHO ARE SIXTEEN OR SEVENTEEN YEARS OF AGE AND TO EXPAND INSTRUCTION ON THE IMPORTANCE OF VOTING IN THE HIGH SCHOOL SOCIAL STUDIES CURRICULUM AND TO ENCOURAGE LOCAL BOARDS OF EDUCATION TO PROMOTE REGISTRATION AND PREREGISTRATION OF STUDENTS; TO PERMIT THE RETENTION OF VOTER REGISTRATION RECORDS IN ANY FORMAT APPROVED BY THE DEPARTMENT OF CULTURAL RESOURCES; TO DESIGNATE THE VOTING TABULATION DISTRICTS OF NORTH CAROLINA; TO CLARIFY THE AUTHORITY TO DEMAND THE USE OF PUBLIC BUILDINGS AS ONE-STOP SITES; TO PROVIDE FOR EQUAL TREATMENT OF POLITICAL AND COMMERCIAL EXPRESSION AROUND A VOTING PLACE; TO CLARIFY THAT SEVENTEEN-YEAR-OLDS MAY REGISTER AT EARLY VOTING SITES UNDER

August 7, 2009

THE SAME CONDITIONS THEY MAY REGISTER ELSEWHERE AND TO MAKE RELATED TECHNICAL CHANGES; TO PROHIBIT THE AWARDING OF ATTORNEYS' FEES AGAINST THE STATE BOARD OF ELECTIONS IN ELECTION PROTEST CASES; TO REQUIRE A PUBLIC HEARING BEFORE A LOCAL GOVERNMENT ADOPTS INSTANT RUNOFF VOTING AND TO ALLOW THE USE OF THE TERM RANKED CHOICE VOTING; AND TO AUTHORIZE A STUDY OF THE PROCESS OF FILLING VACANCIES IN LOCAL ELECTED OFFICES, to the end that when a similar action has been taken on the part of your Honorable Body, the Speaker may order the bill enrolled.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

2009 GENERAL ASSEMBLY FIRST SESSION

Senate Chamber
August 7, 2009

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate has dismissed the second conferees and reappointed the former conferees on **H.B. 291** (Conference Report), A BILL TO BE ENTITLED AN ACT AMENDING THE COSMETIC ART ACT TO PROVIDE FOR LICENSURE OF PERSONS ENGAGING IN THE PRACTICE OF NATURAL HAIR CARE. The conference report was re-submitted and the Senate has adopted the report of the conferees. When a similar action has been taken on the part of your Honorable Body, the Speaker may order the bill enrolled.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

SPECIAL MESSAGES FROM THE SENATE

The following Special Messages are received from the Senate:

Senate Committee Substitute for **H.B. 836** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE CRIMINAL OFFENSE

August 7, 2009

OF REMOVING, DESTROYING, OR CIRCUMVENTING THE OPERATION OF AN ELECTRONIC MONITORING DEVICE, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of August 10.

Upon concurrence the Senate committee substitute bill changes the title.

Senate Committee Substitute for **H.B. 191**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS IN THE GENERAL STATUTES AS REQUESTED BY THE GENERAL STATUTES COMMISSION, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of August 10.

Upon concurrence the Senate committee substitute bill changes the title.

Senate Committee Substitute for **H.B. 596**, A BILL TO BE ENTITLED AN ACT DESIGNATING APRIL AS WOODWORKING MONTH IN NORTH CAROLINA, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of August 10.

Upon concurrence the Senate committee substitute bill changes the title.

The House stands adjourned at 5:15 p.m.

ONE HUNDRED THIRTEENTH DAY

HOUSE OF REPRESENTATIVES
Monday, August 10, 2009

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

The following prayer is offered by Representative Garland Pierce:

August 10, 2009

"Our Father, Who art in Heaven, hallowed be Thy name. We are Your people and You are our God, and it's once again that we approach Your mighty throne with a heart of thanksgiving.

"As we offer this prayer on behalf of the North Carolina General Assembly, Your words encourage us to come boldly to the throne of grace; because it's there that we find mercy to help us in the time of need.

"Despite our differences, unite us as one Body that we might do the work to please Your people. Grant us as leaders, patience as we seek positive solutions to issues that affect the wellbeing of Your children.

"As we come to the end of this Legislative Session, we thank You for the friendship, fellowship, and our time together. We thank You in advance for Your grace and mercy as we prepare to go our separate ways.

"In Your name, we pray. Amen."

The Speaker leads the Body in the Pledge of Allegiance.

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

Leaves of absence are granted Representatives Goodwin, Jackson, Luebke, McLawhorn, and Neumann for today.

SPECIAL MESSAGE FROM THE SENATE

2009 GENERAL ASSEMBLY FIRST SESSION

Senate Chamber
August 7, 2009

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees for **S.B. 203** (Conference Report), A BILL TO BE ENTITLED AN ACT TO ENSURE THE ACCESSIBILITY OF PARKING FOR PERSONS WITH DISABILITIES IN NORTH CAROLINA BY REQUIRING AN EXPIRATION DATE VISIBLE FROM AT LEAST TWENTY FEET ON ALL SUCH PLACARDS, TO ENSURE INCREASED ENFORCEMENT AND

August 10, 2009

COLLECTION OF EXPIRED OR REVOKED PLACARDS BY REQUIRING THAT PLACARDS DISPLAY THE MONTH AND YEAR OF EXPIRATION, TO REQUIRE THE DIVISION OF MOTOR VEHICLES TO ISSUE "HANDICAPPED PLACARD" REGISTRATION CARDS, AND TO REQUIRE THAT THE PERSON TO WHOM THE PLACARD IS ISSUED BE THE OPERATOR OF OR A PASSENGER IN THE VEHICLE IN WHICH THE PLACARD IS DISPLAYED, AND TO REQUIRE THE DIVISION OF MOTOR VEHICLES TO ISSUE A SPECIAL IDENTIFICATION CARD FREE OF CHARGE TO A PERSON WHOSE VALID DRIVERS LICENSE IS ADMINISTRATIVELY REVOKED DUE TO A MEDICAL DISQUALIFICATION, and when a similar action has been taken on the part of your Honorable Body, the President will order the bill enrolled.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

CONFERENCE REPORTS

Representative Bryant moves the adoption of the following Conference Report.

Senate Committee Substitute No. 2 for H.B. 578

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 578, A BILL TO BE ENTITLED AN ACT TO CLARIFY NOTICE REQUIRED TO PARTIES WHO MAY BE UNKNOWN OR UNLOCATABLE IN A PARTITION PROCEEDING; TO CODIFY THE CURRENT PRACTICE OF GRANTING OWNERS CREDIT FOR THEIR EXISTING INTEREST IN LAND WHEN BIDDING ON A PARTITION SALE; TO PERMIT A COURT TO ORDER AN INDEPENDENT APPRAISAL IF REQUESTED AND PAID FOR BY A PARTY TO THE PARTITION WHO CHALLENGES THE AMOUNT BID IN A PARTITION SALE; TO REVISE THE STANDARD FOR DETERMINING WHAT CONSTITUTES "SUBSTANTIAL INJURY" WITH REGARDS TO A PETITION FOR A SALE OF THE PROPERTY; AND TO PROVIDE FOR MEDIATION OF PARTITION DISPUTES, Senate Judiciary II Committee Substitute #2 Adopted 8/3/09, submit the following report:

August 10, 2009

The House and Senate agree to the following amendments to the Senate Judiciary II Committee Substitute, Senate Judiciary II Committee Substitute #2 Adopted 8/3/09, and the House concurs in the Senate Judiciary II Committee Substitute as amended:

On page 1, lines 8, by deleting the word "REVISE" and substituting "CLARIFY";

and on page 1, lines 28-34, and page 2, lines 1-14, by rewriting the lines to read:

"SECTION 2. G.S. 46-22 reads as rewritten:

'§ 46-22. Sale in lieu of partition.

(a) Subject to G.S. 46-22.1(b), the ~~The~~ court shall order a sale of the property described in the petition, or of any part, only if it finds, by a preponderance of the evidence, that an actual partition of the lands cannot be made without substantial injury to any of the interested ~~parties~~ parties, after having considered evidence in favor of actual partition and evidence in favor of a sale presented by any of the interested parties.

(b) In determining whether an actual partition would cause ~~"Substantial"~~ "substantial injury" to any of the interested parties, the court shall consider the following:

(1) Whether ~~means~~ the fair market value of each cotenant's share in an ~~in-kind partition~~ actual partition of the property would be materially less than the ~~share of amount~~ share of amount each cotenant ~~in the money equivalent that would be obtained~~ would receive from the sale of the ~~whole, whole.~~

(2) Whether ~~and if~~ an ~~in-kind division~~ actual partition would result in material impairment of ~~the~~ any cotenant's rights.

(b1) The court, in its discretion, shall consider the remedy of owelty where such remedy can aid in making an actual partition occur without substantial injury to the parties.

(c) The court shall ~~specifically find the facts~~ make specific findings of fact and conclusions of law supporting an order of sale of the property.

(d) The party seeking a sale of the property shall have the burden of proving substantial injury under the provisions of this section."

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

Date conferees approved report: August 7, 2009.

August 10, 2009

*Conferees for the
Senate*

S/ Fletcher L. Hartsell, Jr., Chair
S/ Austin M. Allran
S/ Joe Sam Queen

*Conferees for the
House of Representatives*

S/ Angela R. Bryant, Chair
S/ Lucy T. Allen
S/ H. M. Michaux, Jr.
S/ Larry D. Hall

The Conference Report, which changes the title, is adopted, by electronic vote (108-1), and the Senate is so notified by Special Message.

The Senate having previously adopted the Conference Report, the Speaker orders the bill enrolled and presented to the Governor by Special Message.

Conference Report for **H.B. 589** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE HEALTH BENEFIT PLANS AND THE STATE HEALTH PLAN TO COVER HEARING AIDS AND REPLACEMENT HEARING AIDS; AND TO REQUIRE THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES TO PROVIDE COVERAGE FOR AUTISM TREATMENT DISORDERS.

On motion of Representative Holliman and without objection, the Conference Report is withdrawn from the Calendar and placed on the Calendar of May 12, 2010.

Representative Lucas moves the adoption of the following Conference Report.

Senate Committee Substitute for H.B. 817

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 817, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND OTHER CHANGES TO CHAPTERS 120, 120C, AND 138A OF THE GENERAL STATUTES, Senate Judiciary I Committee Substitute Adopted 8/4/09 Third Edition Engrossed 8/5/09, submit the following report:

The House and Senate agree to the following amendments to the Senate Judiciary I Committee Substitute, Senate Judiciary I Committee Substitute Adopted 8/4/09, and the House concurs in the Senate Judiciary I Committee Substitute as amended:

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On page 5, line 13 by inserting "of the General Statutes" between "120C" and "is" on that line;

On page 10, lines 36-38 by rewriting that line to read:
"appointed to a local board of trustees for a community college.";

On page 11, line 13 by rewriting that line to read:

"law. Section 19 of this act applies only to appointments made on or after the effective date of this act, and does not apply to any reappointment of a member of the General Assembly serving on any board of trustees for a community college on that date."

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

Date conferees approved report: August 6, 2009.

*Conferees for the
Senate*

S/ Steve Goss, Chair
S/ Peter S. Brunstetter
S/ Charles W. Albertson

*Conferees for the
House of Representatives*

S/ Marvin W. Lucas, Chair
S/ Stam

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

The Senate having previously adopted the Conference Report, the Speaker orders the bill enrolled and presented to the Governor by Special Message.

Representative Martin moves the adoption of the following Conference Report.

Senate Committee Substitute for H.B. 908

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 908, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES TO THE ELECTION LAWS RELATED TO VOTING EQUIPMENT, PREPARATION OF BALLOTS, AND TO THE DUTIES OF THE COUNTY BOARDS OF ELECTIONS AND THE STATE BOARD OF ELECTIONS; TO PROVIDE FOR PREREGISTRATION OF QUALIFIED INDIVIDUALS WHO ARE

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SIXTEEN OR SEVENTEEN YEARS OF AGE AND TO EXPAND INSTRUCTION ON THE IMPORTANCE OF VOTING IN THE HIGH SCHOOL SOCIAL STUDIES CURRICULUM AND TO ENCOURAGE LOCAL BOARDS OF EDUCATION TO PROMOTE REGISTRATION AND PREREGISTRATION OF STUDENTS; TO PERMIT THE RETENTION OF VOTER REGISTRATION RECORDS IN ANY FORMAT APPROVED BY THE DEPARTMENT OF CULTURAL RESOURCES; TO DESIGNATE THE VOTING TABULATION DISTRICTS OF NORTH CAROLINA; TO CLARIFY THE AUTHORITY TO DEMAND THE USE OF PUBLIC BUILDINGS AS ONE-STOP SITES; TO PROVIDE FOR EQUAL TREATMENT OF POLITICAL AND COMMERCIAL EXPRESSION AROUND A VOTING PLACE; TO CLARIFY THAT SEVENTEEN-YEAR-OLDS MAY REGISTER AT EARLY VOTING SITES UNDER THE SAME CONDITIONS THEY MAY REGISTER ELSEWHERE AND TO MAKE RELATED TECHNICAL CHANGES; TO PROHIBIT THE AWARDED OF ATTORNEYS' FEES AGAINST THE STATE BOARD OF ELECTIONS IN ELECTION PROTEST CASES; TO REQUIRE A PUBLIC HEARING BEFORE A LOCAL GOVERNMENT ADOPTS INSTANT RUNOFF VOTING AND TO ALLOW THE USE OF THE TERM RANKED CHOICE VOTING; AND TO AUTHORIZE A STUDY OF THE PROCESS OF FILLING VACANCIES IN LOCAL ELECTED OFFICES, Senate Judiciary I Committee Substitute Adopted 7/30/09 Fifth Edition Engrossed 8/6/09, submit the following report:

The House and Senate agree to the following amendments and the House concurs in the Senate Judiciary I Committee Substitute Adopted 7/30/09, Fifth Edition Engrossed 8/6/09, as amended:

On page 12, line 31 through page 13, line 12 by rewriting those lines to read:

"SECTION 23. G.S. 163-227.2(g) reads as rewritten:

"(g) Notwithstanding any other provision of this section, a county board of elections by unanimous vote of all its members may provide for one or more sites in that county for absentee ballots to be applied for and cast under this section. Every individual staffing any of those sites shall be a member or full-time employee of the county board of elections or an employee of the county board of elections whom the board has given training equivalent to that given a full-time employee. Those sites must be approved by the State Board of Elections as part of a Plan for Implementation approved by both the county board of elections and by the State Board of Elections which shall also provide adequate security of the ballots and provisions to avoid allowing persons to vote who have already voted. The Plan for Implementation shall include a provision for the presence of political party observers at each one-stop site equivalent to the

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provisions in G.S. 163-45 for party observers at voting places on election day. A county board of elections may propose in its Plan not to offer one-stop voting at the county board of elections office; the State Board may approve that proposal in a Plan only if the Plan includes at least one site reasonably proximate to the county board of elections office and the State Board finds that the sites in the Plan as a whole provide adequate coverage of the county's electorate. If a county board of elections has considered a proposed Plan or Plans for Implementation and has been unable to reach unanimity in favor of a Plan, a member or members of that county board of elections may petition the State Board of Elections to adopt a plan for it. If petitioned, the State Board may also receive and consider alternative petitions from another member or members of that county board. The State Board of Elections may adopt a Plan for that county. The State Board, in that plan, shall take into consideration factors including geographic, demographic, and partisan interests of that county.

(g1) The State Board of Elections shall not approve, either in a Plan approved unanimously by a county board of elections or in an alternative Plan proposed by a member or members of that board, a one-stop site in a building that the county board of elections is not entitled under G.S. 163-129 to demand and use as an election-day voting place, unless the State Board of Elections finds that other equally suitable sites were not available and that the use of the sites chosen will not unfairly advantage or disadvantage geographic, demographic, or partisan interests of that county. In providing the site or sites for one-stop absentee voting under this section, the county board of elections shall make a request to the State, county, city, local school board, or other entity in control of the building that is supported or maintained, in whole or in part, by or through tax revenues at least 90 days prior to the start of one-stop absentee voting under this section. The request shall clearly identify the building, or any specific portion thereof, requested the dates and times for which that building or specific portion thereof is requested and the requirement of an area for election related activity. If the State, local governing board, or other entity in control of the building does not respond to the request within 20 days, the building or specific portion thereof may be used for one-stop absentee voting as stated in the request. If the State, local governing board, or other entity in control of the building or specific portion thereof responds negatively to the request within 20 days, that entity and the county board of elections shall, in good faith, work to identify a building or specific portion thereof in which to conduct one-stop absentee voting under this section. If no building or specific portion thereof has been agreed upon within 45 days from the date the county board elections received a response to the request, the matter shall be resolved by the State Board of Elections."

August 10, 2009

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

Date conferees approved report: August 7, 2009.

*Conferees for the
Senate*

S/ Daniel G. Clodfelter, Chair
S/ William R. Purcell
S/ David Hoyle

*Conferees for the
House of Representatives*

S/ Grier Martin, Chair
S/ Verla Insko
S/ Angela R. Bryant
S/ Paul Stam

The Conference Report, which changes the title, is adopted, by electronic vote (107-6), and the Senate is so notified by Special Message.

The Senate having previously adopted the Conference Report, the Speaker orders the bill enrolled and presented to the Governor by Special Message.

Representative Bryant moves the adoption of the following Conference Report.

Senate Committee Substitute No. 2 for H.B. 1329

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 1329, A BILL TO BE ENTITLED AN ACT TO CONSOLIDATE ALL STATUTES RELATED TO EXPUNCTION OF RECORDS IN ONE ARTICLE OF THE GENERAL STATUTES, TO MODIFY THE AGE REQUIREMENTS OF CERTAIN EXPUNCTIONS TO BE THE AGE AT THE TIME OF THE OFFENSE RATHER THAN THE AGE AT THE TIME OF CONVICTION, TO ALLOW THE EXPUNCTION OF MISDEMEANOR LARCENY, AND TO MAKE CLARIFYING AND CONFORMING CHANGES TO THE EXPUNCTION STATUTES, Senate Judiciary I Committee Substitute #2 Adopted 8/4/09, submit the following report:

The House and Senate agree to the following amendments to the Senate Judiciary I Committee Substitute #2 Adopted 8/4/09, and the House concurs in the Senate Judiciary I Committee Substitute #2 as amended:

August 10, 2009

On page 7, between lines 37 and 38, by inserting the following:

"**SECTION 3.1.** G.S. 15A-146(a1) reads as rewritten:

" (a1) Notwithstanding subsection (a) of this section, if a person is charged with multiple offenses and all the charges are dismissed, or findings of not guilty or not responsible are made, then a person may apply to have each of those charges expunged if the offenses occurred within the same 12-month period of time or if the charges are dismissed or findings are made at the same term of court. Unless circumstances otherwise clearly provide, the phrase "term of court" shall mean one week for superior court and one day for district court. There is no requirement that the multiple offenses arise out of the same transaction or occurrence or that the multiple offenses were consolidated for judgment. The court shall hold a hearing on the application. If the court finds (i) that the person had not previously received an expungement under this ~~subsection~~, subsection, or that any previous expungement received under this subsection occurred prior to October 1, 2005 and was for an offense that occurred within the same 12-month period of time, or was dismissed or findings made at the same term of court, as the offenses that are the subject of the current application, (ii) that the person had not previously received an expungement under G.S. 15A-145 or G.S. 90-96, and (iii) that the person had not previously been convicted of any felony under the laws of the United States, this State, or any other state, the court shall order the expunction. No person as to whom such an order has been entered shall be held thereafter under any provision of any law to be guilty of perjury, or to be guilty of otherwise giving a false statement or response to any inquiry made for any purpose, by reason of his failure to recite or acknowledge any expunged entries concerning apprehension or trial.";

And on page 19, line 43, by inserting between the words "person" and "was" the following:

"has no prior felony convictions and";

And on page 19, lines 44, by deleting the number "10" and substituting the number "15";

And on page 19, lines 47 through 51, by rewriting the lines to read:

"(1) An affidavit by the petitioner that he has not been convicted of any felony, has been of good behavior for the 15-year period preceding the filing of the petition, and has not been convicted of any misdemeanor other than a traffic violation, under the laws of the United States or the laws of this State or any other state during the 15-year period."

August 10, 2009

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

Date conferees approved report: August 7, 2009.

*Conferees for the
Senate*

S/ Martin Nesbitt, Chair
S/ R. C. Soles, Jr., Chair
S/ Tony Rand, Chair
S/ Josh Stein, Chair

*Conferees for the
House of Representatives*

S/ Angela R. Bryant, Chair
S/ Alma S. Adams
S/ Alice L. Bordsen
S/ Tim Moore

The Conference Report, which changes the title, is adopted, by electronic vote (69-44), and the Senate is so notified by Special Message.

The Senate having previously adopted the Conference Report, the Speaker orders the bill enrolled and sent to the Governor by Special Message.

Representative Dollar moves the adoption of the following Conference Report.

House Committee Substitute No. 2 for S.B. 203

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 203, A BILL TO BE ENTITLED AN ACT TO ENSURE THE ACCESSIBILITY OF PARKING FOR PERSONS WITH DISABILITIES IN NORTH CAROLINA BY REQUIRING AN EXPIRATION DATE VISIBLE FROM AT LEAST TWENTY FEET ON ALL SUCH PLACARDS, TO ENSURE INCREASED ENFORCEMENT AND COLLECTION OF EXPIRED OR REVOKED PLACARDS BY REQUIRING THAT PLACARDS DISPLAY THE MONTH AND YEAR OF EXPIRATION, TO REQUIRE THE DIVISION OF MOTOR VEHICLES TO ISSUE "HANDICAPPED PLACARD" REGISTRATION CARDS, AND TO REQUIRE THAT THE PERSON TO WHOM THE PLACARD IS ISSUED BE THE OPERATOR OF OR A PASSENGER IN THE VEHICLE IN WHICH THE PLACARD IS DISPLAYED, House Committee Substitute #2 Favorable 8/6/09, submit the following report:

August 10, 2009

The Senate and the House agree to the following amendment to the House Committee Substitute #2 Favorable 8/6/09, and the Senate concurs in the House Committee Substitute as amended:

On page 1, line 11, by rewriting that line to read:

"DISPLAYED, AND TO REQUIRE THE DIVISION OF MOTOR VEHICLES TO ISSUE A SPECIAL IDENTIFICATION CARD FREE OF CHARGE TO A PERSON WHOSE VALID DRIVERS LICENSE IS ADMINISTRATIVELY REVOKED DUE TO A MEDICAL DISQUALIFICATION."

And on page 2, lines 11-12, by rewriting those lines to read:

"**SECTION 3.** G.S. 20-37.7(d) reads as rewritten:

'(d) Expiration and Fee. - A special identification card issued to a person for the first time under this section expires when a drivers license issued on the same day to that person would expire. A special identification card renewed under this section expires when a drivers license renewed by the card holder on the same day would expire.

The fee for a special identification card is the same as the fee set in G.S. 20-14 for a duplicate license. The fee does not apply to a special identification card issued to a resident of this State who is legally blind, is at least 70 years old, ~~or is homeless~~ is homeless, or who has been issued a drivers license but the drivers license is cancelled under G.S. 20-15, in accordance with G.S. 20-9(e) and (g), as a result of a physical or mental disability or disease. To obtain a special identification card without paying a fee, a homeless person must present a letter to the Division from the director of a facility that provides care or shelter to homeless persons verifying that the person is homeless.'

SECTION 4. Sections 1 and 2 of this act become effective January 1, 2010, and apply to placards that are issued or renewed on or after that date. The remainder of this act is effective when it becomes law."

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

Date conferees approved report: August 7, 2009.

*Conferees for the
Senate*

S/ Douglas Berger
S/ John Snow, Jr.
S/ Don Vaughan

*Conferees for the
House of Representatives*

S/ Nelson Dollar

The Conference Report, which changes the title, is adopted, by electronic vote (110-3), and the Senate is so notified by Special Message.

August 10, 2009

Representative Stewart moves the adoption of the following Conference Report.

S.B. 643

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 643, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PROSPECTIVE EMPLOYEE REQUIRED TO SUBMIT TO A CONTROLLED SUBSTANCE EXAMINATION WHOSE FIRST SCREENING TEST PRODUCES A POSITIVE RESULT MAY WAIVE A SECOND EXAMINATION THAT IS INTENDED TO CONFIRM THE RESULTS, Second Edition Engrossed 5/6/09, submit the following report:

The House recedes from House Amendment #1.

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

Date conferees approved report: August 6, 2009.

*Conferees for the
Senate*

*Conferees for the
House of Representatives*

S/ A. B. Swindell, Chair
S/ Steve Goss
S/ Edward W. Jones

S/ Lucy T. Allen, Chair
S/ Randy Stewart
S/ Roger West

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

CALENDAR

Action is taken on the following:

H.B. 565 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW UNION COUNTY TO ADJUST ITS FIRE PROTECTION FEES.

On motion of Representative Gibson, the House concurs in the material Senate amendment, on its second roll call reading, by the following vote, and the bill remains on the Calendar.

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Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Avila, Barnhart, Blackwell, Blackwood, Boles, Bordsen, Braxton, Brisson, Brown, Brubaker, Bryant, Burr, Burris-Floyd, Carney, Coates, Cole, Cotham, Crawford, Current, Daughtry, Dickson, Dockham, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Folwell, Frye, Gibson, Gill, Gillespie, Glazier, Goforth, Grady, Guice, Gulley, Haire, Hall, Harrison, Hill, Hilton, Holliman, Holloway, Howard, Hughes, Iler, Insko, Jeffus, Johnson, Jones, Justice, Justus, Langdon, Lewis, Love, Lucas, Mackey, Martin, McComas, McCormick, McElraft, McGee, Michaux, Mills, Mobley, Moore, Owens, Parmon, Pierce, Randleman, Rapp, Ross, Sager, Samuelson, Setzer, Spear, Stam, Starnes, Steen, Stevens, Stewart, Sutton, Tarleton, Tillis, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 106.

Voting in the negative: Representatives Blust, Cleveland, Hurley, Ingle, Killian, and Rhyne - 6.

Excused absences: Representatives Goodwin, Jackson, Luebke, McLawhorn, and Neumann - 5.

Senate Committee Substitute for **H.B. 465** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF RALEIGH AND THE TOWN OF CHAPEL HILL TO ALLOW ACTIVATION OF PARKING METERS BY CREDIT CARD OR OTHER ELECTRONIC MEANS AND TO USE PROCEEDS COLLECTED FROM PARKING METERS FOR PARKING PROGRAMS AND PROVIDING PARKING FACILITIES.

On motion of Representative Martin, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (113-0), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 12** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE ISSUANCE OF DRIVERS LICENSES TO PERSONS USING BIOPTIC TELESCOPIC LENSES PROVIDED THEY MEET OTHER LICENSING REQUIREMENTS.

On motion of Representative Cole, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (109-4), and the bill is ordered enrolled and presented to the Governor by Special Message.

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H.B. 148 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A CONGESTION RELIEF AND INTERMODAL TRANSPORTATION 21ST CENTURY FUND; TO PROVIDE FOR ALLOCATION OF THOSE FUNDS TO: (1) LOCAL GOVERNMENTS AND TRANSPORTATION AUTHORITIES FOR PUBLIC TRANSPORTATION PURPOSES, (2) SHORT-LINE RAILROADS, FOR ASSISTANCE IN MAINTAINING AND EXPANDING FREIGHT SERVICE STATEWIDE, (3) RAILROADS FOR INTERMODAL FACILITIES, MULTIMODAL FACILITIES, AND INLAND PORTS, (4) MAKE CAPITAL IMPROVEMENTS ON RAIL LINES TO ALLOW IMPROVED FREIGHT SERVICE TO THE PORTS AND MILITARY INSTALLATIONS, (5) EXPAND INTERCITY PASSENGER RAIL SERVICE; TO EXTEND LEVELS OF LOCAL TRANSIT FUNDING AUTHORIZATION TO THREE URBAN REGIONS; AND TO ALLOW OTHER LOCAL GOVERNMENTS OPTIONS FOR LOCAL TRANSIT FUNDING.

On motion of Representative Carney, the House concurs in the Senate amendment, by electronic vote (74-39), and the bill is ordered enrolled and presented to the Governor by Special Message.

Representative Dollar states that his voting equipment malfunctioned and he requests to change his vote from "aye" to "no". This request is granted. The adjusted vote total is (73-40).

Senate Committee Substitute for **H.B. 374**, A BILL TO BE ENTITLED AN ACT TO ADD PUBLIC HEALTH PREPAREDNESS AND QUALITY IMPROVEMENT TO THE LIST OF ESSENTIAL PUBLIC HEALTH SERVICES, AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON EMERGENCY PREPAREDNESS AND DISASTER MANAGEMENT RECOVERY.

On motion of Representative Martin, the bill is withdrawn from the Calendar and re-referred to the Committee on Homeland Security, Military, and Veterans Affairs.

Senate Committee Substitute for **H.B. 596**, A BILL TO BE ENTITLED AN ACT DESIGNATING APRIL AS WOODWORKING MONTH IN NORTH CAROLINA.

On motion of Representative Dollar, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (97-13), and the bill is ordered enrolled and presented to the Governor by Special Message.

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Senate Committee Substitute for **H.B. 667** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE STATE'S ABC LAWS TO CREATE AN EXEMPTION FOR ACCREDITED COMMUNITY COLLEGES, COLLEGES, AND UNIVERSITIES FOR THE MANUFACTURE, POSSESSION, AND CONSUMPTION OF ALCOHOLIC BEVERAGES FOR THE PURPOSE OF CONDUCTING SCIENTIFIC, CHEMICAL, PHARMACEUTICAL, MECHANICAL, INDUSTRIAL, AND EDUCATIONAL RESEARCH, TO ALLOW WINE PRODUCERS AND WINERIES HOLDING AN OFF-PREMISES UNFORTIFIED WINERY PERMIT TO SELL UNFORTIFIED WINE AT THEIR PREMISES DURING BUSINESS HOURS, AND TO ALLOW WINERIES TO SELL THEIR WINE AT AN ADDITIONAL LOCATION IN THE COUNTY UNDER SPECIFIED CONDITIONS.

On motion of Representative Gibson, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (73-38), and the bill is ordered enrolled and presented to the Governor by Special Message.

Senate Committee Substitute for **H.B. 709**, A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL AMENDMENTS TO VARIOUS LAWS RELATED TO THE ENVIRONMENT.

On motion of Representative Wainwright, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (92-21), and the bill is ordered enrolled and presented to the Governor by Special Message.

Senate Committee Substitute for **H.B. 713**, A BILL TO BE ENTITLED AN ACT TO AMEND OR REPEAL VARIOUS ENVIRONMENTAL AND NATURAL RESOURCES REPORTING REQUIREMENTS.

On motion of Representative McComas and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of May 12, 2010.

Senate Committee Substitute for **H.B. 752**, A BILL TO BE ENTITLED AN ACT TO PROVIDE APPLICANTS WHO REGISTER MOTOR VEHICLES AT THE FARMER RATE TO CHOOSE BETWEEN A STAGGERED REGISTRATION YEAR OR AN ANNUAL REGISTRATION YEAR.

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On motion of Representative Braxton, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (112-2), and the bill is ordered enrolled and presented to the Governor by Special Message.

Senate Committee Substitute for **H.B. 764** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE RECOMMENDATION OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.

On motion of Representative Owens, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (112-2), and the bill is ordered enrolled.

H.B. 806 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT A HOMEOWNERS ASSOCIATION MAKE REASONABLE AND DILIGENT EFFORTS TO LOCATE AND NOTIFY A LOT OWNER UNDER THE PLANNED COMMUNITY ACT OR A UNIT OWNER UNDER THE CONDOMINIUM ACT PRIOR TO FILING A CLAIM OF LIEN FOR ASSESSMENTS.

On motion of Representative Weiss, the House concurs in the Senate committee substitute bill, by electronic vote (113-0), and the bill is ordered enrolled and presented to the Governor by Special Message.

Senate Committee Substitute for **H.B. 836** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE CRIMINAL OFFENSE OF REMOVING, DESTROYING, OR CIRCUMVENTING THE OPERATION OF AN ELECTRONIC MONITORING DEVICE.

On motion of Representative Michaux, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (84-30), and the bill is ordered enrolled and presented to the Governor by Special Message.

Senate Committee Substitute for **H.B. 884** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO CLARIFY SAFETY INSPECTION STATION AND SAFETY SELF-INSPECTOR RESPONSIBILITIES AND NOTICE REQUIREMENTS.

Representative Stam inquires of the Chair if the bill is out of order, pursuant to Rule 42. The Speaker rules that the bill is in order.

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On motion of Representative E. Warren, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (72-41), and the bill is ordered enrolled and presented to the Governor by Special Message.

S.B. 488, A BILL TO BE ENTITLED AN ACT TO MAKE THE INCREASE IN SENTENCE LENGTHS BETWEEN PRIOR RECORD LEVELS MORE PROPORTIONATE USING A SET PERCENTAGE INCREMENT, passes its second reading, by electronic vote (61-52), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor by Special Message.

S.B. 489, A BILL TO BE ENTITLED AN ACT TO RESTRUCTURE THE PRIOR RECORD LEVEL POINT RANGES IN ORDER TO EXPAND THE POINTS IN PRIOR RECORD LEVEL I AND TO EVEN OUT THE REMAINING RANGES, passes its second reading, by electronic vote (61-53).

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

Senate Committee Substitute for **H.B. 889** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO EXPAND COVERAGE UNDER THE INSURANCE GUARANTY ASSOCIATION WITH RESPECT TO STRUCTURED SETTLEMENT ANNUITIES FOR MATTERS INVOLVING PERSONAL INJURY OR ILLNESS.

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

Senate Committee Substitute for **H.B. 945** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO STUDY HOW THE TRADITIONAL NATIVE AMERICAN CULTURE, CUSTOMS, AND TRADITIONS OF STATE INDIAN TRIBE CHILDREN CAN BE PROTECTED WHEN THE CHILDREN ARE INVOLVED IN CUSTODY, ADOPTION, AND OTHER PROCEEDINGS IN STATE COURTS.

On motion of Representative Owens, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (114-0), and the bill is ordered enrolled and presented to the Governor by Special Message.

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Senate Committee Substitute for **H.B. 1002**, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONTROLLED SUBSTANCES REPORTING ACT TO MAKE CHANGES PERTAINING TO CONFIDENTIALITY OF PRESCRIPTION INFORMATION.

On motion of Representative Farmer-Butterfield, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (113-0), and the bill is ordered enrolled and presented to the Governor by Special Message.

Senate Committee Substitute for **H.B. 1111** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE MORE SPECIFIC WHEN AN INDIVIDUAL BECOMES A "CANDIDATE" FOR CAMPAIGN FINANCE LAW AND TO DEFINE AND PROVIDE FOR DISCLOSURE OF FUNDING FOR "CANDIDACY EXPLORATION"; TO USE DIFFERENT TERMINOLOGY AND DEFINE TERMS IN THE LEGAL EXPENSE FUNDS STATUTE AND CLARIFY CANDIDATE CONTRIBUTIONS TO LEGAL EXPENSE FUNDS; TO REVISE THE WAY THE DEFINITIONS OF "CONTRIBUTION" AND "EXPENDITURE" DEAL WITH PROMISES; AND TO REQUIRE THAT A TREASURER FOR A NORTH CAROLINA COMMITTEE BE A NORTH CAROLINA RESIDENT.

On motion of Representative Martin, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (111-3), and the bill is ordered enrolled and presented to the Governor by Special Message.

Senate Committee Substitute for **H.B. 1166** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES IN THE LAWS GOVERNING INSURANCE PRODUCERS AND BROKERS, BAIL BONDSMEN, MOTOR CLUBS, PREMIUM FINANCE COMPANIES, AND COLLECTION AGENCIES, AND TO DELETE OBSOLETE REFERENCES TO ASSIGNMENTS OF ERROR.

On motion of Representative Wray, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (114-0), and the bill is ordered enrolled and presented to the Governor by Special Message.

Senate Committee Substitute for **H.B. 1261**, A BILL TO BE ENTITLED AN ACT PROTECTING CHILDREN OF THIS STATE BY MAKING CYBER BULLYING A CRIMINAL OFFENSE PUNISHABLE AS A CLASS 1 MISDEMEANOR.

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On motion of Representative Mackey, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (114-0), and the bill is ordered enrolled and presented to the Governor by Special Message.

Senate Committee Substitute for **H.B. 1387** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE THE CURRENT LIMITATIONS ON CITY ORDINANCES, COUNTY ORDINANCES, AND DEED RESTRICTIONS THAT REGULATE THE INSTALLATION OF SOLAR COLLECTORS FOR SINGLE-FAMILY RESIDENCES APPLICABLE TO ALL RESIDENTIAL PROPERTY.

On motion of Representative Fisher, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (111-2), and the bill is ordered enrolled and presented to the Governor by Special Message.

Senate Committee Substitute for **H.B. 1474** (Committee Substitute), A BILL TO BE ENTITLED AN ACT MANDATING A WEEK OF "CREDIT EDUCATION" FOR ALL HIGH SCHOOL STUDENTS.

On motion of Representative Williams, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (111-3), and the bill is ordered enrolled and presented to the Governor by Special Message.

Senate Committee Substitute for **H.B. 1490** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND CERTAIN PERMITS AND APPROVALS AFFECTING THE PHYSICAL DEVELOPMENT OF REAL PROPERTY LOCATED WITHIN THE STATE OF NORTH CAROLINA, THEREBY SUPERSEDING ALL STATUTORY AND REGULATORY REQUIREMENTS TO THE CONTRARY.

On motion of Representative Harrell, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (114-0), and the bill is ordered enrolled and presented to the Governor by Special Message.

H.B. 1637 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODERNIZE THE RECORD KEEPING OF PRECIOUS METALS PURCHASES BY DEALERS, TO SUBJECT ALL DEALERS IN PRECIOUS METALS TO SIMILAR RECORD-KEEPING REQUIREMENTS, TO INCREASE PRECIOUS METALS PERMITTING FEES, TO REQUIRE THAT A CRIMINAL HISTORY RECORD CHECK BE

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CONDUCTED ON EMPLOYEES OF PRECIOUS METALS DEALERS, AND TO MAKE VARIOUS OTHER CHANGES TO THE PRECIOUS METALS PERMITTING STATUTES.

On motion of Representative Samuelson, the House concurs in the Senate committee substitute bill, by electronic vote (110-3), and the bill is ordered enrolled and presented to the Governor by Special Message.

Senate Committee Substitute for **H.B. 921** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A SEASON FOR THE TRAPPING OF FOXES IN LENOIR COUNTY AND TO AMEND THE LAW ESTABLISHING A SEASON FOR TAKING FOXES WITH WEAPONS AND BY TRAPPING IN JOHNSTON COUNTY.

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

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Avila, Barnhart, Bell, Blackwell, Blackwood, Blust, Boles, Bordsen, Braxton, Brisson, Brown, Brubaker, Bryant, Burr, Burris-Floyd, Carney, Cleveland, Coates, Cole, Cotham, Crawford, Current, Dickson, Dockham, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Folwell, Frye, Gibson, Gillespie, Glazier, Goforth, Grady, Guice, Gulley, Haire, Hall, Harrell, Harrison, Hill, Hilton, Holliman, Holloway, Howard, Hughes, Hurley, Iler, Ingle, Insko, Jeffus, Johnson, Jones, Justice, Justus, Killian, Langdon, Lewis, Love, Lucas, Mackey, Martin, McComas, McCormick, McElraft, McGee, Michaux, Mills, Mobley, Moore, Owens, Parmon, Pierce, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Setzer, Spear, Stam, Starnes, Steen, Stevens, Stewart, Tarleton, Tillis, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 111.

Voting in the negative: None.

Excused absences: Representatives Goodwin, Jackson, Luebke, McLawhorn, and Neumann - 5.

H.B. 1313 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR MEANINGFUL REGULATION OF INSURANCE PUBLIC ADJUSTERS.

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On motion of Representative Goforth, the House concurs in the material Senate committee substitute bill, on its third roll call reading, by the following vote, and the bill is ordered enrolled and presented to the Governor by Special Message.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Avila, Barnhart, Bell, Blackwell, Blackwood, Blust, Boles, Bordsen, Braxton, Brisson, Brown, Brubaker, Bryant, Burr, Burris-Floyd, Carney, Cleveland, Coates, Cole, Cotham, Crawford, Current, Daughtry, Dickson, Dockham, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Folwell, Frye, Gibson, Gill, Gillespie, Glazier, Goforth, Grady, Guice, Gulley, Haire, Hall, Harrell, Harrison, Hill, Hilton, Holliman, Holloway, Howard, Hughes, Hurley, Iler, Ingle, Insko, Jeffus, Johnson, Jones, Justice, Justus, Killian, Langdon, Lewis, Love, Lucas, Mackey, Martin, McComas, McElraft, McGee, Michaux, Mills, Mobley, Moore, Owens, Parmon, Pierce, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Setzer, Stam, Starnes, Steen, Stewart, Sutton, Tarleton, Tillis, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 112.

Voting in the negative: Representatives McCormick and Stevens - 2.

Excused absences: Representatives Goodwin, Jackson, Luebke, McLawhorn, and Neumann - 5.

S.B. 535 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF ARCHER LODGE, SUBJECT TO A REFERENDUM, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Avila, Barnhart, Bell, Blackwell, Blackwood, Blust, Boles, Bordsen, Braxton, Brisson, Brown, Brubaker, Bryant, Burr, Burris-Floyd, Carney, Cleveland, Coates, Cole, Cotham, Crawford, Current, Daughtry, Dickson, Dockham, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Folwell, Frye, Gibson, Gill, Gillespie, Glazier, Goforth, Grady, Guice, Gulley, Haire, Hall, Harrell, Harrison, Hill, Hilton, Holliman, Holloway, Howard, Hughes, Hurley, Iler, Ingle, Insko, Jeffus, Johnson, Jones, Justice, Justus, Killian, Langdon, Lewis, Love, Lucas, Mackey, Martin, McComas, McCormick, McElraft, McGee, Michaux, Mills, Mobley, Moore, Owens, Parmon, Pierce, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Setzer, Spear, Stam, Starnes, Steen, Stevens, Stewart, Sutton, Tarleton, Tillis, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 114.

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Voting in the negative: None.

Excused absences: Representatives Goodwin, Jackson, Luebke, McLawhorn, and Neumann - 5.

H.B. 641 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF ARCHER LODGE, SUBJECT TO A REFERENDUM.

On motion of Representative Daughtry and without objection, the bill is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 553 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF SWANNANOVA, SUBJECT TO A REFERENDUM, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Avila, Barnhart, Bell, Blackwell, Blackwood, Blust, Boles, Bordsen, Braxton, Brisson, Brown, Brubaker, Bryant, Burr, Burris-Floyd, Carney, Cleveland, Coates, Cole, Cotham, Crawford, Current, Daughtry, Dickson, Dockham, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Folwell, Frye, Gibson, Gill, Gillespie, Glazier, Goforth, Grady, Guice, Gulley, Haire, Hall, Harrell, Harrison, Hill, Hilton, Holliman, Holloway, Howard, Hughes, Hurley, Iler, Ingle, Jeffus, Johnson, Jones, Justice, Justus, Killian, Langdon, Lewis, Love, Lucas, Mackey, Martin, McComas, McCormick, McElraft, McGee, Michaux, Mills, Mobley, Moore, Owens, Parmon, Pierce, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Setzer, Spear, Stam, Starnes, Steen, Stevens, Stewart, Sutton, Tarleton, Tillis, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, Weiss, West, Whilden, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 113.

Voting in the negative: None.

Excused absences: Representatives Goodwin, Jackson, Luebke, McLawhorn, and Neumann - 5.

S.B. 898 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE EXCEPTION FOR TWO-COUNTY INDUSTRIAL PARKS FOR DEVELOPMENT TIER DESIGNATION PURPOSES, passes its third reading, by the following vote, and is ordered enrolled and presented to the Governor by Special Message.

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Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Allen, Avila, Bell, Blackwell, Blackwood, Blust, Boles, Bordsen, Braxton, Brisson, Brubaker, Bryant, Burr, Burris-Floyd, Carney, Cleveland, Coates, Cole, Cotham, Crawford, Current, Dickson, Dockham, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, E. Floyd, Folwell, Frye, Gibson, Gill, Gillespie, Glazier, Goforth, Grady, Guice, Gulley, Haire, Hall, Harrell, Harrison, Hill, Hilton, Holliman, Holloway, Howard, Hughes, Hurley, Iler, Ingle, Insko, Jeffus, Johnson, Jones, Justice, Justus, Killian, Langdon, Lewis, Love, Lucas, Mackey, Martin, McComas, McCormick, McElraft, McGee, Michaux, Mills, Mobley, Moore, Owens, Parmon, Pierce, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Setzer, Spear, Starnes, Steen, Stewart, Sutton, Tarleton, Tillis, Tolson, Tucker, Underhill, Wainwright, E. Warren, R. Warren, West, Whilden, Wiley, Wilkins, Williams, Womble, Wray, and Yongue - 108.

Voting in the negative: Representatives Brown, Stam, Stevens, and Weiss - 4.

Excused absences: Representatives Goodwin, Jackson, Luebke, McLawhorn, and Neumann - 5.

H.B. 1445 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO RESTRUCTURE THE PRIOR RECORD LEVEL POINT RANGES IN STRUCTURED SENTENCING IN ORDER TO EXPAND THE POINTS IN PRIOR RECORD LEVEL I AND TO EVEN OUT THE REMAINING RANGES; TO MAKE THE INCREASE IN SENTENCE LENGTHS BETWEEN PRIOR RECORD LEVELS MORE PROPORTIONATE USING A SET PERCENTAGE INCREMENT; TO INCREASE THE PERIOD OF POST-RELEASE SUPERVISION FROM NINE MONTHS TO TWELVE MONTHS, TO RECLASSIFY STATUTORY RAPE OR SEXUAL OFFENSE OF A PERSON WHO IS FIFTEEN YEARS OLD BY A DEFENDANT WHO IS MORE THAN FOUR YEARS BUT LESS THAN SIX YEARS OLDER AS A CLASS F FELONY; TO MODIFY THE AGE REQUIREMENTS OF CERTAIN EXPUNCTIONS TO BE THE AGE AT THE TIME OF THE OFFENSE RATHER THAN THE AGE AT THE TIME OF CONVICTION; TO MAKE CONFORMING CHANGES TO EXISTING EXPUNCTION STATUTES; AND TO REQUIRE STATE AND NATIONAL CRIMINAL RECORD CHECKS WHEN EXPUNGING RECORDS.

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

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H.B. 829 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE EXCEPTION FOR TWO-COUNTY INDUSTRIAL PARKS FOR DEVELOPMENT TIER DESIGNATION PURPOSES.

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

Senate Committee Substitute for **H.B. 191**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS IN THE GENERAL STATUTES AS REQUESTED BY THE GENERAL STATUTES COMMISSION.

On motion of Representative Ross, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (114-0), and the bill is ordered enrolled and presented to the Governor by Special Message.

Representative Moore withdraws his objection to the third reading of **S.B. 489**, A BILL TO BE ENTITLED AN ACT TO RESTRUCTURE THE PRIOR RECORD LEVEL POINT RANGES IN ORDER TO EXPAND THE POINTS IN PRIOR RECORD LEVEL I AND TO EVEN OUT THE REMAINING RANGES, and the bill is before the Body.

The bill passes its third reading by electronic vote (63-50), and is ordered enrolled and presented to the Governor by Special Message.

BILLS PLACED ON CALENDAR

On motion of Representative Owens and without objection, **S.J.R. 1100**, A JOINT RESOLUTION DECLARING THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL MEN'S BASKETBALL TEAM A NORTH CAROLINA INSTITUTION AND CONGRATULATING THEM ON SIGNIFICANT ACCOMPLISHMENTS RESULTING IN THE 2009 NCAA DIVISION I CHAMPIONSHIP, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and pursuant to Rule 36(b) and without objection, is placed on today's Calendar for immediate consideration.

The resolution passes its second reading, by electronic vote (109-0), and there being no objection is read a third time.

Representatives E. Floyd, Hughes, and Moore request and are granted permission to be recorded as voting "aye". The adjusted vote total is (112-0).

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The resolution passes its third reading and is ordered enrolled.

On motion of Representative Owens and without objection, Senate Committee Substitute for **H.B. 104** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR FOUR-YEAR STAGGERED TERMS OF OFFICE FOR MEMBERS OF THE LEGISLATIVE ETHICS COMMITTEE AND TO AMEND THE TIMING OF ETHICS TRAINING FOR LEGISLATORS AS RECOMMENDED BY THE LEGISLATIVE ETHICS COMMITTEE, is withdrawn from the Committee on Judiciary I.

Pursuant to Rule 36(b) and without objection, the bill is placed on today's Calendar for immediate consideration.

On motion of Representative Glazier, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (113-0), and the bill is ordered enrolled and presented to the Governor by Special Message.

CONFEREES DISMISSED

On motion of Representative Martin and without objection, the conferees on Senate Committee Substitute for **H.B. 274**, A BILL TO BE ENTITLED AN ACT TO REWRITE THE LAW CONCERNING THE RECOGNITION OF FOREIGN MONEY JUDGMENTS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, are dismissed and the bill is placed on today's Calendar.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following report from standing committee is presented:

By Representatives Gibson, Wainwright, and Weiss, Chairs, for the Committee on Finance:

Senate Committee Substitute for **H.B. 530** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT FURTHER AUTHORIZING THE UTILITIES COMMISSION TO DETERMINE THE UNIVERSAL SERVICE PROVIDER IN CERTAIN SUBDIVISIONS AND AREAS, with recommendation that the House concur.

The Speaker states that without objection, the Senate Committee Substitute bill will be placed on today's Calendar.

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Representative Cleveland objects to the Senate committee substitute bill being placed on today's Calendar.

Representative Owens requests leave of the House to place the Senate committee substitute bill on today's Calendar. On his motion and by electronic vote (64-50), the Senate Committee Substitute bill is placed on today's Calendar.

LEAVE OF HOUSE GRANTED

Representative Owens requests leave of the House to continue the day's Session beyond the 10:00 p.m. appointed hour until 10:30 p.m. The motion carries by electronic vote (91-21).

CALENDAR (continued)

H.B. 530 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE AN INCENTIVE FOR INVESTING IN CAPITAL FACILITIES IN THE LIFE SCIENCES IN THIS STATE.

On motion of Representative Gibson and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of May 12, 2010.

H.B. 565 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW UNION COUNTY TO ADJUST ITS FIRE PROTECTION FEES.

On motion of Representative Gibson and without objection, the bill is withdrawn from the Calendar of August 11 and placed on the Calendar of May 12, 2010.

H.B. 274 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CLARIFYING CHANGES TO THE GENERAL STATUTES AND SESSION LAWS.

On motion of Representative Martin, the House concurs in the Senate committee substitute bill, by electronic vote (113-1), and the bill is ordered enrolled and presented to the Governor by Special Message.

SPECIAL MESSAGE FROM THE SENATE

The following Special Message is received from the Senate:

August 10, 2009

S.J.R. 1109, A JOINT RESOLUTION SETTING THE TIME FOR ADJOURNMENT OF THE 2009 GENERAL ASSEMBLY TO MEET IN 2010 AND LIMITING THE SUBJECTS THAT MAY BE CONSIDERED IN THAT SESSION, is read the first time.

Pursuant to Rule 32(a), and without objection, the resolution is placed on the Calendar for immediate consideration.

The resolution passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered enrolled.

On motion of Representative Owens, seconded by Representative Womble, the House adjourns at 10:30 p.m. to reconvene August 11 at 12:00 Noon.

ONE HUNDRED FOURTEENTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, August 11, 2009

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

The following prayer is offered by Representative Earline Parmon:

"O Merciful and Mighty Lord:

"At this time and in this place where You have provided for the making of ordinances that will yield much for the people of North Carolina - we give thanks unto You.

"To Thee, O Lord, Thou who has ordained government, government officials, and rulers, we pause to give You thanks for the abundance of wisdom, guidance, and goodwill that You have provided for us, Your servants, during the 148th Session of the North Carolina House of Representatives. We acknowledge that without Your divine guidance, nothing that we have accomplished would have been possible. All honor to You! We acknowledge that in times of deep despair, You renewed our courage and gave us wisdom to do what seemed impossible.

August 11, 2009

"Lord, we acknowledge that while the journey, sometimes, appeared endless, we realize that You never ask us to do that which cannot be accomplished. And now, Lord, as we prepare to depart from this level of vineyard work to another, we ask for Your continued blessings and guidance on these, Your servants, as they return to their families and their districts. Grant us Your gracious and kind mercies as we travel home and as we continue the work which is required of us. We ask special blessings for our State leaders and staff who now must carry out all the mandates that have been crafted to benefit the people of this Great State.

"We ask these things in Your name. Amen."

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

There are no excused absences for today.

ENROLLED BILLS

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

S.B. 220, AN ACT TO MAKE TECHNICAL CORRECTIONS IN THE GENERAL STATUTES AS REQUESTED BY THE GENERAL STATUTES COMMISSION AND TO MAKE VARIOUS OTHER TECHNICAL CHANGES TO THE GENERAL STATUTES AND SESSION LAWS.

S.B. 262, AN ACT TO CLARIFY THAT AN ORDER TO EXPUNGE AN INDIVIDUAL'S RECORD SHALL BE FORWARDED BY THE CLERK OF COURT TO ALL APPLICABLE STATE AND LOCAL GOVERNMENT AGENCIES, TO REQUIRE A STATE GOVERNMENT AGENCY TO FORWARD NOTICE OF EXPUNCTION ORDERS RECEIVED BY THE AGENCY TO ANY PRIVATE ENTITY THAT DISSEMINATES CRIMINAL HISTORY RECORDS FOR COMPENSATION THAT IS LICENSED BY THE AGENCY TO ACCESS THE AGENCY'S CRIMINAL HISTORY RECORD DATABASE, AND TO PROVIDE THAT A PRIVATE ENTITY THAT DISSEMINATES CRIMINAL HISTORY RECORDS FOR COMPENSATION HAS A DUTY TO UPDATE THOSE HISTORIES BEFORE DISSEMINATING THEM AND IS SUBJECT TO CIVIL LIABILITY.

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S.B. 425, AN ACT TO STREAMLINE THE PLAN REVIEW AND INSPECTION PROCESS FOR STATE BUILDINGS BY TRANSFERRING THE AUTHORITY FOR BUILDING CODE ENFORCEMENT WITH RESPECT TO STATE BUILDINGS FROM THE DEPARTMENT OF INSURANCE TO THE DEPARTMENT OF ADMINISTRATION; BY TRANSFERRING FOUR CODE ENFORCEMENT POSITIONS FROM THE DEPARTMENT OF INSURANCE TO THE DEPARTMENT OF ADMINISTRATION; BY CREATING FOUR CODE ENFORCEMENT POSITIONS IN THE DEPARTMENT OF ADMINISTRATION; AND TO CONTINUE THE SECRETARY OF ADMINISTRATION'S AUTHORITY TO APPOINT MEMBERS TO THE BOARD OF AWARDS.

S.B. 631, AN ACT CONCERNING THE DISPOSITION AND USE OF SEIZED VEHICLES BY THE DIVISION OF MOTOR VEHICLES, BUREAU OF LICENSE AND THEFT.

S.B. 700, AN ACT TO: (1) EXTEND SUNSET DATES APPLICABLE TO THE DRY-CLEANING SOLVENT CLEANUP ACT, THE DRY-CLEANING SOLVENT CLEANUP FUND, AND THE DRY-CLEANING SOLVENT TAX; (2) ALLOW THE USE OF STATE AND LOCAL LAND-USE CONTROLS AND DEED NOTICES IN LIEU OF LAND-USE RESTRICTIONS FOR PROPERTIES IN THE AREA OF CONTAMINATED DRY-CLEANING SITES, NOT INCLUDING PROPERTIES ON WHICH A DRY-CLEANING FACILITY IS OR WAS LOCATED WHICH IS THE SOURCE OF A SITE'S CONTAMINATION; (3) MODIFY NOTICE AND COMMENT REQUIREMENTS ASSOCIATED WITH A NOTICE OF INTENT TO REMEDIATE; AND (4) REMOVE THE LIMITATION ON DISBURSEMENT OF MONIES FROM THE DRY-CLEANING SOLVENT CLEANUP FUND FOR COSTS INCURRED TO ADDRESS DRY-CLEANING SOLVENT CONTAMINATION ON STATE-OWNED PROPERTY.

S.B. 777, AN ACT TO ALLOW AFFILIATES OF A TOBACCO PRODUCTS MANUFACTURER TO BE TREATED THE SAME AS THE MANUFACTURER FOR PURPOSES OF PAYMENT OF THE EXCISE TAX ON OTHER TOBACCO PRODUCTS, TO PROHIBIT INTEGRATED WHOLESALE DEALERS FROM SELLING, BORROWING, LOANING, OR EXCHANGING NON-TAX-PAID TOBACCO PRODUCTS OTHER THAN CIGARETTES TO, FROM, OR WITH OTHER INTEGRATED WHOLESALE DEALERS, AND TO REQUIRE PERSONS TRANSPORTING OTHER TOBACCO PRODUCTS TO FILE A SHIPPING REPORT WITH THE SECRETARY OF REVENUE.

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S.B. 838, AN ACT TO AMEND CERTAIN ENVIRONMENTAL AND NATURAL RESOURCES LAWS TO: (1) REQUIRE ELECTRONIC REPORTING OF ENVIRONMENTAL LEAD TEST RESULTS AND BLOOD LEAD TEST RESULTS; (2) CLARIFY THE FEE STRUCTURE FOR FOOD AND LODGING PERMITS; (3) REVISE THE SUNSET PROVISION FOR NUTRIENT OFFSET PAYMENTS; (4) AMEND THE SOLID WASTE DISPOSAL TAX TO STREAMLINE THE PROCESS WHEN A LOCAL GOVERNMENT IS SERVED BY A SOLID WASTE MANAGEMENT AUTHORITY; (5) REPEAL THE REQUIREMENT THAT SEASONAL STATE PARK EMPLOYEES WEAR A UNIFORM VEST; (6) CLARIFY IMPLEMENTATION OF NUTRIENT OFFSETS UNDER THE JORDAN LAKE RULES; (7) CLARIFY IMPLEMENTATION OF THE JORDAN LAKE RULES RELATED TO FEDERAL AND STATE ENTITIES; (8) MAKE CLARIFYING, CONFORMING, AND TECHNICAL AMENDMENTS TO VARIOUS LAWS RELATED TO THE ENVIRONMENT AND NATURAL RESOURCES; (9) AMEND OR REPEAL VARIOUS ENVIRONMENTAL REPORTING REQUIREMENTS; AND (10) DELAY THE EFFECTIVE DATES FOR LAWS GOVERNING THE MANAGEMENT OF DISCARDED COMPUTER EQUIPMENT AND DISCARDED TELEVISIONS TO JULY 1, 2010.

S.B. 860, AN ACT TO ESTABLISH A STUDENT PROTECTION FUND FOR PROPRIETARY SCHOOL STUDENTS.

S.B. 884, AN ACT TO MAKE CHANGES TO THE FIRE-SAFETY STANDARD AND FIREFIGHTER PROTECTION ACT AND TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF HEALTH SERVICE REGULATION, TO ESTABLISH A PILOT PROGRAM TO STUDY ALTERNATIVE STAFFING REQUIREMENTS FOR FACILITIES THAT USE ELECTRONIC SUPERVISION DEVICES AND TO DIRECT THE COMMISSION FOR MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES TO ADOPT RULES ESTABLISHING ACCEPTABLE ELECTRONIC SUPERVISION STANDARDS AND RELATED PERSONNEL REQUIREMENTS AT FACILITIES FOR CHILDREN AND ADOLESCENTS WHO HAVE A PRIMARY DIAGNOSIS OF MENTAL ILLNESS AND/OR EMOTIONAL DISTURBANCE.

S.B. 914, AN ACT TO CLARIFY MOTOR VEHICLE DEALERS AND MANUFACTURERS LICENSING LAWS.

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S.B. 943, AN ACT TO PROVIDE FOR AN ALTERNATIVE CREDIT FOR QUALIFYING EXPENSES OF A PRODUCTION COMPANY.

S.B. 968, AN ACT TO SUPPORT PLANNING FOR MOUNTAIN RESOURCES.

S.B. 984, AN ACT AMENDING THE JUVENILE CODE REGARDING ACCESS TO JUVENILE COURT RECORDS.

S.B. 1007, AN ACT AMENDING THE LAWS UNDER THE NORTH CAROLINA HOME INSPECTOR LICENSURE ACT.

S.B. 1020, AN ACT TO PROTECT AND RESTORE WATER QUALITY AND QUANTITY IN THE UPPER NEUSE RIVER BASIN, FALLS LAKE, AND OTHER DRINKING WATER SUPPLY RESERVOIRS BY DIRECTING THE ENVIRONMENTAL MANAGEMENT COMMISSION TO PROVIDE CREDIT TO LOCAL GOVERNMENTS, LANDOWNERS, AND OTHERS WHO REDUCE WATER POLLUTION IN THE UPPER NEUSE RIVER BASIN BEFORE PERMANENT RULES ARE ADOPTED AND TO MODIFY THE NUTRIENT MANAGEMENT STRATEGY AND ADOPT A SEDIMENTATION STRATEGY FOR CERTAIN DRINKING WATER SUPPLY RESERVOIRS.

S.B. 1029, AN ACT TO AMEND THE NORTH CAROLINA PROFESSIONAL EMPLOYER ORGANIZATION ACT CONCERNING BONDING PROVISIONS AND MAINTENANCE OF EMPLOYEE BENEFITS, AND TO CLARIFY THE APPLICATION OF TAX CREDITS AND OTHER INCENTIVES TO PROFESSIONAL EMPLOYER ORGANIZATIONS.

S.B. 1057, AN ACT TO EXPAND THE SALES TAX EXEMPTION FOR AIRCRAFT SIMULATORS.

H.B. 926, AN ACT TO ALLOW THE USE OF CONTINUOUS ALCOHOL MONITORING SYSTEMS TO MEET REQUIREMENTS FOR THE RESTORATION OF A REVOKED DRIVERS LICENSE, AND TO AUTHORIZE THE USE OF CERTAIN FUNDS FOR THE PROMULGATION OF DIVISION OF MOTOR VEHICLES GUIDELINES RELATING TO THE USE OF THE RESULTS OF CONTINUOUS ALCOHOL MONITORING SYSTEMS AS EVIDENCE.

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H.B. 1151, AN ACT TO ESTABLISH REQUIREMENTS FOR CERTIFICATION OF PERSONS PERFORMING LEAD-BASED PAINT RENOVATION WORK IN CERTAIN RESIDENTIAL HOUSING AND CHILD-OCCUPIED FACILITIES; AND TO REQUIRE ACCREDITATION OF RENOVATION TRAINERS AND RENOVATION TRAINING COURSES.

H.B. 1586, AN ACT TO CLARIFY THE VALUATION OF COMMUNITY LAND TRUST PROPERTY.

H.B. 291, AN ACT AMENDING THE COSMETIC ART ACT TO PROVIDE FOR LICENSURE OF PERSONS ENGAGING IN THE PRACTICE OF NATURAL HAIR CARE.

S.B. 488, AN ACT TO MAKE THE INCREASE IN SENTENCE LENGTHS BETWEEN PRIOR RECORD LEVELS MORE PROPORTIONATE USING A SET PERCENTAGE INCREMENT.

S.B. 489, AN ACT TO RESTRUCTURE THE PRIOR RECORD LEVEL POINT RANGES IN ORDER TO EXPAND THE POINTS IN PRIOR RECORD LEVEL I AND TO EVEN OUT THE REMAINING RANGES.

S.B. 898, AN ACT TO MODIFY THE EXCEPTION FOR TWO-COUNTY INDUSTRIAL PARKS FOR DEVELOPMENT TIER DESIGNATION PURPOSES.

H.B. 12, AN ACT TO CLARIFY PROVISIONS APPLICABLE TO FUNDS USED IN REPAYMENT OF GARVEE BONDS.

H.B. 104, AN ACT TO CLARIFY LEGISLATIVE CONFIDENTIALITY.

H.B. 148, AN ACT TO ESTABLISH A CONGESTION RELIEF AND INTERMODAL TRANSPORTATION 21ST CENTURY FUND; TO PROVIDE FOR ALLOCATION OF THOSE FUNDS TO: (1) LOCAL GOVERNMENTS AND TRANSPORTATION AUTHORITIES FOR PUBLIC TRANSPORTATION PURPOSES, (2) SHORT-LINE RAILROADS, FOR ASSISTANCE IN MAINTAINING AND EXPANDING FREIGHT SERVICE STATEWIDE, (3) RAILROADS FOR INTERMODAL FACILITIES, MULTIMODAL FACILITIES, AND INLAND PORTS, (4) MAKE CAPITAL IMPROVEMENTS ON RAIL LINES TO ALLOW IMPROVED FREIGHT SERVICE TO THE PORTS AND MILITARY INSTALLATIONS, (5) EXPAND INTERCITY PASSENGER RAIL SERVICE; TO EXTEND LEVELS OF LOCAL TRANSIT FUNDING AUTHORIZATION TO THREE

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URBAN REGIONS; AND TO ALLOW OTHER LOCAL GOVERNMENTS OPTIONS FOR LOCAL TRANSIT FUNDING.

H.B. 191, AN ACT TO MAKE A CLARIFYING CHANGE TO THE GENERAL STATUTES AND SESSION LAWS.

H.B. 274, AN ACT TO MAKE VARIOUS CLARIFYING CHANGES TO THE GENERAL STATUTES AND SESSION LAWS.

H.B. 596, AN ACT TO ALLOW LICENSED BARBERS TO PRACTICE BARBERING IN A CLIENT'S HOME.

H.B. 667, AN ACT TO AMEND THE STATE'S ABC LAWS TO CREATE AN EXEMPTION FOR ACCREDITED COMMUNITY COLLEGES, COLLEGES, AND UNIVERSITIES FOR THE MANUFACTURE, POSSESSION, AND CONSUMPTION OF ALCOHOLIC BEVERAGES FOR THE PURPOSE OF CONDUCTING SCIENTIFIC, CHEMICAL, PHARMACEUTICAL, MECHANICAL, INDUSTRIAL, AND EDUCATIONAL RESEARCH, TO ALLOW THE HOLDER OF A VITICULTURE/ENOL-OGY COURSE AUTHORIZATION TO SELL UNFORTIFIED WINE AT A NON-CAMPUS LOCATION, TO ALLOW WINE PRODUCERS AND WINERIES HOLDING AN OFF-PREMISES UNFORTIFIED WINERY PERMIT TO SELL UNFORTIFIED WINE AT THEIR PREMISES DURING BUSINESS HOURS AND TO ALLOW WINERIES TO SELL THEIR WINE AT AN ADDITIONAL LOCATION IN THE COUNTY UNDER SPECIFIED CONDITIONS, AND TO AMEND THE DEFINITION OF SPORTS CLUB TO INCLUDE CERTAIN EQUESTRIAN CENTERS.

H.B. 709, AN ACT TO IMPOSE A MORATORIUM ON CERTAIN ACTIONS OF THE COASTAL RESOURCES COMMISSION RELATED TO TEMPORARY EROSION CONTROL STRUCTURES AND TO DIRECT THE COASTAL RESOURCES COMMISSION TO STUDY THE FEASIBILITY AND ADVISABILITY OF THE USE OF A TERMINAL GROIN AS AN EROSION CONTROL DEVICE.

H.B. 752, AN ACT TO REQUIRE NOTICE BE GIVEN PRIOR TO ASSESSING A LATE FILING FEE FOR LOBBYISTS AND LOBBYIST PRINCIPALS, AND TO PROHIBIT LOBBYISTS FROM SERVING ON THE NORTH CAROLINA STATE HEALTH COORDINATING COUNCIL.

H.B. 806, AN ACT TO REQUIRE THAT A HOMEOWNERS ASSOCIATION MAKE REASONABLE AND DILIGENT EFFORTS TO LOCATE AND NOTIFY A LOT OWNER UNDER THE PLANNED COMMUNITY ACT OR A UNIT OWNER UNDER THE CONDOMINIUM ACT PRIOR TO FILING A CLAIM OF LIEN FOR ASSESSMENTS.

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H.B. 836, AN ACT TO MAKE TECHNICAL, CLARIFYING, AND OTHER MODIFICATIONS TO THE APPROPRIATIONS ACT OF 2009.

H.B. 884, AN ACT TO MODIFY THE REQUIREMENTS FOR A GRANT FROM THE JOB MAINTENANCE AND CAPITAL DEVELOPMENT FUND.

H.B. 889, AN ACT TO INCREASE THE PENALTY FOR MISDEMEANOR DEATH BY MOTOR VEHICLE FROM A CLASS 1 MISDEMEANOR TO A CLASS A1 MISDEMEANOR.

H.B. 945, AN ACT TO PROVIDE FOR STUDIES BY THE COMMISSION, STATUTORY OVERSIGHT COMMITTEES AND COMMISSIONS, AND OTHER AGENCIES, COMMITTEES, AND COMMISSIONS.

H.B. 1002, AN ACT TO AMEND PUBLIC HEALTH-RELATED LAWS TO CLARIFY PROCEDURES FOR INVESTIGATING AND CONTROLLING COMMUNICABLE DISEASES.

H.B. 1111, AN ACT TO MAKE MORE SPECIFIC WHEN AN INDIVIDUAL BECOMES A "CANDIDATE" FOR CAMPAIGN FINANCE LAW; TO USE DIFFERENT TERMINOLOGY AND DEFINE TERMS IN THE LEGAL EXPENSE FUNDS STATUTE AND CLARIFY CANDIDATE CONTRIBUTIONS TO LEGAL EXPENSE FUNDS; TO REVISE THE WAY THE DEFINITIONS OF "CONTRIBUTION" AND "EXPENDITURE" DEAL WITH PROMISES; TO REQUIRE THAT A TREASURER FOR A NORTH CAROLINA COMMITTEE BE A NORTH CAROLINA RESIDENT; TO REDUCE THE THREE-THOUSAND-DOLLAR OR LESS EXEMPTION FOR CAMPAIGN REPORTING FOR CANDIDATES FOR CERTAIN LOCAL ELECTED OFFICES TO ONE THOUSAND DOLLARS OR LESS AND TO ELIMINATE THE THREE-THOUSAND-DOLLAR OR LESS EXEMPTION FOR CAMPAIGN REPORTING FOR CANDIDATES FOR ALL OTHER OFFICES; TO EXEMPT COMMERCIAL COMMUNICATIONS FROM THE ELECTIONEERING COMMUNICATION LAWS AND CANDIDATE-SPECIFIC COMMUNICATION LAWS; TO AUTHORIZE AN OPTIONAL PROCESS TO DETERMINE WHETHER OR NOT A COMMUNICATION IS AN ELECTIONEERING COMMUNICATION OR A CANDIDATE-SPECIFIC COMMUNICATION PRIOR TO ITS DISTRIBUTION; TO MAKE A CHANGE TO THE PROCEDURE FOR ALLOCATING MONEY IN THE POLITICAL PARTIES FINANCING FUND; AND TO MAKE OTHER TECHNICAL CHANGES.

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H.B. 1166, AN ACT TO MAKE VARIOUS CHANGES IN THE LAWS GOVERNING INSURANCE PRODUCERS AND BROKERS, BAIL BONDSMEN, MOTOR CLUBS, PREMIUM FINANCE COMPANIES, AND COLLECTION AGENCIES, TO REQUIRE AN INSURER TO PROVIDE CERTAIN INFORMATION REGARDING A DECEASED PERSON'S LIFE INSURANCE TO A FUNERAL DIRECTOR OR ESTABLISHMENT, TO DELETE OBSOLETE REFERENCES TO ASSIGNMENTS OF ERROR, AND TO MAKE OTHER CHANGES.

H.B. 1261, AN ACT PROTECTING CHILDREN OF THIS STATE BY MAKING CYBER-BULLYING A CRIMINAL OFFENSE PUNISHABLE AS A MISDEMEANOR.

H.B. 1313, AN ACT TO PROVIDE FOR MEANINGFUL REGULATION OF INSURANCE PUBLIC ADJUSTERS.

H.B. 1387, AN ACT TO MAKE THE CURRENT LIMITATIONS ON CITY ORDINANCES AND COUNTY ORDINANCES THAT REGULATE THE INSTALLATION OF SOLAR COLLECTORS FOR SINGLE-FAMILY RESIDENCES APPLICABLE TO ALL RESIDENTIAL PROPERTY AND THE CURRENT LIMITATIONS ON DEED RESTRICTIONS THAT REGULATE THE INSTALLATION OF SOLAR COLLECTORS FOR SINGLE-FAMILY RESIDENCES APPLICABLE TO ALL RESIDENTIAL PROPERTY EXCEPT CERTAIN MULTI-STORY CONDOMINIUMS.

H.B. 1474, AN ACT REQUIRING "CREDIT EDUCATION" FOR ALL STUDENTS.

H.B. 1490, AN ACT CONCERNING THE APPLICATION OF CERTAIN PERMIT EXTENSIONS.

H.B. 1637, AN ACT TO MODERNIZE THE RECORD KEEPING OF PRECIOUS METALS PURCHASES BY DEALERS, TO SUBJECT ALL DEALERS IN PRECIOUS METALS TO SIMILAR RECORD-KEEPING REQUIREMENTS, TO INCREASE PRECIOUS METALS PERMITTING FEES, TO REQUIRE THAT A CRIMINAL HISTORY RECORD CHECK BE CONDUCTED ON EMPLOYEES OF PRECIOUS METALS DEALERS, AND TO MAKE VARIOUS OTHER CHANGES TO THE PRECIOUS METALS PERMITTING STATUTES.

H.B. 578, AN ACT TO CLARIFY NOTICE REQUIRED TO PARTIES WHO MAY BE UNKNOWN OR UNLOCATABLE IN A PARTITION PROCEEDING; TO CODIFY THE CURRENT PRACTICE OF GRANTING OWNERS CREDIT FOR THEIR EXISTING INTEREST IN LAND

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WHEN BIDDING ON A PARTITION SALE; TO PERMIT A COURT TO ORDER AN INDEPENDENT APPRAISAL IF REQUESTED AND PAID FOR BY A PARTY TO THE PARTITION WHO CHALLENGES THE AMOUNT BID IN A PARTITION SALE; TO CLARIFY THE STANDARD FOR DETERMINING WHAT CONSTITUTES "SUBSTANTIAL INJURY" WITH REGARDS TO A PETITION FOR A SALE OF THE PROPERTY; AND TO PROVIDE FOR MEDIATION OF PARTITION DISPUTES.

H.B. 817, AN ACT TO MAKE TECHNICAL AND OTHER CHANGES TO CHAPTERS 120, 120C, AND 138A OF THE GENERAL STATUTES.

H.B. 908, AN ACT TO MAKE VARIOUS CHANGES TO THE ELECTION LAWS RELATED TO VOTING EQUIPMENT, PREPARATION OF BALLOTS, AND TO THE DUTIES OF THE COUNTY BOARDS OF ELECTIONS AND THE STATE BOARD OF ELECTIONS; TO PROVIDE FOR PREREGISTRATION OF QUALIFIED INDIVIDUALS WHO ARE SIXTEEN OR SEVENTEEN YEARS OF AGE AND TO EXPAND INSTRUCTION ON THE IMPORTANCE OF VOTING IN THE HIGH SCHOOL SOCIAL STUDIES CURRICULUM AND TO ENCOURAGE LOCAL BOARDS OF EDUCATION TO PROMOTE REGISTRATION AND PREREGISTRATION OF STUDENTS; TO PERMIT THE RETENTION OF VOTER REGISTRATION RECORDS IN ANY FORMAT APPROVED BY THE DEPARTMENT OF CULTURAL RESOURCES; TO DESIGNATE THE VOTING TABULATION DISTRICTS OF NORTH CAROLINA; TO CLARIFY THE AUTHORITY TO DEMAND THE USE OF PUBLIC BUILDINGS AS ONE-STOP SITES; TO PROVIDE FOR EQUAL TREATMENT OF POLITICAL AND COMMERCIAL EXPRESSION AROUND A VOTING PLACE; TO CLARIFY THAT SEVENTEEN-YEAR-OLDS MAY REGISTER AT EARLY VOTING SITES UNDER THE SAME CONDITIONS THEY MAY REGISTER ELSEWHERE AND TO MAKE RELATED TECHNICAL CHANGES; TO PROHIBIT THE AWARDED OF ATTORNEYS' FEES AGAINST THE STATE BOARD OF ELECTIONS IN ELECTION PROTEST CASES; TO REQUIRE A PUBLIC HEARING BEFORE A LOCAL GOVERNMENT ADOPTS INSTANT RUNOFF VOTING AND TO ALLOW THE USE OF THE TERM RANKED CHOICE VOTING; AND TO AUTHORIZE A STUDY OF THE PROCESS OF FILLING VACANCIES IN LOCAL ELECTED OFFICES.

H.B. 1329, AN ACT TO CONSOLIDATE ALL STATUTES RELATED TO EXPUNCTION OF RECORDS IN ONE ARTICLE OF THE GENERAL STATUTES, TO MODIFY THE AGE REQUIREMENTS OF CERTAIN EXPUNCTIONS TO BE THE AGE AT THE TIME OF THE OFFENSE RATHER THAN THE AGE AT THE TIME OF

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CONVICTION, TO ALLOW THE EXPUNCTION OF MISDEMEANOR LARCENY, AND TO MAKE CLARIFYING AND CONFORMING CHANGES TO THE EXPUNCTION STATUTES.

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

H.B. 764, AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE RECOMMENDATION OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT PRO TEMPORE OF THE SENATE.

S.B. 79, AN ACT TO AMEND THE CHARTER OF THE TOWN OF GATESVILLE TO ELIMINATE THE STAGGERING OF TERMS OF OFFICE FOR THE MAYOR AND MEMBERS OF THE BOARD OF COMMISSIONERS.

S.B. 535, AN ACT TO INCORPORATE THE TOWN OF ARCHER LODGE, SUBJECT TO A REFERENDUM.

S.B. 553, AN ACT TO INCORPORATE THE TOWN OF SWANNANOA, SUBJECT TO A REFERENDUM.

H.B. 465, AN ACT TO ALLOW THE CITY OF RALEIGH TO EXTEND AN ECONOMIC DEVELOPMENT DEADLINE FOR THE CONSTRUCTION OF ECONOMIC DEVELOPMENT PROJECTS.

H.B. 921, AN ACT TO AMEND THE TRAPPING LAWS IN DARE COUNTY AND TO REMOVE THE WARREN FIELD AIRPORT FROM THE CORPORATE LIMITS OF THE CITY OF WASHINGTON.

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

H.J.R. 1517, A JOINT RESOLUTION RECOGNIZING THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL MEN'S BASKETBALL TEAM FOR AN OUTSTANDING SEASON CULMINATING IN THE 2009 NCAA DIVISION I CHAMPIONSHIP. (RESOLUTION 2009-31)

S.J.R. 1100, A JOINT RESOLUTION DECLARING THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL MEN'S BASKETBALL TEAM A NORTH CAROLINA INSTITUTION AND CONGRATULATING THEM ON SIGNIFICANT ACCOMPLISHMENTS RESULTING IN THE 2009 NCAA DIVISION I CHAMPIONSHIP. (RESOLUTION 2009-32)

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CHAPTERED BILLS

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

S.B. 107, AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE OYSTER AND HARD CLAM FISHERY MANAGEMENT PLAN, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE. (S.L. 2009-433)

H.B. 819, AN ACT TO ESTABLISH THE POLYSOMNOGRAPHY PRACTICE ACT. (S.L. 2009-434)

S.B. 802, AN ACT TO PROVIDE THAT A NONPROFIT COMMUNITY HEALTH REFERRAL SERVICE THAT REFERS LOW-INCOME PATIENTS TO PHYSICIANS FOR FREE SERVICES IS NOT LIABLE FOR THE ACTS OR OMISSIONS OF THE PHYSICIAN IN RENDERING SERVICE TO THAT PATIENT, IF THE PHYSICIAN MAINTAINS PROFESSIONAL LIABILITY COVERAGE FOR THAT SERVICE. (S.L. 2009-435)

S.B. 698, AN ACT REQUIRING THAT CITIES, COUNTIES, SANITARY DISTRICTS, AND WATER AND SEWER AUTHORITIES GIVE ELECTRONIC NOTICE OF THE IMPOSITION OF CERTAIN NEW FEES AND INCREASES IN CERTAIN EXISTING FEES AND AN OPPORTUNITY TO BE HEARD WHEN THE IMPOSITION OR INCREASE OF THOSE FEES IS CONSIDERED. (S.L. 2009-436)

S.B. 929, AN ACT TO AMEND REQUIREMENTS APPLICABLE TO MOTIONS TO SET ASIDE BAIL BOND FORFEITURES AND CLARIFY SANCTIONS THAT MAY BE IMPOSED IN CONJUNCTION WITH SUCH MOTIONS; AND TO PROVIDE THAT A COURT MAY NOT SET ASIDE A BAIL BOND FORFEITURE IF, BEFORE EXECUTING THE BOND, THE SURETY OR BAIL AGENT HAD ACTUAL NOTICE OF A DEFENDANT'S FAILURE TO APPEAR ON TWO OR MORE PRIOR OCCASIONS IN THE CASE FOR WHICH THE BOND WAS EXECUTED. (S.L. 2009-437)

S.B. 628, AN ACT TO CHANGE THE REPORTING FORMAT FOR DATA ON CONTROLLED SUBSTANCES TRANSMITTED BY DISPENSERS TO THE DEPARTMENT, TO AUTHORIZE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO RELEASE CONFIDENTIAL DATA IN THE CONTROLLED SUBSTANCES REPORTING SYSTEM TO THE CHIEF MEDICAL EXAMINER AND COUNTY

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MEDICAL EXAMINERS FOR THE PURPOSE OF INVESTIGATING DEATHS, AND TO MAKE CHANGES PERTAINING TO CONFIDENTIALITY OF PRESCRIPTION INFORMATION. (S.L. 2009-438)

S.B. 600, AN ACT TO REQUIRE A DEMONSTRATION OF LACK OF PRUDENT AND FEASIBLE ALTERNATIVE IN ORDER FOR PUBLIC CONDEMNORS TO CONDEMN PROPERTY ENCUMBERED BY A CONSERVATION EASEMENT. (S.L. 2009-439)

S.B. 660, AN ACT TO PROVIDE AN ALTERNATIVE METHOD OF DETERMINING PROPERTY DAMAGES AS A PART OF MOTOR VEHICLE LIABILITY INSURANCE. (S.L. 2009-440)

H.B. 1057, AN ACT TO ABOLISH DEFICIENCY JUDGMENTS IN CERTAIN CASES WHERE THE MORTGAGE IS SECURED BY PRIMARY RESIDENCE. (S.L. 2009-441)

S.B. 345, AN ACT TO ADD PUBLIC HEALTH PREPAREDNESS AND QUALITY IMPROVEMENT TO THE LIST OF ESSENTIAL PUBLIC HEALTH SERVICES, AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON EMERGENCY PREPAREDNESS AND DISASTER MANAGEMENT RECOVERY. (S.L. 2009-442)

S.B. 834, AN ACT REWRITING THE LAWS REGULATING SANITARIANS AND AUTHORIZING THE STATE BOARD OF SANITARIAN EXAMINERS TO IMPOSE AN APPLICATION FEE, AND TO INCREASE CERTAIN FEES. (S.L. 2009-443)

S.B. 606, AN ACT TO ESTABLISH A PROCEDURE FOR PROVIDING NOTICE TO CREDITORS WITHOUT ESTATE ADMINISTRATION WHEN A DECEDENT DIES LEAVING NO PROPERTY SUBJECT TO PROBATE AND TO MAKE A TECHNICAL CORRECTION TO THE PROVISION PROVIDING FOR COSTS IN THE ADMINISTRATION OF ESTATES. (S.L. 2009-444)

S.B. 509, AN ACT TO MAKE TECHNICAL, CLARIFYING, AND ADMINISTRATIVE CHANGES TO THE TAX AND RELATED LAWS. (S.L. 2009-445)

H.B. 1481, AN ACT TO TRANSFER THE STATE ENERGY OFFICE FROM THE DEPARTMENT OF ADMINISTRATION TO THE DEPARTMENT OF COMMERCE, TO TRANSFER THE RESIDENTIAL ENERGY CONSERVATION ASSISTANCE PROGRAM FROM THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO THE

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ENERGY OFFICE OF THE DEPARTMENT OF COMMERCE, AND TO MAKE VARIOUS CHANGES TO THE ENERGY POLICY ACT OF 1975. (S.L. 2009-446)

H.B. 951, AN ACT TO ALLOW THE COUNTY BOARD OF COMMISSIONERS TO APPOINT A LICENSED OPTOMETRIST FROM ANOTHER COUNTY TO THE COUNTY BOARD OF HEALTH UNDER CERTAIN CIRCUMSTANCES AND TO ABOLISH THE STATE BOARD OF OSTEOPATHIC EXAMINATION AND REGISTRATION. (S.L. 2009-447)

S.B. 780, AN ACT TO EXPAND COVERAGE UNDER THE INSURANCE GUARANTY ASSOCIATION WITH RESPECT TO STRUCTURED SETTLEMENT ANNUITIES FOR MATTERS INVOLVING PERSONAL INJURY OR ILLNESS. (S.L. 2009-448)

H.B. 406, AN ACT TO AUTHORIZE THE DEPARTMENT OF JUSTICE AND THE WILDLIFE RESOURCES COMMISSION TO DEVELOP JOINTLY A PLAN FOR CONSTRUCTION OF A FIRING RANGE FOR USE BY CRIMINAL JUSTICE OFFICERS ATTENDING THE WESTERN JUSTICE ACADEMY, LAW ENFORCEMENT OFFICERS OF THE WILDLIFE RESOURCES COMMISSION, AND OTHERS, AND FOR A FIRING AND ARCHERY RANGE OPEN AND ACCESSIBLE FOR PUBLIC USE; AND TO PROVIDE THAT ANY FIRING RANGE CONSTRUCTED ON THE GROUNDS OF THE LARRY T. JUSTUS WESTERN JUSTICE ACADEMY SHALL BE AN INDOOR FACILITY. (S.L. 2009-449)

H.B. 1172, AN ACT TO ENACT THE BASE SALARY SCHEDULE FOR SCHOOL-BASED ADMINISTRATORS. (S.L. 2009-450)

S.B. 202, AN ACT TO MAKE BASE BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES. (S.L. 2009-451)

S.B. 851, AN ACT TO ALLOW DISTRICT COURTS TO SUPERVISE DEFENDANTS CONVICTED IN SUPERIOR COURT WHO ARE ASSIGNED TO DRUG TREATMENT COURTS OR THERAPEUTIC COURTS. (S.L. 2009-452)

S.B. 1028, AN ACT DIRECTING LOCAL BOARDS OF EDUCATION TO ENCOURAGE COMMUNITY ACADEMIC BOOSTER ORGANIZATIONS, SUCH AS COMMUNITY ACHIEVEMENT NETWORK –

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DEVELOPING OUR EDUCATIONAL RESOURCES (CAN DOER) ORGANIZATIONS, TO SUPPORT STUDENT ACADEMIC ACHIEVEMENT, TO DEVELOP POLICIES APPROVING USE OF VOLUNTEER ORGANIZATIONS AND INDIVIDUAL VOLUNTEERS, AND TO DEVELOP POLICIES TO MAKE INFORMATION ON TUTORING AND ACADEMIC SUPPORT SERVICES AVAILABLE TO PARENTS AND STUDENTS. (S.L. 2009-453)

S.B. 405, AN ACT TO ASSIST COUNTIES AND THE DEPARTMENT OF REVENUE IN OBTAINING ACCURATE REAL PROPERTY SALES INFORMATION NEEDED FOR PROPERTY TAX APPRAISALS. (S.L. 2009-454)

H.B. 1103, AN ACT TO UPDATE THE SEED LAW AND TO INCREASE FEES FOR SEED DEALER LICENSES. (S.L. 2009-455)

H.B. 67, AN ACT TO PROHIBIT THE COVERING OF THE STATE NAME, YEAR STICKER, OR MONTH STICKER ON A STATE LICENSE PLATE BY A LICENSE PLATE FRAME AND TO DIRECT THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE AND THE REVENUE LAWS STUDY COMMITTEE TO STUDY THE AUTHORIZATION OF SPECIAL REGISTRATION PLATES. (S.L. 2009-456)

H.B. 1222, AN ACT TO UPDATE THE RATE SPREAD AND HIGH-COST HOME LOANS STATUTES, AND TO MAKE A CONFORMING CHANGE TO THE EMERGENCY PROGRAM TO REDUCE HOME FORECLOSURES ACT. (S.L. 2009-457)

H.B. 1411, AN ACT TO DIRECT OCCUPATIONAL LICENSING BOARDS TO ADOPT RULES TO POSTPONE OR WAIVE CONDITIONS OF LICENSURE FOR CERTAIN INDIVIDUALS SERVING IN THE ARMED FORCES. (S.L. 2009-458)

H.B. 121, AN ACT TO ALLOW ALL UNITS OF LOCAL GOVERNMENT TO REGULATE GOLF CARTS. (S.L. 2009-459)

H.B. 1098, AN ACT TO PROVIDE THE SAME PROTECTIONS TO SEARCH AND RESCUE ANIMALS AS THOSE PROVIDED TO LAW ENFORCEMENT AGENCY ANIMALS AND ANIMALS THAT ASSIST THE DISABLED. (S.L. 2009-460)

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S.B. 69, AN ACT TO MAKE CERTAIN PARTS OF A RULE ADOPTED BY THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY RELATING TO ROTATION WRECKER SERVICES VOID AND UNENFORCEABLE AND TO DIRECT THE SECRETARY TO ADOPT RULES CONSISTENT WITH THIS ACT AND TO AMEND THE DUTIES OF THE HIGHWAY PATROL. (S.L. 2009-461)

H.B. 456, AN ACT TO MAKE TECHNICAL AND ORGANIZATIONAL CHANGES TO THE LAW REGARDING THE LICENSURE AND INSPECTION OF FACILITIES FOR AGED AND DISABLED INDIVIDUALS. (S.L. 2009-462)

S.B. 1091, AN ACT TO AMEND THE LAW REGARDING TRAFFICKING IN METHAMPHETAMINE AND AMPHETAMINE TO CLARIFY THAT THE CHARGE OF TRAFFICKING IS BASED ON THE WEIGHT OF THE ENTIRE POWDER OR LIQUID MIXTURE RATHER THAN THE WEIGHT OF THE ACTUAL AMOUNT OF THE CONTROLLED SUBSTANCE IN THE POWDER OR LIQUID MIXTURE. (S.L. 2009-463)

On motion of the Speaker, the House recesses at 12:15 p.m.

RECESS

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

On motion of the Speaker, the House recesses at 1:15 p.m.

RECESS

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

ENROLLED BILLS

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

S.B. 203, AN ACT TO ENSURE THE ACCESSIBILITY OF PARKING FOR PERSONS WITH DISABILITIES IN NORTH CAROLINA BY REQUIRING AN EXPIRATION DATE VISIBLE FROM AT LEAST TWENTY FEET ON ALL SUCH PLACARDS, TO ENSURE INCREASED

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ENFORCEMENT AND COLLECTION OF EXPIRED OR REVOKED PLACARDS BY REQUIRING THAT PLACARDS DISPLAY THE MONTH AND YEAR OF EXPIRATION, TO REQUIRE THE DIVISION OF MOTOR VEHICLES TO ISSUE "HANDICAPPED PLACARD" REGISTRATION CARDS, AND TO REQUIRE THAT THE PERSON TO WHOM THE PLACARD IS ISSUED BE THE OPERATOR OF OR A PASSENGER IN THE VEHICLE IN WHICH THE PLACARD IS DISPLAYED, AND TO REQUIRE THE DIVISION OF MOTOR VEHICLES TO ISSUE A SPECIAL IDENTIFICATION CARD FREE OF CHARGE TO A PERSON WHOSE VALID DRIVERS LICENSE IS ADMINISTRATIVELY REVOKED DUE TO A MEDICAL DISQUALIFICATION.

S.B. 643, AN ACT TO PROVIDE THAT A PROSPECTIVE EMPLOYEE REQUIRED TO SUBMIT TO A CONTROLLED SUBSTANCE EXAMINATION WHOSE FIRST SCREENING TEST PRODUCES A POSITIVE RESULT MAY WAIVE A SECOND EXAMINATION THAT IS INTENDED TO CONFIRM THE RESULTS.

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

S.J.R. 1109, A JOINT RESOLUTION SETTING THE TIME FOR ADJOURNMENT OF THE 2009 GENERAL ASSEMBLY TO MEET IN 2010 AND LIMITING THE SUBJECTS THAT MAY BE CONSIDERED IN THAT SESSION. (RESOLUTION 2009-33)

Representative Owens moves, seconded by Representative Holliman, that the House adjourn, subject to the ratification of bills, to reconvene May 12, 2010, at 12:00 Noon.

The motion carries.

CHAPTERED BILLS

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

S.B. 461, AN ACT TO PROHIBIT SEEKING OR IMPOSING THE DEATH PENALTY ON THE BASIS OF RACE; TO ESTABLISH A PROCESS BY WHICH RELEVANT EVIDENCE MAY BE USED TO ESTABLISH THAT RACE WAS A SIGNIFICANT FACTOR IN SEEKING OR IMPOSING THE DEATH PENALTY WITHIN THE COUNTY, THE

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PROSECUTORIAL DISTRICT, THE JUDICIAL DIVISION, OR THE STATE, TO IDENTIFY TYPES OF EVIDENCE THAT MAY BE CONSIDERED BY THE COURT WHEN CONSIDERING WHETHER RACE WAS A BASIS FOR SEEKING OR IMPOSING THE DEATH PENALTY, INCLUDING STATISTICAL EVIDENCE, AND TO AUTHORIZE THE DEFENDANT TO RAISE THIS CLAIM AT THE PRETRIAL CONFERENCE OR IN POSTCONVICTION PROCEEDINGS; TO PROVIDE THAT THE DEFENDANT HAS THE BURDEN OF PROVING THAT RACE WAS A SIGNIFICANT FACTOR IN SEEKING OR IMPOSING THE DEATH PENALTY AND TO PROVIDE THAT THE STATE MAY OFFER EVIDENCE TO REBUT THE CLAIMS OR EVIDENCE OF THE DEFENDANT AND IN DOING SO TO USE STATISTICAL EVIDENCE AS WELL AS ANY OTHER EVIDENCE THE COURT DEEMS RELEVANT AND MATERIAL; TO PROVIDE THAT IF RACE IS FOUND TO BE A SIGNIFICANT FACTOR IN THE IMPOSITION OF THE DEATH PENALTY, THE DEATH SENTENCE SHALL BE VACATED AND THE DEFENDANT RESENTENCED TO LIFE IMPRISONMENT WITHOUT THE POSSIBILITY OF PAROLE; TO PROVIDE THAT THIS ACT IS EFFECTIVE WHEN IT BECOMES LAW AND APPLIES RETROACTIVELY, THAT MOTIONS UNDER THIS ACT FOR THOSE CURRENTLY UNDER A DEATH SENTENCE SHALL BE FILED WITHIN ONE YEAR OF THE EFFECTIVE DATE OF THIS ACT, AND THAT MOTIONS FOR THOSE WHOSE DEATH SENTENCE IS IMPOSED ON OR AFTER THE EFFECTIVE DATE OF THIS ACT SHALL BE FILED AS PROVIDED IN THIS ACT. (S.L. 2009-464)

S.B. 79, AN ACT TO AMEND THE CHARTER OF THE TOWN OF GATESVILLE TO ELIMINATE THE STAGGERING OF TERMS OF OFFICE FOR THE MAYOR AND MEMBERS OF THE BOARD OF COMMISSIONERS. (S.L. 2009-465)

S.B. 535, AN ACT TO INCORPORATE THE TOWN OF ARCHER LODGE, SUBJECT TO A REFERENDUM. (S.L. 2009-466)

S.B. 553, AN ACT TO INCORPORATE THE TOWN OF SWANNANOVA, SUBJECT TO A REFERENDUM. (S.L. 2009-467)

H.B. 465, AN ACT TO ALLOW THE CITY OF RALEIGH TO EXTEND AN ECONOMIC DEVELOPMENT DEADLINE FOR THE CONSTRUCTION OF ECONOMIC DEVELOPMENT PROJECTS. (S.L. 2009-468)

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H.B. 921, AN ACT TO AMEND THE TRAPPING LAWS IN DARE COUNTY AND TO REMOVE THE WARREN FIELD AIRPORT FROM THE CORPORATE LIMITS OF THE CITY OF WASHINGTON. (S.L. 2009-469)

H.B. 764, AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE RECOMMENDATION OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT PRO TEMPORE OF THE SENATE. (S.L. 2009-470)

The House stands adjourned at 3:00 p.m.

Denise G. Weeks
Principal Clerk

ADDENDUM

Pursuant to Article II, Section 22 of the North Carolina Constitution, the following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State. The dates included in this section represent the date the Acts were signed by the Governor.

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H.B. 596, AN ACT TO ALLOW LICENSED BARBERS TO PRACTICE BARBERING IN A CLIENT'S HOME. (S.L. 2009-471)

H.B. 1305, AN ACT TO MAKE CHANGES TO THE COASTAL PROPERTY INSURANCE POOL, PRESENTLY KNOWN AS THE BEACH PLAN, AS RECOMMENDED BY THE JOINT SELECT STUDY COMMITTEE ON THE POTENTIAL IMPACT OF MAJOR HURRICANES ON THE NORTH CAROLINA INSURANCE INDUSTRY, AND TO MAKE OTHER CHANGES. (S.L. 2009-472)

S.B. 252, AN ACT TO AMEND STATE LAW REGARDING THE INTRODUCTION OF LAB REPORTS AND RELATED DOCUMENTS TO COMPLY WITH REQUIREMENTS OF THE UNITED STATES SUPREME COURT DECISION IN MELENDEZ-DIAZ V. MASSACHUSETTS. (S.L. 2009-473)

S.B. 425, AN ACT TO STREAMLINE THE PLAN REVIEW AND INSPECTION PROCESS FOR STATE BUILDINGS BY TRANSFERRING THE AUTHORITY FOR BUILDING CODE ENFORCEMENT WITH RESPECT TO STATE BUILDINGS FROM THE DEPARTMENT OF INSURANCE TO THE DEPARTMENT OF ADMINISTRATION; BY TRANSFERRING FOUR CODE ENFORCEMENT POSITIONS FROM THE DEPARTMENT OF INSURANCE TO THE DEPARTMENT OF ADMINISTRATION; BY CREATING FOUR CODE ENFORCEMENT POSITIONS IN THE DEPARTMENT OF ADMINISTRATION; AND TO CONTINUE THE SECRETARY OF ADMINISTRATION'S AUTHORITY TO APPOINT MEMBERS TO THE BOARD OF AWARDS. (S.L. 2009-474)

S.B. 960, AN ACT TO FACILITATE EXPEDITED USE AND EXPENDITURE OF FEDERAL FUNDS PROVIDED UNDER THE AMERICAN RECOVERY AND REINVESTMENT ACT. (S.L. 2009-475)

S.B. 1006, AN ACT TO REQUIRE WITHHOLDING ON CONTRACTORS IDENTIFIED BY AN INDIVIDUAL TAXPAYER IDENTIFICATION NUMBER (ITIN). (S.L. 2009-476)

H.B. 752, AN ACT TO REQUIRE NOTICE BE GIVEN PRIOR TO ASSESSING A LATE FILING FEE FOR LOBBYISTS AND LOBBYIST PRINCIPALS, AND TO PROHIBIT LOBBYISTS FROM SERVING ON THE NORTH CAROLINA STATE HEALTH COORDINATING COUNCIL. (S.L. 2009-477)

H.B. 569, AN ACT TO DIRECT THE DIVISION OF WATER QUALITY IN THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO AUTHORIZE THE USE OF THREE-SIDED, OPEN-BOTTOM, OR BOTTOMLESS CULVERTS ON PRIVATE PROPERTY, BASED ON SOUND ENGINEERING PRACTICES, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE. (S.L. 2009-478)

H.B. 709, AN ACT TO IMPOSE A MORATORIUM ON CERTAIN ACTIONS OF THE COASTAL RESOURCES COMMISSION RELATED TO TEMPORARY EROSION CONTROL STRUCTURES AND TO DIRECT THE COASTAL RESOURCES COMMISSION TO STUDY THE FEASIBILITY AND ADVISABILITY OF THE USE OF A TERMINAL GROIN AS AN EROSION CONTROL DEVICE. (S.L. 2009-479)

H.B. 1236, AN ACT TO PROMOTE VOLUNTARY, YEAR-ROUND WATER CONSERVATION AND WATER USE EFFICIENCY MEASURES BY COMMERCIAL CAR WASHES. (S.L. 2009-480)

H.B. 1586, AN ACT TO CLARIFY THE VALUATION OF COMMUNITY LAND TRUST PROPERTY. (S.L. 2009-481)

H.B. 1637, AN ACT TO MODERNIZE THE RECORD KEEPING OF PRECIOUS METALS PURCHASES BY DEALERS, TO SUBJECT ALL DEALERS IN PRECIOUS METALS TO SIMILAR RECORD-KEEPING REQUIREMENTS, TO INCREASE PRECIOUS METALS PERMITTING FEES, TO REQUIRE THAT A CRIMINAL HISTORY RECORD CHECK BE CONDUCTED ON EMPLOYEES OF PRECIOUS METALS DEALERS, AND TO MAKE VARIOUS OTHER CHANGES TO THE PRECIOUS METALS PERMITTING STATUTES. (S.L. 2009-482)

S.B. 700, AN ACT TO: (1) EXTEND SUNSET DATES APPLICABLE TO THE DRY-CLEANING SOLVENT CLEANUP ACT, THE DRY-CLEANING SOLVENT CLEANUP FUND, AND THE DRY-CLEANING SOLVENT TAX; (2) ALLOW THE USE OF STATE AND LOCAL LAND-USE CONTROLS AND DEED NOTICES IN LIEU OF LAND-USE RESTRICTIONS FOR PROPERTIES IN THE AREA OF CONTAMINATED DRY-CLEANING SITES, NOT INCLUDING PROPERTIES ON WHICH A DRY-CLEANING FACILITY IS OR WAS LOCATED WHICH IS THE SOURCE OF A SITE'S CONTAMINATION; (3) MODIFY NOTICE AND COMMENT REQUIREMENTS ASSOCIATED WITH A NOTICE OF INTENT TO REMEDIATE; AND (4) REMOVE THE LIMITATION ON DISBURSEMENT OF MONIES FROM THE DRY-CLEANING SOLVENT CLEANUP FUND FOR COSTS INCURRED TO ADDRESS DRY-CLEANING SOLVENT CONTAMINATION ON STATE-OWNED PROPERTY. (S.L. 2009-483)

S.B. 838, AN ACT TO AMEND CERTAIN ENVIRONMENTAL AND NATURAL RESOURCES LAWS TO: (1) REQUIRE ELECTRONIC REPORTING OF ENVIRONMENTAL LEAD TEST RESULTS AND BLOOD LEAD TEST RESULTS; (2) CLARIFY THE FEE STRUCTURE FOR FOOD AND LODGING PERMITS; (3) REVISE THE SUNSET PROVISION FOR NUTRIENT OFFSET PAYMENTS; (4) AMEND THE SOLID WASTE DISPOSAL TAX TO STREAMLINE THE PROCESS WHEN A LOCAL GOVERNMENT IS SERVED BY A SOLID WASTE MANAGEMENT AUTHORITY; (5) REPEAL THE REQUIREMENT THAT SEASONAL STATE PARK EMPLOYEES WEAR A UNIFORM VEST; (6) CLARIFY IMPLEMENTATION OF NUTRIENT OFFSETS UNDER THE JORDAN LAKE RULES; (7) CLARIFY IMPLEMENTATION OF THE JORDAN LAKE RULES RELATED TO FEDERAL AND STATE ENTITIES; (8) MAKE CLARIFYING, CONFORMING, AND TECHNICAL AMENDMENTS TO VARIOUS LAWS RELATED TO THE ENVIRONMENT AND NATURAL RESOURCES; (9) AMEND OR

REPEAL VARIOUS ENVIRONMENTAL REPORTING REQUIREMENTS; AND (10) DELAY THE EFFECTIVE DATES FOR LAWS GOVERNING THE MANAGEMENT OF DISCARDED COMPUTER EQUIPMENT AND DISCARDED TELEVISIONS TO JULY 1, 2010. (S.L. 2009-484)

S.B. 968, AN ACT TO SUPPORT PLANNING FOR MOUNTAIN RESOURCES. (S.L. 2009-485)

S.B. 1020, AN ACT TO PROTECT AND RESTORE WATER QUALITY AND QUANTITY IN THE UPPER NEUSE RIVER BASIN, FALLS LAKE, AND OTHER DRINKING WATER SUPPLY RESERVOIRS BY DIRECTING THE ENVIRONMENTAL MANAGEMENT COMMISSION TO PROVIDE CREDIT TO LOCAL GOVERNMENTS, LANDOWNERS, AND OTHERS WHO REDUCE WATER POLLUTION IN THE UPPER NEUSE RIVER BASIN BEFORE PERMANENT RULES ARE ADOPTED AND TO MODIFY THE NUTRIENT MANAGEMENT STRATEGY AND ADOPT A SEDIMENTATION STRATEGY FOR CERTAIN DRINKING WATER SUPPLY RESERVOIRS. (S.L. 2009-486)

H.B. 1297, AN ACT PERTAINING TO THE CREDENTIALING OF HEALTH CARE PROVIDERS UNDER HEALTH BENEFIT PLANS; ADDING A DEFINITION, AND AMENDING NOTICE AND CONTRACT NEGOTIATION PROVISIONS FOR HEALTH BENEFIT PLAN AND PROVIDER CONTRACTING; CLARIFYING A CON EXEMPTION CRITERION; AND MODIFYING INSPECTION PRACTICES OF CERTAIN HOSPITAL OUTPATIENT LOCATIONS. (S.L. 2009-487)

H.B. 1151, AN ACT TO ESTABLISH REQUIREMENTS FOR CERTIFICATION OF PERSONS PERFORMING LEAD-BASED PAINT RENOVATION WORK IN CERTAIN RESIDENTIAL HOUSING AND CHILD-OCCUPIED FACILITIES; AND TO REQUIRE ACCREDITATION OF RENOVATION TRAINERS AND RENOVATION TRAINING COURSES. (S.L. 2009-488)

H.B. 1280, AN ACT CLARIFYING VARIOUS PROVISIONS UNDER THE LAWS PERTAINING TO THE FEDERAL WORK FIRST PROGRAM. (S.L. 2009-489)

S.B. 884, AN ACT TO MAKE CHANGES TO THE FIRE-SAFETY STANDARD AND FIREFIGHTER PROTECTION ACT AND TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF HEALTH SERVICE REGULATION, TO ESTABLISH A PILOT PROGRAM TO STUDY ALTERNATIVE STAFFING REQUIREMENTS FOR FACILITIES THAT USE ELECTRONIC SUPERVISION

DEVICES AND TO DIRECT THE COMMISSION FOR MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES TO ADOPT RULES ESTABLISHING ACCEPTABLE ELECTRONIC SUPERVISION STANDARDS AND RELATED PERSONNEL REQUIREMENTS AT FACILITIES FOR CHILDREN AND ADOLESCENTS WHO HAVE A PRIMARY DIAGNOSIS OF MENTAL ILLNESS AND/OR EMOTIONAL DISTURBANCE. (S.L. 2009-490)

H.B. 1117, AN ACT TO PROVIDE THAT THE DIVISION OF MOTOR VEHICLES SHALL NOT ISSUE OR RENEW COMMERCIAL DRIVERS LICENSES WITH ENDORSEMENTS THAT QUALIFY A PERSON TO DRIVE A COMMERCIAL PASSENGER VEHICLE OR SCHOOL BUS FOR ANYONE REQUIRED TO REGISTER UNDER THE SEX OFFENDER AND PUBLIC PROTECTION REGISTRATION PROGRAMS. (S.L. 2009-491)

S.B. 64, AN ACT TO SHORTEN THE DURATION AND AMEND THE REQUIREMENTS FOR A MOTORCYCLE LEARNER'S PERMIT, AND CLARIFY THE REQUIREMENTS FOR OBTAINING A MOTORCYCLE ENDORSEMENT. (S.L. 2009-492)

S.B. 203, AN ACT TO ENSURE THE ACCESSIBILITY OF PARKING FOR PERSONS WITH DISABILITIES IN NORTH CAROLINA BY REQUIRING AN EXPIRATION DATE VISIBLE FROM AT LEAST TWENTY FEET ON ALL SUCH PLACARDS, TO ENSURE INCREASED ENFORCEMENT AND COLLECTION OF EXPIRED OR REVOKED PLACARDS BY REQUIRING THAT PLACARDS DISPLAY THE MONTH AND YEAR OF EXPIRATION, TO REQUIRE THE DIVISION OF MOTOR VEHICLES TO ISSUE "HANDICAPPED PLACARD" REGISTRATION CARDS, AND TO REQUIRE THAT THE PERSON TO WHOM THE PLACARD IS ISSUED BE THE OPERATOR OF OR A PASSENGER IN THE VEHICLE IN WHICH THE PLACARD IS DISPLAYED, AND TO REQUIRE THE DIVISION OF MOTOR VEHICLES TO ISSUE A SPECIAL IDENTIFICATION CARD FREE OF CHARGE TO A PERSON WHOSE VALID DRIVERS LICENSE IS ADMINISTRATIVELY REVOKED DUE TO A MEDICAL DISQUALIFICATION. (S.L. 2009-493)

S.B. 423, AN ACT TO ALLOW THE DIVISION OF MOTOR VEHICLES TO WAIVE THE COMMERCIAL MOTOR VEHICLES SKILLS TEST FOR MEMBERS OF THE ARMED FORCES IF THE APPLICANT MEETS THE QUALIFICATIONS FOR ISSUANCE AND HAS PREVIOUSLY TAKEN A SKILLS TEST FOR THE VEHICLE CLASS AND SIZE TO BE OPERATED OR HAS, WHILE IN SERVICE

TO AN ACTIVE OR RESERVE COMPONENT OF THE UNITED STATES ARMED FORCES, OPERATED THE VEHICLE CLASS AND SIZE FOR A RELEVANT TWO-YEAR PERIOD PRIOR TO APPLICATION FOR THE COMMERCIAL DRIVERS LICENSE AND HAS TAKEN A SKILLS TEST ADMINISTERED BY THE MILITARY. (S.L. 2009-494)

S.B. 631, AN ACT CONCERNING THE DISPOSITION AND USE OF SEIZED VEHICLES BY THE DIVISION OF MOTOR VEHICLES, BUREAU OF LICENSE AND THEFT. (S.L. 2009-495)

S.B. 914, AN ACT TO CLARIFY MOTOR VEHICLE DEALERS AND MANUFACTURERS LICENSING LAWS. (S.L. 2009-496)

H.B. 12, AN ACT TO CLARIFY PROVISIONS APPLICABLE TO FUNDS USED IN REPAYMENT OF GARVEE BONDS. (S.L. 2009-497)

H.B. 209, AN ACT TO ADD THE OFFENSE OF TAKING INDECENT LIBERTIES WITH A STUDENT TO THE LIST OF SEX OFFENSES THAT REQUIRE REGISTRATION UNDER THE SEX OFFENDER AND PUBLIC PROTECTION REGISTRATION PROGRAM, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON SEX OFFENDER ISSUES. (S.L. 2009-498)

H.B. 760, AN ACT TO EXEMPT PESTICIDE CONTAINERS FROM THE PROHIBITION ON DISPOSAL OF RIGID PLASTIC CONTAINERS IN LANDFILLS. (S.L. 2009-499)

H.B. 926, AN ACT TO ALLOW THE USE OF CONTINUOUS ALCOHOL MONITORING SYSTEMS TO MEET REQUIREMENTS FOR THE RESTORATION OF A REVOKED DRIVERS LICENSE, AND TO AUTHORIZE THE USE OF CERTAIN FUNDS FOR THE PROMULGATION OF DIVISION OF MOTOR VEHICLES GUIDELINES RELATING TO THE USE OF THE RESULTS OF CONTINUOUS ALCOHOL MONITORING SYSTEMS AS EVIDENCE. (S.L. 2009-500)

H.B. 1002, AN ACT TO AMEND PUBLIC HEALTH-RELATED LAWS TO CLARIFY PROCEDURES FOR INVESTIGATING AND CONTROLLING COMMUNICABLE DISEASES. (S.L. 2009-501)

H.B. 1020, AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF PUBLIC HEALTH, TO ASSIST CANCER PATIENTS WITH THE MANAGEMENT OF THE DISEASE. (S.L. 2009-502)

H.B. 1196, AN ACT TO DEDICATE AND ACCEPT CERTAIN PROPERTIES AS PART OF THE STATE NATURE AND HISTORIC PRESERVE AND TO REMOVE CERTAIN LANDS FROM THE STATE NATURE AND HISTORIC PRESERVE. (S.L. 2009-503)

H.B. 1474, AN ACT REQUIRING "CREDIT EDUCATION" FOR ALL STUDENTS. (S.L. 2009-504)

H.B. 1500, AN ACT TO CREATE A NEW DEVELOPMENT TIER DESIGNATION EXCEPTION FOR CERTAIN SEAFOOD INDUSTRIAL PARKS. (S.L. 2009-505)

S.B. 894, AN ACT TO AMEND THE EMPLOYMENT SECURITY LAWS RELATING TO THE DEFINITION OF SUBSTITUTE TEACHER AND OTHER SCHOOL-RELATED POSITIONS IN DETERMINING ELIGIBILITY FOR UNEMPLOYMENT INSURANCE BENEFITS AND RELATING TO DISQUALIFICATION FOR BENEFITS DUE TO INABILITY TO OBTAIN A LICENSE OR CERTIFICATION NECESSARY FOR THE PERFORMANCE OF AN INDIVIDUAL'S EMPLOYMENT. (S.L. 2009-506)

S.B. 563, AN ACT TO IMPROVE PYROTECHNICS SAFETY IN NORTH CAROLINA. (S.L. 2009-507)

S.B. 990, AN ACT TO INCREASE THE CRIMINAL PENALTY FOR CUTTING, INJURING, OR REMOVING ANOTHER'S TIMBER RESULTING IN DAMAGES THAT EXCEED ONE THOUSAND DOLLARS. (S.L. 2009-508)

S.B. 1007, AN ACT AMENDING THE LAWS UNDER THE NORTH CAROLINA HOME INSPECTOR LICENSURE ACT. (S.L. 2009-509)

S.B. 262, AN ACT TO CLARIFY THAT AN ORDER TO EXPUNGE AN INDIVIDUAL'S RECORD SHALL BE FORWARDED BY THE CLERK OF COURT TO ALL APPLICABLE STATE AND LOCAL GOVERNMENT AGENCIES, TO REQUIRE A STATE GOVERNMENT AGENCY TO FORWARD NOTICE OF EXPUNCTION ORDERS RECEIVED BY THE AGENCY TO ANY PRIVATE ENTITY THAT DISSEMINATES CRIMINAL HISTORY RECORDS FOR COMPENSATION THAT IS LICENSED BY THE AGENCY TO ACCESS THE AGENCY'S CRIMINAL HISTORY RECORD DATABASE, AND TO PROVIDE THAT A PRIVATE ENTITY THAT DISSEMINATES CRIMINAL HISTORY RECORDS FOR COMPENSATION HAS A DUTY TO UPDATE THOSE HISTORIES BEFORE DISSEMINATING THEM AND IS SUBJECT TO CIVIL LIABILITY. (S.L. 2009-510)

S.B. 1057, AN ACT TO EXPAND THE SALES TAX EXEMPTION FOR AIRCRAFT SIMULATORS. (S.L. 2009-511)

H.B. 578, AN ACT TO CLARIFY NOTICE REQUIRED TO PARTIES WHO MAY BE UNKNOWN OR UNLOCATABLE IN A PARTITION PROCEEDING; TO CODIFY THE CURRENT PRACTICE OF GRANTING OWNERS CREDIT FOR THEIR EXISTING INTEREST IN LAND WHEN BIDDING ON A PARTITION SALE; TO PERMIT A COURT TO ORDER AN INDEPENDENT APPRAISAL IF REQUESTED AND PAID FOR BY A PARTY TO THE PARTITION WHO CHALLENGES THE AMOUNT BID IN A PARTITION SALE; TO CLARIFY THE STANDARD FOR DETERMINING WHAT CONSTITUTES "SUBSTANTIAL INJURY" WITH REGARDS TO A PETITION FOR A SALE OF THE PROPERTY; AND TO PROVIDE FOR MEDIATION OF PARTITION DISPUTES. (S.L. 2009-512)

H.B. 473, AN ACT TO PROVIDE THAT A MAGISTRATE WHO HAS A CONCEALED HANDGUN PERMIT MAY CARRY OR POSSESS A CONCEALED HANDGUN WHILE IN A COURTHOUSE TO DISCHARGE OFFICIAL DUTIES. (S.L. 2009-513)

H.B. 775, AN ACT TO PROVIDE FOR ALTERNATIVE MEANS OF TESTIMONY FOR PERSONS WITH DEVELOPMENTAL DISABILITIES AND PERSONS WITH MENTAL RETARDATION, AS RECOMMENDED BY THE JOINT STUDY COMMITTEE ON AUTISM SPECTRUM DISORDER AND PUBLIC SAFETY. (S.L. 2009-514)

H.B. 806, AN ACT TO REQUIRE THAT A HOMEOWNERS ASSOCIATION MAKE REASONABLE AND DILIGENT EFFORTS TO LOCATE AND NOTIFY A LOT OWNER UNDER THE PLANNED COMMUNITY ACT OR A UNIT OWNER UNDER THE CONDOMINIUM ACT PRIOR TO FILING A CLAIM OF LIEN FOR ASSESSMENTS. (S.L. 2009-515)

H.B. 1269, AN ACT TO AUTHORIZE A COUNTY OR CITY TO USE EXCESS FACILITY FEES WITHOUT THE APPROVAL OF THE ADMINISTRATIVE OFFICE OF THE COURTS, TO ADD TO THE DIRECTOR'S POWERS AND DUTIES THE ESTABLISHMENT AND STAFFING OF AN INTERNAL AUDITING DIVISION FOR THE JUDICIAL DEPARTMENT, TO MODIFY CERTAIN STATUTES RELATED TO DRUG TREATMENT COURTS, AND TO CLARIFY THE EMERGENCY POWERS OF THE CHIEF JUSTICE. (S.L. 2009-516)

S.B. 853, AN ACT TO PROVIDE THAT AN ATTORNEY MAKING A MOTION FOR APPROPRIATE RELIEF IN SUPERIOR COURT, WHETHER BY ORAL OR WRITTEN MOTION, MUST CERTIFY IN WRITING TO THE COURT THAT THE MOTION IS MADE IN GOOD FAITH AND ON SOUND LEGAL BASIS, THAT THE ATTORNEY HAS REVIEWED THE TRIAL TRANSCRIPT AS APPROPRIATE, OR IF THE TRANSCRIPT IS UNAVAILABLE, STATE THE EFFORTS UNDERTAKEN TO LOCATE THE TRANSCRIPT, AND THE ATTORNEY HAS NOTIFIED BOTH THE DISTRICT ATTORNEY AND THE DEFENSE ATTORNEY WHO INITIALLY REPRESENTED THE DEFENDANT OF THE MOTION, TO REQUIRE THAT THE CERTIFICATION APPEAR IN WRITING ON THE MOTION; AND TO REQUIRE THAT PRIOR TRIAL AND APPELLATE COUNSEL FOR THE DEFENDANT AND THE STATE MAKE ALL FILES RELATED TO THE DEFENDANT'S CASE AVAILABLE TO THE DEFENDANT'S ATTORNEY FOR POST-CONVICTION PROCEEDINGS IN SUPERIOR COURT. (S.L. 2009-517)

S.B. 293, AN ACT TO AUTHORIZE THE REGISTER OF DEEDS TO STORE AN ELECTRONIC COPY OF THE JUROR MASTER LIST. (S.L. 2009-518)

S.B. 859, AN ACT TO ALLOW CITIES WITH POPULATION GREATER THAN A CERTAIN POPULATION THRESHOLD TO BE SUBJECT TO THE STATE TORT CLAIMS ACT WITH CERTAIN MODIFICATIONS. (S.L. 2009-519)

H.B. 884, AN ACT TO MODIFY THE REQUIREMENTS FOR A GRANT FROM THE JOB MAINTENANCE AND CAPITAL DEVELOPMENT FUND. (S.L. 2009-520)

H.B. 291, AN ACT AMENDING THE COSMETIC ART ACT TO PROVIDE FOR LICENSURE OF PERSONS ENGAGING IN THE PRACTICE OF NATURAL HAIR CARE. (S.L. 2009-521)

H.B. 1389, AN ACT TO AUTHORIZE CITIES AND COUNTIES TO ESTABLISH LOAN PROGRAMS TO FINANCE THE INSTALLATION OF DISTRIBUTED GENERATION RENEWABLE ENERGY SOURCES OR ENERGY EFFICIENCY IMPROVEMENTS THAT ARE PERMANENTLY AFFIXED TO REAL PROPERTY. (S.L. 2009-522)

H.B. 1514, AN ACT TO EXPAND ECONOMICALLY DISTRESSED COUNTIES TO INCLUDE ALL TIER ONE AND TIER TWO COUNTIES, TO INCREASE THE MAXIMUM EXPENDITURE OF FUNDS FROM THE INDUSTRIAL DEVELOPMENT FUND, TO EXEMPT FROM

RULE MAKING THE CUSTOMIZED TRAINING PROGRAM UNDER THE COMMUNITY COLLEGE SYSTEM, AND TO AMEND THE COUNTY SERVICE DISTRICT ACT OF 1973 TO ALLOW ADDITIONAL COUNTY RESEARCH AND PRODUCTION SERVICE DISTRICTS. (S.L. 2009-523)

S.B. 898, AN ACT TO MODIFY THE EXCEPTION FOR TWO-COUNTY INDUSTRIAL PARKS FOR DEVELOPMENT TIER DESIGNATION PURPOSES. (S.L. 2009-524)

S.B. 97, AN ACT TO ALIGN THE AUTHORIZED PURPOSES FOR SPECIAL ASSESSMENTS FOR CRITICAL INFRASTRUCTURE NEEDS WITH THE PURPOSES OF PROJECT DEVELOPMENT FINANCING; TO ADD RENEWABLE ENERGY SOURCES AND ENERGY EFFICIENCY IMPROVEMENTS AS PURPOSES; TO CLARIFY THE LAW CONCERNING FINANCING A PROJECT FOR WHICH ASSESSMENTS MAY BE PLEDGED, TO EXEMPT PRIVATE ENTITIES THAT IMPLEMENT CERTAIN PROJECTS FOR WHICH ASSESSMENTS MAY BE PLEDGED FROM THE COMPETITIVE BIDDING REQUIREMENTS OF LOCAL GOVERNMENTS; AND TO PROVIDE GUIDANCE FOR LOCAL GOVERNMENTS WHEN ISSUING CERTAIN DEBT INSTRUMENTS AND ENTERING INTO CERTAIN AGREEMENTS. (S.L. 2009-525)

H.B. 191, AN ACT TO MAKE A CLARIFYING CHANGE TO THE GENERAL STATUTES AND SESSION LAWS. (S.L. 2009-526)

August 27, 2009

H.B. 148, AN ACT TO ESTABLISH A CONGESTION RELIEF AND INTERMODAL TRANSPORTATION 21ST CENTURY FUND; TO PROVIDE FOR ALLOCATION OF THOSE FUNDS TO: (1) LOCAL GOVERNMENTS AND TRANSPORTATION AUTHORITIES FOR PUBLIC TRANSPORTATION PURPOSES, (2) SHORT-LINE RAILROADS, FOR ASSISTANCE IN MAINTAINING AND EXPANDING FREIGHT SERVICE STATEWIDE, (3) RAILROADS FOR INTERMODAL FACILITIES, MULTIMODAL FACILITIES, AND INLAND PORTS, (4) MAKE CAPITAL IMPROVEMENTS ON RAIL LINES TO ALLOW IMPROVED FREIGHT SERVICE TO THE PORTS AND MILITARY INSTALLATIONS, (5) EXPAND INTERCITY PASSENGER RAIL SERVICE; TO EXTEND LEVELS OF LOCAL TRANSIT FUNDING AUTHORIZATION TO THREE URBAN REGIONS; AND TO ALLOW OTHER LOCAL GOVERNMENTS OPTIONS FOR LOCAL TRANSIT FUNDING. (S.L. 2009-527)

H.B. 889, AN ACT TO INCREASE THE PENALTY FOR MISDEMEANOR DEATH BY MOTOR VEHICLE FROM A CLASS 1 MISDEMEANOR TO A CLASS A1 MISDEMEANOR. (S.L. 2009-528)

S.B. 943, AN ACT TO PROVIDE FOR AN ALTERNATIVE CREDIT FOR QUALIFYING EXPENSES OF A PRODUCTION COMPANY. (S.L. 2009-529)

August 28, 2009

S.B. 1067, AN ACT TO ESTABLISH THE NORTH CAROLINA SUSTAINABLE LOCAL FOOD ADVISORY COUNCIL TO ADDRESS PROGRAM AND POLICY CONSIDERATIONS REGARDING THE DEVELOPMENT OF A SUSTAINABLE LOCAL FOOD ECONOMY IN NORTH CAROLINA. (S.L. 2009-530)

S.B. 295, AN ACT TO REQUIRE THE CLOSEST MARKET TO WHICH A CROP MAY BE HAULED TO BE WITHIN ONE HUNDRED FIFTY MILES OF THE FARM FROM WHICH THE CROP IS HAULED. (S.L. 2009-531)

H.B. 1409, AN ACT TO EXEMPT CERTAIN ELECTRICAL LIGHTING DEVICES AND FIXTURES AND WATER HEATER REPLACEMENT IN RESIDENCES FROM BUILDING PERMITTING REQUIREMENTS. (S.L. 2009-532)

S.B. 810, AN ACT PROVIDING THAT IT IS A VIOLATION OF THE STATE'S FAIR HOUSING ACT TO DISCRIMINATE IN LAND-USE DECISIONS OR THE PERMITTING OF DEVELOPMENT BASED ON THE FACT THAT A DEVELOPMENT CONTAINS AFFORDABLE HOUSING UNITS. (S.L. 2009-533)

H.B. 1111, AN ACT TO MAKE MORE SPECIFIC WHEN AN INDIVIDUAL BECOMES A "CANDIDATE" FOR CAMPAIGN FINANCE LAW; TO USE DIFFERENT TERMINOLOGY AND DEFINE TERMS IN THE LEGAL EXPENSE FUNDS STATUTE AND CLARIFY CANDIDATE CONTRIBUTIONS TO LEGAL EXPENSE FUNDS; TO REVISE THE WAY THE DEFINITIONS OF "CONTRIBUTION" AND "EXPENDITURE" DEAL WITH PROMISES; TO REQUIRE THAT A TREASURER FOR A NORTH CAROLINA COMMITTEE BE A NORTH CAROLINA RESIDENT; TO REDUCE THE THREE-THOUSAND-DOLLAR OR LESS EXEMPTION FOR CAMPAIGN REPORTING FOR CANDIDATES FOR CERTAIN LOCAL ELECTED OFFICES TO ONE THOUSAND DOLLARS OR LESS AND TO ELIMINATE THE THREE-THOUSAND-DOLLAR

OR LESS EXEMPTION FOR CAMPAIGN REPORTING FOR CANDIDATES FOR ALL OTHER OFFICES; TO EXEMPT COMMERCIAL COMMUNICATIONS FROM THE ELECTIONEERING COMMUNICATION LAWS AND CANDIDATE-SPECIFIC COMMUNICATION LAWS; TO AUTHORIZE AN OPTIONAL PROCESS TO DETERMINE WHETHER OR NOT A COMMUNICATION IS AN ELECTIONEERING COMMUNICATION OR A CANDIDATE-SPECIFIC COMMUNICATION PRIOR TO ITS DISTRIBUTION; TO MAKE A CHANGE TO THE PROCEDURE FOR ALLOCATING MONEY IN THE POLITICAL PARTIES FINANCING FUND; AND TO MAKE OTHER TECHNICAL CHANGES. (S.L. 2009-534)

S.B. 643, AN ACT TO PROVIDE THAT A PROSPECTIVE EMPLOYEE REQUIRED TO SUBMIT TO A CONTROLLED SUBSTANCE EXAMINATION WHOSE FIRST SCREENING TEST PRODUCES A POSITIVE RESULT MAY WAIVE A SECOND EXAMINATION THAT IS INTENDED TO CONFIRM THE RESULTS. (S.L. 2009-535)

S.B. 458, AN ACT REQUIRING AN APPLICANT FOR LICENSURE AS A BAIL BONDSMAN OR RUNNER TO HAVE OBTAINED A HIGH SCHOOL DIPLOMA OR ITS EQUIVALENT; TO REQUIRE A RENEWAL APPLICATION EVERY YEAR AND A CRIMINAL HISTORY RECORD CHECK EVERY OTHER YEAR FOR RENEWING A LICENSE; TO PROVIDE THAT A LICENSEE SHALL PAY FOR THE COSTS OF A CRIMINAL HISTORY RECORD CHECK WHEN RENEWING A LICENSE; TO PROHIBIT THE RENEWAL OF A LICENSE OF A LICENSEE WHO HAS BEEN CONVICTED OF A MISDEMEANOR DRUG CHARGE; AND TO PROHIBIT A PERSON FROM BEING LICENSED IF THE PERSON IS CONVICTED OF A MISDEMEANOR DRUG VIOLATION WITHIN THE PREVIOUS TWENTY-FOUR MONTHS OF THE DATE OF THE APPLICATION. (S.L. 2009-536)

S.B. 253, AN ACT TO MAKE IMPROVEMENTS TO THE ABSENTEE VOTING LAWS, ESPECIALLY TO IMPROVE THE ABILITY OF MILITARY AND OVERSEAS VOTERS TO CAST TIMELY BALLOTS. (S.L. 2009-537)

S.B. 138, AN ACT TO CREATE THE OFFENSE OF UNLAWFUL MANUFACTURE, SALE, DELIVERY, OR POSSESSION OF SALVIA DIVINORUM. (S.L. 2009-538)

H.B. 667, AN ACT TO AMEND THE STATE'S ABC LAWS TO CREATE AN EXEMPTION FOR ACCREDITED COMMUNITY COLLEGES, COLLEGES, AND UNIVERSITIES FOR THE MANUFACTURE,

POSSESSION, AND CONSUMPTION OF ALCOHOLIC BEVERAGES FOR THE PURPOSE OF CONDUCTING SCIENTIFIC, CHEMICAL, PHARMACEUTICAL, MECHANICAL, INDUSTRIAL, AND EDUCATIONAL RESEARCH, TO ALLOW THE HOLDER OF A VITICULTURE/ENOLOGY COURSE AUTHORIZATION TO SELL UNFORTIFIED WINE AT A NON-CAMPUS LOCATION, TO ALLOW WINE PRODUCERS AND WINERIES HOLDING AN OFF-PREMISES UNFORTIFIED WINERY PERMIT TO SELL UNFORTIFIED WINE AT THEIR PREMISES DURING BUSINESS HOURS AND TO ALLOW WINERIES TO SELL THEIR WINE AT AN ADDITIONAL LOCATION IN THE COUNTY UNDER SPECIFIED CONDITIONS, AND TO AMEND THE DEFINITION OF SPORTS CLUB TO INCLUDE CERTAIN EQUESTRIAN CENTERS. (S.L. 2009-539)

S.B. 786, AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENT PROJECTS OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA. (S.L. 2009-540)

H.B. 908, AN ACT TO MAKE VARIOUS CHANGES TO THE ELECTION LAWS RELATED TO VOTING EQUIPMENT, PREPARATION OF BALLOTS, AND TO THE DUTIES OF THE COUNTY BOARDS OF ELECTIONS AND THE STATE BOARD OF ELECTIONS; TO PROVIDE FOR PREREGISTRATION OF QUALIFIED INDIVIDUALS WHO ARE SIXTEEN OR SEVENTEEN YEARS OF AGE AND TO EXPAND INSTRUCTION ON THE IMPORTANCE OF VOTING IN THE HIGH SCHOOL SOCIAL STUDIES CURRICULUM AND TO ENCOURAGE LOCAL BOARDS OF EDUCATION TO PROMOTE REGISTRATION AND PREREGISTRATION OF STUDENTS; TO PERMIT THE RETENTION OF VOTER REGISTRATION RECORDS IN ANY FORMAT APPROVED BY THE DEPARTMENT OF CULTURAL RESOURCES; TO DESIGNATE THE VOTING TABULATION DISTRICTS OF NORTH CAROLINA; TO CLARIFY THE AUTHORITY TO DEMAND THE USE OF PUBLIC BUILDINGS AS ONE-STOP SITES; TO PROVIDE FOR EQUAL TREATMENT OF POLITICAL AND COMMERCIAL EXPRESSION AROUND A VOTING PLACE; TO CLARIFY THAT SEVENTEEN-YEAR-OLDS MAY REGISTER AT EARLY VOTING SITES UNDER THE SAME CONDITIONS THEY MAY REGISTER ELSEWHERE AND TO MAKE RELATED TECHNICAL CHANGES; TO PROHIBIT THE AWARDED OF ATTORNEYS' FEES AGAINST THE STATE BOARD OF ELECTIONS IN ELECTION PROTEST CASES; TO REQUIRE A PUBLIC HEARING BEFORE A LOCAL GOVERNMENT ADOPTS INSTANT RUNOFF VOTING AND TO ALLOW THE

USE OF THE TERM RANKED CHOICE VOTING; AND TO AUTHORIZE A STUDY OF THE PROCESS OF FILLING VACANCIES IN LOCAL ELECTED OFFICES. (S.L. 2009-541)

H.B. 804, AN ACT TO AMEND THE LAW REGARDING PERSONAL EDUCATION PLANS FOR STUDENTS AT RISK OF ACADEMIC FAILURE. (S.L. 2009-542)

H.B. 907, AN ACT TO AMEND THE JUDICIAL PUBLIC CAMPAIGN LAW BY ALLOWING THE ACCEPTANCE OF QUALIFYING CONTRIBUTIONS IN THE SAME FORM AS OTHER CONTRIBUTIONS; BY PROVIDING THAT NO OPPORTUNITY TO WIN ANYTHING OF VALUE MAY BE OFFERED IN EXCHANGE FOR A QUALIFYING CONTRIBUTION; BY SPECIFYING HOW MULTIPLE CONTRIBUTIONS BY THE SAME INDIVIDUAL AND CONTRIBUTIONS BY FAMILY MEMBERS ARE TREATED FOR PURPOSES OF THE QUALIFYING CONTRIBUTION THRESHOLDS; BY ADDRESSING HOW MATCHING FUNDS ARE AVAILABLE BEFORE A PRIMARY; BY PROVIDING THAT NO MATCHING FUNDS WILL BE TRIGGERED BY COMMUNICATIONS THAT SUPPORT OR OPPOSE ALL CANDIDATES; AND BY MAKING MORE FLEXIBLE THE WORD LIMITATIONS IN THE VOTER'S GUIDE. (S.L. 2009-543)

S.B. 464, AN ACT TO AMEND THE LAW REQUIRING THE COLLECTION OF TRAFFIC LAW ENFORCEMENT STATISTICS IN ORDER TO PREVENT RACIAL PROFILING AND TO PROVIDE FOR THE CARE OF MINOR CHILDREN WHEN PRESENT AT THE ARREST OF CERTAIN ADULTS. (S.L. 2009-544)

S.B. 984, AN ACT AMENDING THE JUVENILE CODE REGARDING ACCESS TO JUVENILE COURT RECORDS. (S.L. 2009-545)

S.B. 978, AN ACT TO DIRECT THE NORTH CAROLINA CRIMINAL JUSTICE EDUCATION AND TRAINING STANDARDS COMMISSION TO COORDINATE WITH LOCAL AND STATE LAW ENFORCEMENT OFFICERS AND WITH THE COMMUNITY COLLEGE SYSTEM TO PROVIDE MULTIPLE FIREARMS QUALIFICATION SITES FOR CERTIFICATION TO CARRY A CONCEALED HANDGUN PURSUANT TO FEDERAL LAW, AND TO EXPAND THE POWERS OF THE COMMISSION. (S.L. 2009-546)

S.B. 726, AN ACT TO PROVIDE THAT HOUSE ARREST MAY BE IMPOSED AS A CONDITION OF PRETRIAL RELEASE; TO PROVIDE THAT THE COURT MAY AUTHORIZE AN OFFENDER UNDER

ELECTRONIC HOUSE ARREST TO LEAVE THE OFFENDER'S RESIDENCE FOR SPECIFIC PURPOSES AND THE COURT OR PROBATION OFFICER MAY MODIFY THOSE CONDITIONS; AND TO AMEND THE DEFINITION OF HOUSE ARREST UNDER JUVENILE LAW TO STATE THE SPECIFIC PURPOSES FOR WHICH A JUVENILE MAY BE AUTHORIZED TO LEAVE THE JUVENILE'S RESIDENCE. (S.L. 2009-547)

H.B. 512, AN ACT TO EXTEND THE CREDIT FOR INVESTING IN RENEWABLE ENERGY PROPERTY TO GEOTHERMAL HEAT PUMPS AND EQUIPMENT, TO ALLOW THE CREDIT TO BE TAKEN AGAINST THE GROSS PREMIUMS TAX, AND TO EXTEND THE SUNSET FOR THE CREDIT. (S.L. 2009-548)

H.B. 817, AN ACT TO MAKE TECHNICAL AND OTHER CHANGES TO CHAPTERS 120, 120C, AND 138A OF THE GENERAL STATUTES. (S.L. 2009-549)

H.B. 274, AN ACT TO MAKE VARIOUS CLARIFYING CHANGES TO THE GENERAL STATUTES AND SESSION LAWS. (S.L. 2009-550)

H.B. 1261, AN ACT PROTECTING CHILDREN OF THIS STATE BY MAKING CYBER-BULLYING A CRIMINAL OFFENSE PUNISHABLE AS A MISDEMEANOR. (S.L. 2009-551)

S.B. 1029, AN ACT TO AMEND THE NORTH CAROLINA PROFESSIONAL EMPLOYER ORGANIZATION ACT CONCERNING BONDING PROVISIONS AND MAINTENANCE OF EMPLOYEE BENEFITS, AND TO CLARIFY THE APPLICATION OF TAX CREDITS AND OTHER INCENTIVES TO PROFESSIONAL EMPLOYER ORGANIZATIONS. (S.L. 2009-552)

H.B. 1387, AN ACT TO MAKE THE CURRENT LIMITATIONS ON CITY ORDINANCES AND COUNTY ORDINANCES THAT REGULATE THE INSTALLATION OF SOLAR COLLECTORS FOR SINGLE-FAMILY RESIDENCES APPLICABLE TO ALL RESIDENTIAL PROPERTY AND THE CURRENT LIMITATIONS ON DEED RESTRICTIONS THAT REGULATE THE INSTALLATION OF SOLAR COLLECTORS FOR SINGLE-FAMILY RESIDENCES APPLICABLE TO ALL RESIDENTIAL PROPERTY EXCEPT CERTAIN MULTI-STORY CONDOMINIUMS. (S.L. 2009-553)

H.B. 1135, AN ACT TO DETER AND PUNISH PERSONS WHO MAKE FALSE OR FRAUDULENT CLAIMS FOR PAYMENT BY THE STATE AND TO PROVIDE REMEDIES IN THE FORM OF TREBLE DAMAGES AND CIVIL PENALTIES WHEN MONEY IS OBTAINED FROM THE STATE BY REASON OF SUCH CLAIMS. (S.L. 2009-554)

S.B. 489, AN ACT TO RESTRUCTURE THE PRIOR RECORD LEVEL POINT RANGES IN ORDER TO EXPAND THE POINTS IN PRIOR RECORD LEVEL I AND TO EVEN OUT THE REMAINING RANGES. (S.L. 2009-555)

S.B. 488, AN ACT TO MAKE THE INCREASE IN SENTENCE LENGTHS BETWEEN PRIOR RECORD LEVELS MORE PROPORTIONATE USING A SET PERCENTAGE INCREMENT. (S.L. 2009-556)

S.B. 1073, AN ACT AMENDING THE NORTH CAROLINA ALARM SYSTEMS LICENSING ACT AND AUTHORIZING THE NORTH CAROLINA ALARM SYSTEMS LICENSING BOARD TO ESTABLISH A LATE REGISTRATION FEE. (S.L. 2009-557)

S.B. 958, AN ACT AMENDING DISCIPLINARY PROCEEDINGS OF THE NORTH CAROLINA MEDICAL BOARD. (S.L. 2009-558)

S.B. 777, AN ACT TO ALLOW AFFILIATES OF A TOBACCO PRODUCTS MANUFACTURER TO BE TREATED THE SAME AS THE MANUFACTURER FOR PURPOSES OF PAYMENT OF THE EXCISE TAX ON OTHER TOBACCO PRODUCTS, TO PROHIBIT INTEGRATED WHOLESALE DEALERS FROM SELLING, BORROWING, LOANING, OR EXCHANGING NON-TAX-PAID TOBACCO PRODUCTS OTHER THAN CIGARETTES TO, FROM, OR WITH OTHER INTEGRATED WHOLESALE DEALERS, AND TO REQUIRE PERSONS TRANSPORTING OTHER TOBACCO PRODUCTS TO FILE A SHIPPING REPORT WITH THE SECRETARY OF REVENUE. (S.L. 2009-559)

S.B. 167, AN ACT TO PROHIBIT SMOKING ON THE PREMISES OF CORRECTIONAL INSTITUTIONS, TO PROHIBIT THE POSSESSION OF TOBACCO PRODUCTS OR CELL PHONES OUTSIDE OF A LOCKED VEHICLE ON THE PREMISES OF CORRECTIONAL INSTITUTIONS, TO MAKE IT A CRIMINAL OFFENSE TO PROVIDE TOBACCO PRODUCTS OR CELL PHONES TO INMATES IN THE CUSTODY OF THE DEPARTMENT OF CORRECTION OR A LOCAL CONFINEMENT FACILITY, AND TO MAKE IT A CRIMINAL OFFENSE FOR INMATES OF A LOCAL CONFINEMENT FACILITY TO POSSESS TOBACCO PRODUCTS OR CELL PHONES. (S.L. 2009-560)

S.B. 749, AN ACT TO REVISE AND CLARIFY THE REQUIREMENTS FOR UNINSURED AND UNDERINSURED MOTORIST COVERAGE IN MOTOR VEHICLE LIABILITY INSURANCE POLICIES. (S.L. 2009-561)

S.B. 860, AN ACT TO ESTABLISH A STUDENT PROTECTION FUND FOR PROPRIETARY SCHOOL STUDENTS. (S.L. 2009-562)

S.B. 738, AN ACT TO REQUIRE BOARDS OF DIRECTORS OF CHARTER SCHOOLS TO IMPLEMENT THE GUIDELINES ADOPTED BY THE STATE BOARD OF EDUCATION FOR THE DEVELOPMENT AND IMPLEMENTATION OF INDIVIDUAL DIABETES CARE PLANS AND TO REQUIRE LOCAL BOARDS OF EDUCATION AND BOARDS OF DIRECTORS OF CHARTER SCHOOLS TO REPORT ANNUALLY TO THE STATE BOARD OF EDUCATION ABOUT THEIR COMPLIANCE WITH THESE GUIDELINES. (S.L. 2009-563)

S.B. 468, AN ACT TO AUTHORIZE COUNTIES TO PROVIDE HEALTH INSURANCE BENEFITS TO FORMER EMPLOYEES WHO ARE NOT RECEIVING RETIREMENT BENEFITS. (S.L. 2009-564)

H.B. 1313, AN ACT TO PROVIDE FOR MEANINGFUL REGULATION OF INSURANCE PUBLIC ADJUSTERS. (S.L. 2009-565)

H.B. 1166, AN ACT TO MAKE VARIOUS CHANGES IN THE LAWS GOVERNING INSURANCE PRODUCERS AND BROKERS, BAIL BONDSMEN, MOTOR CLUBS, PREMIUM FINANCE COMPANIES, AND COLLECTION AGENCIES, TO REQUIRE AN INSURER TO PROVIDE CERTAIN INFORMATION REGARDING A DECEASED PERSON'S LIFE INSURANCE TO A FUNERAL DIRECTOR OR ESTABLISHMENT, TO DELETE OBSOLETE REFERENCES TO ASSIGNMENTS OF ERROR, AND TO MAKE OTHER CHANGES. (S.L. 2009-566)

H.B. 1160, AN ACT TO ALLOW CERTAIN FIREFIGHTERS THE OPPORTUNITY TO CONTINUE AS MEMBERS OF THE FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND BY MAKING RETROACTIVE PAYMENTS. (S.L. 2009-567)

H.B. 212, AN ACT TO AUTHORIZE THE ESTABLISHMENT OF ONE HEALTH INSURANCE PILOT DEMONSTRATION PROJECT TO PROVIDE A MODEL FOR AFFORDABLE EMPLOYER-BASED HEALTH INSURANCE; TO RECOGNIZE CREDENTIALLED HEALTH CARE PROVIDERS OF THE STATE HEALTH PLAN AND OTHER

EXISTING MANAGED CARE PLANS FOR RAPID DEMONSTRATION PROJECT PROVIDER NETWORK DEVELOPMENT; AND TO ASSURE NETWORK PROVIDERS' CONTINUED PARTICIPATION IN THE STATE HEALTH PLAN AND OTHER MANAGED CARE PLANS, WHILE PARTICIPATING IN THE DEMONSTRATION PROJECT NETWORK. (S.L. 2009-568)

H.B. 1570, AN ACT TO AMEND THE ALLOCATION AMONG LOCAL GOVERNMENTS OF THE TENNESSEE VALLEY AUTHORITY PAYMENT IN LIEU OF TAXES. (S.L. 2009-569)

S.B. 220, AN ACT TO MAKE TECHNICAL CORRECTIONS IN THE GENERAL STATUTES AS REQUESTED BY THE GENERAL STATUTES COMMISSION AND TO MAKE VARIOUS OTHER TECHNICAL CHANGES TO THE GENERAL STATUTES AND SESSION LAWS. (S.L. 2009-570)

H.B. 1274, AN ACT MAKING TECHNICAL AND OTHER CHANGES PERTAINING TO THE STATE HEALTH PLAN BLUE RIBBON TASK FORCE AND TO THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES. (S.L. 2009-571)

H.B. 1490, AN ACT CONCERNING THE APPLICATION OF CERTAIN PERMIT EXTENSIONS. (S.L. 2009-572)

September 9, 2009

S.B. 974, AN ACT TO ENACT THE CONSUMER ECONOMIC PROTECTION ACT OF 2009. (S.L. 2009-573)

September 10, 2009

H.B. 945, AN ACT TO PROVIDE FOR STUDIES BY THE COMMISSION, STATUTORY OVERSIGHT COMMITTEES AND COMMISSIONS, AND OTHER AGENCIES, COMMITTEES, AND COMMISSIONS. (S.L. 2009-574)

H.B. 836, AN ACT TO MAKE TECHNICAL, CLARIFYING, AND OTHER MODIFICATIONS TO THE APPROPRIATIONS ACT OF 2009. (S.L. 2009-575)

S.B. 133, AN ACT TO ADJUST THE LIMIT ON THE MONTHLY PENSION AMOUNT PAYABLE FROM THE REGISTERS OF DEEDS' SUPPLEMENTAL PENSION FUND. (S.L. 2009-576)

H.B. 1329, AN ACT TO CONSOLIDATE ALL STATUTES RELATED TO EXPUNCTION OF RECORDS IN ONE ARTICLE OF THE GENERAL STATUTES, TO MODIFY THE AGE REQUIREMENTS OF CERTAIN EXPUNCTIONS TO BE THE AGE AT THE TIME OF THE OFFENSE RATHER THAN THE AGE AT THE TIME OF CONVICTION, TO ALLOW THE EXPUNCTION OF MISDEMEANOR LARCENY, AND TO MAKE CLARIFYING AND CONFORMING CHANGES TO THE EXPUNCTION STATUTES. (S.L. 2009-577)

**STATE OF NORTH CAROLINA
OFFICE OF THE GOVERNOR**

20301 Mail Service Center • Raleigh, NC 27699-0301

Beverly Eaves Perdue
Governor

September 10, 2009

GOVERNOR'S OBJECTIONS AND VETO MESSAGE

House Bill 104, "An act to clarify legislative confidentiality."

This bill unnecessarily adds new restrictions on public access to documents and information.

Further, it unfairly and unequally subjects state employees to criminal penalties for performing their duties.

Therefore, I veto this bill.

S/ Beverly Eaves Perdue

This bill, having been vetoed, is returned to the Clerk of the North Carolina House of Representatives on this 10th day of September 2009 at 3:26 p.m. for reconsideration by that body.

STATE OF NORTH CAROLINA

Beverly Eaves Perdue
Governor

PROCLAMATION OF RECONVENED SESSION

Pursuant to the authority vested in the Governor by Article III, Section 5 (11) of the Constitution of North Carolina, and as required by Article II, Section 22 (7) the General Assembly shall reconvene on **Friday, September 18, 2009**, at **1:00 p.m.** to reconsider House Bill 104, "An act to clarify legislative confidentiality," which was vetoed on September 10, 2009.

Done in Raleigh, North Carolina, on September 10, 2009.

S/ Beverly E. Perdue
Governor

STATE OF NORTH CAROLINA

Beverly Eaves Perdue
Governor

**ORDER RESCINDING
PROCLAMATION OF RECONVENED SESSION**

The Proclamation of Reconvened Session issued September 10, 2009, directing the General Assembly to reconvene on September 18, 2009, to reconsider House Bill 104 is hereby rescinded.

This rescission is issued based on the expectation that the House and Senate will soon confirm to the Governor that a reconvened session is unnecessary.

Done in Raleigh, North Carolina, on September 16, 2009, at 8:30 a.m.

S/ Bev Perdue
Governor

North Carolina General Assembly
House of Representatives
State Legislative Building
Raleigh, NC 27601-1096

September 16, 2009

The Honorable Beverly E. Perdue
Governor of the State of North Carolina
20301 Mail Service Center
Raleigh, NC 27699-0301

Dear Governor Perdue:

Pursuant to Article II, Sec. 22 (7) of the North Carolina Constitution, a majority of the Members of the House of Representatives have signed written requests stating that a reconvened session to reconsider vetoed legislation is unnecessary.

As of Wednesday, September 16, 2009, at 3:45 p.m., seventy-five signed documents were received in the office of the House Principal Clerk. These documents accompany this correspondence.

Respectfully,
S/ Denise G. Weeks
Principal Clerk

It will be noted that a number of bills and resolutions passed second reading and then were read a third time on the same day.

Rule 41(b) states:

No bill shall be read more than once in the same day without the concurrence of two-thirds (2/3) of the members present and voting.

In order to comply with this Rule, no bill which has passed its second reading is read a third time except:

- (1) When a member moves that the Rule be suspended, and this motion carries by at least a two-thirds vote of the members present.
- (2) When the Chair determines that there is no objection from any member present. This constitutes unanimous consent of those members present that Rule 41(b) be suspended.

In these cases, the bill is read a third time.

Denise G. Weeks
Principal Clerk

A P P E N D I X
FIRST SESSION 2009



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Ty Harrell 2063.
 Margaret H. Dickson 2064.

H.R. 1, A HOUSE RESOLUTION TO ADOPT TEMPORARY RULES FOR THE 2009 SESSION OF THE HOUSE OF REPRESENTATIVES.

Be it resolved by the House of Representatives:

SECTION 1. The Permanent Rules of the House of Representatives for the 2007 Session are adopted as the Temporary Rules of the House of Representatives for the 2009 Session, except that Rule 31.1 reads:

"RULE 31.1. Deadlines on Introduction and Receipt; No Blank Bills; Single Subject Rule. – (a) All local bills must be submitted to the Bill Drafting Division of the Legislative Services Office by 4:00 P.M. on Wednesday, March 18, 2009, and must be introduced not later than 3:00 P.M. on Wednesday, April 1, 2009.

(b) All public bills which would not be required to be re-referred to the Appropriations or Finance Committees under Rule 38 must be submitted to the Bill Drafting Division of the Legislative Services Office by 4:00 P.M. on Thursday, March 26, 2009, and must be introduced not later than 3:00 P.M. on Wednesday, April 8, 2009.

(c) All public bills which under Rule 38 are required to be re-referred to either or both of the Appropriations Committee or the Finance Committee, must be submitted to the Bill Drafting Division of the Legislative Services Office by 4:00 P.M. on Wednesday, April 22, 2009, and must be introduced not later than 3:00 P.M. on Wednesday, May 6, 2009. If any bill is subject to the deadline under this subsection and the bill is amended so that all the provisions requiring referral to either or both of those committees under Rule 38 do not remain in the bill, it is not eligible for further consideration.

(d) A bill containing no substantive provisions may not be introduced in the House.

(e) In order to be eligible for consideration by the House during the first Regular Session, all Senate bills other than finance or appropriations bills which would be required to be re-referred to the Appropriations or Finance Committee under Rule 38 or adjournment resolutions must be received and read on the floor of the House as a message from the Senate no later than Thursday, May 14, 2009; provided that a message from the Senate received by the next legislative day stating that a bill has passed its third reading and is being engrossed shall comply with the requirements of this subsection and provided that the Senate has a similar rule.

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

(g) This rule, other than subsections (d) and (f), does not apply to bills (i) establishing districts for Congress or State or local entities, or (ii) ratifying an amendment or amendments to the Constitution of the United States."

SECTION 2. This resolution is effective upon adoption.

H.R. 110, A HOUSE RESOLUTION TO AMEND THE TEMPORARY RULES FOR THE 2009 SESSION OF THE HOUSE OF REPRESENTATIVES.

Be it resolved by the House of Representatives:

SECTION 1. The Temporary Rules of the House of Representatives for the 2009 Session (House Resolution 1) are amended so that Rule 27 reads as rewritten:

"**RULE 27. List of Standing Committees and Permanent Subcommittees.** – The standing committees and permanent subcommittees thereof are:

Committees	Subcommittees
Aging	(None)
Agriculture	(None)
Agribusiness and Agricultural Economy	(None)
Alcoholic Beverage Control	(None)
Appropriations	-Capital -Education -General Government -Health and Human Services -Justice and Public Safety -Natural and Economic Resources -Transportation
Children, Youth and Families	(None)
Commerce, Small Business, and Entrepreneurship	(None)
Education	-Community Colleges -Preschool, Elementary, and Secondary Education -Universities
Election Law and Campaign Finance Reform	(None)
Energy and Energy Efficiency	(None)

Environment and Natural Resources	(None)
Ethics	(None)
Federal Relations and Indian Affairs	(None)
Finance	(None)
Financial Institutions	(None)
Health	(None)
Homeland Security, Military, and Veterans Affairs	(None)
Insurance	(None)
Judiciary I	(None)
Judiciary II	(None)
Judiciary III	(None)
Juvenile Justice	(None)
Local Government I	(None)
Local Government II	(None)
<u>Marine Resources and Aquaculture</u>	<u>(None)</u>
Mental Health Reform	(None)
Pensions and Retirement	(None)
Public Utilities	(None)
Rules, Calendar, and Operations of the House	(None)
Science and Technology	(None)
<u>State Government/State Personnel</u>	<u>(None)</u>

State Personnel	(None)
Transportation	(None)
University Board of Governors Nominating	(None)
<u>Water Resources and Infrastructure</u>	<u>(None)</u>
Ways and Means	(None)
<u>Ways and Means/Broadband Connectivity</u>	<u>(None)</u>
Wildlife Resources	(None)"

SECTION 2. This resolution is effective upon adoption.

H.R. 189, A HOUSE RESOLUTION TO ESTABLISH THE PROCEDURE FOR NOMINATING AND ELECTING MEMBERS OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA.

Be it resolved by the House of Representatives:

SECTION 1. The following procedures for nominating and electing members of the Board of Governors of The University of North Carolina (hereinafter the "Board of Governors") are adopted:

I. COMMITTEE RESPONSIBILITIES.

1. It is the duty of the University Board of Governors Nominating Committee of the House of Representatives (hereinafter the "Committee") to conduct a process for nominating and electing persons for each opening on the Board of Governors to which the House of Representatives is to elect members.

2. The Committee shall receive nominations for election to the Board of Governors from Monday, March 2, 2009, through Friday, March 6, 2009. In 2009, the total number of open positions is eight. Each Representative may nominate up to two persons. In order for a person to have standing as a nominee, that person must be formally nominated by a member of the House of Representatives. Only a written nomination that includes all the requested information, which is submitted on a form provided by the Chair of the Committee for that purpose, and that is received in the Office of the House Principal Clerk on or after Monday, March 2, 2009, and no later than 5:00 P.M. on Friday, March 6, 2009, shall constitute a formal nomination. Delivery to the Office of the House Principal Clerk by facsimile transmission or e-mail transmission shall not constitute a formal nomination of a candidate. An individual is not eligible for nomination if he or she was

nominated and not elected to the Board of Governors by the Senate during the 2009 Session.

3. Notwithstanding G.S. 138A-22, every person who has been formally nominated shall file a completed North Carolina State Ethics Commission Statement of Economic Interest with the North Carolina State Ethics Commission to be received by the North Carolina State Ethics Commission no later than 5:00 P.M. on Friday, March 6, 2009.

4. On or after March 7, 2009, the Committee shall list all proposed nominees. The Committee shall screen the nominees as to their qualifications, experience, and statutory suitability. The Committee may screen nominees by interviewing or by soliciting written information or by both means. On completion of the screening process, the Committee shall conduct a vote to ensure that the slate of legally qualified candidates lists 16 candidates if 16 or more have been nominated.

5. Each nominee shall confirm his or her willingness to serve if elected. Any nominee may withdraw without the approval of the sponsor.

6. The Committee's nominees shall be placed before and recommended to the House of Representatives for election.

II. ELECTIONS IN THE HOUSE OF REPRESENTATIVES.

1. A ballot shall be prepared under the supervision of the Chair of the Committee for the use of the House of Representatives. The ballot shall include 16 legally qualified candidates if 16 or more have been nominated.

2. The names of the nominees shall be arranged on the ballot by alphabetical order and shall list only the names of those nominees recommended by the Committee.

3. The House of Representatives shall hold its election no later than the beginning of the daily session on April 1, 2009. Before the voting begins, the Speaker of the House shall explain the voting rules, which are:

- (a) No nomination shall be received from the floor.
- (b) In order to be elected, a nominee must receive the votes of a majority of all members present and voting.
- (c) Each member present and voting shall vote for as many nominees as there are positions to be filled, and any ballot not so marked shall be deemed void.
- (d) If fewer than eight nominees receive the votes of a majority of all members present and voting, a runoff to fill the open position or positions shall be conducted among the nominees who were not elected but who received the highest numbers of votes cast; and the number of nominees eligible to be voted on in the runoff shall be twice the number of positions to be filled.
- (e) If there is a tie for the last position between two nominees who are eligible for the next runoff, both nominees shall be included in the next runoff balloting, even though there would be more than two nominees per available position.

- (f) If more than eight nominees receive the votes of a majority of all members present and voting, then the eight nominees receiving the highest numbers of votes shall be deemed to have been chosen.

4. The members of the House of Representatives shall proceed to mark their ballots for eight persons for four-year terms.

Every ballot shall be signed by the member of the House of Representatives casting it, and no unsigned ballots shall be counted.

5. The Chair of the Committee is responsible for canvassing the vote and declaring the results and may designate members of the Committee to assist. All ballots shall be retained by the House Principal Clerk as part of the permanent records of the House of Representatives and shall be open for immediate public inspection upon adjournment of that day's session.

6. When the Chair of the Committee has determined that the House of Representatives has elected eight persons to serve as members of the Board of Governors for terms of four years, the Speaker of the House of Representatives shall declare those eight persons to have been elected to the Board of Governors by the House of Representatives.

7. The results of the election in the House of Representatives shall then be sent by Special Messenger to the Senate.

III. NOTIFICATION OF ELECTION RESULTS.

When the election process is complete, the Chair of the Committee shall notify the Secretary of the Board of Governors of the names of the persons elected by the House of Representatives and the term for which each person was elected.

SECTION 2. As used in this resolution, the term "Chair" means the Chair of the UNC Board of Governors Nominating Committee.

SECTION 3. This resolution is effective upon adoption.

H.R. 990, A HOUSE RESOLUTION ADOPTING THE PERMANENT RULES OF THE HOUSE OF REPRESENTATIVES FOR THE 2009 REGULAR SESSION.

Be it resolved by the House of Representatives:

SECTION 1. The permanent rules of the Regular Sessions of the House of Representatives of the 2009 General Assembly are:

PERMANENT RULES OF THE HOUSE OF REPRESENTATIVES FOR THE REGULAR SESSION OF THE 2009 GENERAL ASSEMBLY OF NORTH CAROLINA

- I. Order of Business, 1-5
- II. Conduct of Debate, 6-12
- III. Motions, 13-19
- IV. Voting, 20-25
- V. Committees, 26-30

- VI. Handling of Bills, 31-44.1
- VII. Legislative Officers and Employees, 45-49
- VIII. Privileges of the Hall, 50-53
- IX. General Rules, 54-62

I. Order of Business

RULE 1. Convening Hour, Limitation on Friday, Night, and Sunday Legislative Sessions. – The House shall convene each legislative day at the hour fixed by the House. In the event the House adjourns on the preceding legislative day without having fixed an hour for reconvening, the House shall convene on the next legislative day at 2:00 P.M. During January and February of 2009, no sessions may be held on Friday. Without leave of the House, no session shall continue after 10:00 P.M. on Monday nor after 9:00 P.M. on any other days, and the Speaker shall adjourn the House without motion at that point, except that a motion may be made as to the time and day of next convening. No session shall be held on Sunday.

RULE 1.1 Emergencies. In the event of a disaster, natural or otherwise, that precludes the General Assembly from meeting in the Legislative Building, the members will be notified by the Speaker where and when the House will convene.

RULE 2. Opening the Session. – At the convening hour on each legislative day, the Speaker shall call the members to order and shall have the session opened with prayer. At the convening hour on the first day of each legislative week, the Speaker, or the Speaker's designee, shall lead the members in the Pledge of Allegiance to the American Flag.

RULE 3. Quorum. – (a) A quorum consists of a majority of the qualified members of the House.

(b) Should the point of a quorum be raised, the doors shall be closed, and the Clerk shall call the roll of the House, after which the names of those not responding shall again be called. In the absence of a quorum, 15 members are authorized to compel the attendance of absent members and may order that absentees for whom no sufficient excuses are made be taken into custody wherever they may be found by special messenger appointed for that purpose.

RULE 4. Approval of Journal. – (a) The Standing Committee on Rules, Calendar, and Operations of the House shall cause the Journal of the House to be examined daily before the hour of convening to determine if the proceedings of the previous day have been correctly recorded.

(b) Immediately following the opening prayer and upon appearance of a quorum, the Speaker shall call for the Journal report by the Chair of the Standing Committee on Rules, Calendar, and Operations of the House, or by a Representative designated by the Chair, as to whether the proceedings of the previous day have been correctly recorded. Without objection, the Speaker shall cause the Journal to stand approved.

RULE 5. Order of Business of the Day. – After the approval of the Journal of the preceding day, unless otherwise ordered by the Speaker, the House shall proceed to business in the following order:

- (1) The receiving of petitions, memorials, and papers addressed to the General Assembly or to the House;
- (1a) Messages from the Governor;
- (2) Ratification of bills;
- (3) Reports of standing committees and permanent subcommittees;
- (4) Reports of select committees;
- (5) Reports of referral by standing committee chairs of bills to permanent subcommittees;
- (6) First reading and reference to committee of bills and resolutions;
- (7) Messages from the Senate;
- (8) Concurrence with Senate amendments or Senate committee substitutes;
- (9) The unfinished business of the preceding day;
- (10) Calendar (each category in accordance with Rule 40):
 - a. Local bills (roll call), third reading
 - b. Local bills (roll call), second reading
 - c. Local bills, third reading
 - d. Local bills, second reading
 - e. Public bills (roll call), third reading
 - f. Public bills (roll call), second reading
 - g. Public bills and resolutions, third reading
 - h. Public bills and resolutions, second reading;
- (11) Reading of notices and announcements.

II. Conduct of Debate

RULE 6. Duties and Powers of the Speaker. – The Speaker shall have general direction of the Hall. The Speaker may name any member to perform the duties of the chair, but substitution shall not extend beyond one day, except in the case of sickness or by leave of the House. If the Speaker is absent and has not designated a member to perform the duties of the chair, the Principal Clerk shall preside during such absence. In the case of a vacancy in the office of the Speaker of the House of Representatives, the Principal Clerk shall preside over the House until the House elects a Speaker.

RULE 7. Obtaining Floor. – (a) When any member desires recognition for any purpose, the member shall rise and respectfully address the Speaker. No member shall proceed until recognized by the Speaker for a purpose.

(b) When a member desires to interrupt a member having the floor, the member shall first obtain recognition by the Speaker and permission of the member occupying the floor, and when such recognition and permission have been obtained, he or she may propound a question to

the member occupying the floor; but he or she shall not otherwise interrupt the member having the floor, except as provided in subsection (c) of this rule; and the Speaker shall, without the point of order being raised, enforce this rule.

(c) A member who has obtained the floor may be interrupted only for the following reasons:

- (1) A request that the member speaking yield for a question,
- (2) A point of order,
- (3) A parliamentary inquiry, or
- (4) A question of privilege.

RULE 8. Questions of Privilege. – Upon recognition by the Speaker for that purpose, any member may speak to a question of privilege for a time not to exceed three minutes. Questions of privilege shall be those affecting, first, the rights of the House collectively, its safety, dignity, and the integrity of its proceedings; second, the rights, reputation, and conduct of members, individually, in their representative capacity only; and shall have precedence over all other questions, except motions to adjourn. Privilege may not be used to explain a vote or debate a bill. The Speaker shall determine if the question is one of privilege and shall, without the point of order being raised, enforce this rule.

RULE 9. Points of Order. – (a) The Speaker shall decide questions of order and may speak to points of order in preference to other members arising from their seats for that purpose. Any member may appeal from the ruling of the chair on questions of order; on such appeal no member may speak more than once, unless by leave of the House. A two-thirds vote of the members present shall be necessary to sustain any appeal from the ruling of the chair.

(b) When the Speaker calls a member to order, the member shall be seated, except that a member called to order may clear a matter of fact, or explain, but shall not proceed in debate so long as the decision stands. If the member appeals from the ruling of the chair and the decision by a two-thirds vote of the members present be in favor of the member called to order, the member may proceed; if otherwise, the member shall not; and if the case, in the judgment of the House, requires it, the member shall be liable to censure by the House.

RULE 10. Limitations on Debate. – (a) No member shall speak on, debate, or solicit cosponsors for a bill or resolution at its first reading.

(b) No member shall speak more than twice on the main question nor longer than 20 minutes for the first speech and 10 minutes for the second speech; nor shall the member speak more than twice upon an amendment or motion to reconsider, re-refer, appeal, or postpone or any motion on concurrence, and then not longer than 10 minutes for the first speech and five minutes for the second speech.

(c) A member may speak only once and for not more than 20 minutes on the question of the adoption of a minority report.

(d) The House, by consent of a majority of the members present, may suspend the operation of subsections (b) and (c) of this rule during any debate on any particular question before the House.

RULE 11. Reading of Papers. – When there is a call for the reading of the text of a paper which has been presented to the House and there is objection to such reading, the question shall be determined by a majority vote of the members of the House present. Except for protests permitted by the Constitution, no member may have material printed in the Journal until said material has been presented to the House and the printing approved by the House, and said material shall not exceed 1,000 words.

RULE 12. General Decorum. – (a) The Speaker shall preserve order and decorum.

(b) Decency of speech shall be observed and disrespect to personalities carefully avoided.

(c) When the Speaker is putting any question, or addressing the House, no person shall speak, stand up, walk out of, or cross the House nor, when a member is speaking, engage in disruptive discourse or pass between the member and the chair.

(d) Food or beverages shall not be permitted on the floor of the House during the first two hours of the daily session.

(e) The reading of newspapers shall not be permitted on the floor of the House while the House is in session.

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

(g) Special recitals and performances by musicians or other groups shall not be permitted on the floor of the House; and special guests of members of the House shall not be permitted on the floor of the House.

(h) Members shall observe appropriate attire, coat and tie for male members and dignified dress for female members.

(i) The use of wireless telephones shall not be permitted in the House Chamber.

(j) Placards, stickers, or signs not approved by the Speaker are not permitted in the House Chamber.

III. Motions

RULE 13. Motions Generally. – (a) Every motion shall be reduced to writing if the Speaker or any two members request it. No motion relating to a bill shall be in order which does not identify the bill by its number and short title.

(b) When a motion is made, it shall be stated by the Speaker, or, if written, it shall be handed to the chair and read aloud by the Speaker or Clerk before debate.

(c) After a motion has been stated by the Speaker or read by the Speaker or Clerk, it shall be in the possession of the House; but it may be withdrawn before a decision or amendment, except in case of a motion to reconsider, which motion, when made by a member, shall be in possession of the House and shall not be withdrawn without leave of the House.

RULE 14. Motions, Order of Precedence. – When there are motions before the House, the order of precedence is as follows:

To adjourn.

To recess.

To lay on the table.

Previous question.

To postpone indefinitely.

To reconsider.

To postpone to a day certain.

To re-refer.

To amend an amendment.

To amend.

To pass the bill.

No motion to lay on the table, to postpone indefinitely, to postpone to a day certain, to re-refer, or to make a particular amendment, being decided, shall be again allowed at the same stage of the bill or proposition.

RULE 15. Motion to Adjourn. – (a) A motion to adjourn shall be seconded before the motion is put to the vote of the House.

(b) A motion to adjourn shall be decided without debate and shall always be in order, except when the House is voting or some member is speaking; but a motion to adjourn shall not follow a motion to adjourn until debate or some other business of the House has intervened.

RULE 16. Motion to Table. – (a) A motion to table shall be seconded before the motion is put to the vote of the House and is in order except when a motion to adjourn or to recess is before the House.

(b) A motion to table shall be decided without debate.

(c) A motion to table a bill shall constitute a motion to table the bill and all amendments thereto.

(d) When the question before the House is the adoption of an amendment to a bill or resolution, a motion to table the bill is not in order; and a motion to table an amendment applies to the amendment only, and the motion may not expressly or by implication or construction be expanded to include a motion to table the bill also.

(e) When a question has been tabled, it shall not thereafter be considered except on motion to reconsider under Rule 18 or to remove from the table approved by a two-thirds vote.

RULE 17. Motion to Postpone Indefinitely. – A motion to postpone indefinitely is in order except when a motion to adjourn or to lay on the table or for the previous question or to recess is before the House.

However, after one motion to postpone indefinitely has been decided, another motion to postpone indefinitely shall not be allowed at the same stage of the bill or proposition. When a question has been postponed indefinitely, it shall not thereafter be considered except on motion to reconsider under Rule 18 or to place on the favorable calendar approved by a two-thirds vote.

RULE 18. Motion to Reconsider. – (a) When a question has been decided, it is in order for any member to move for the reconsideration thereof on the same or the succeeding legislative day; provided that if the vote by which the motion was originally decided was taken by a recorded vote, only a member of the prevailing side may move for reconsideration.

(b) A motion to reconsider shall be determined by a majority vote, except the following shall require a two-thirds vote: a second or subsequent motion to reconsider and a motion to reconsider:

- (1) A vote upon a motion to table,
- (2) A motion to postpone indefinitely,
- (3) A motion to remove a bill from the unfavorable calendar,
- (4) A motion that a bill be read twice on the same day, or
- (5) A motion to remove from the table.

(c) A motion to reconsider the vote by which a person has been elected as Speaker or Speaker Pro Tempore shall not be in order. This subsection of this rule cannot be suspended.

RULE 19. Previous Question. – (a) The previous question may be called only by:

- (1) The Chair of the Committee on Rules, Calendar, and Operations of the House;
- (2) The Majority Leader;
- (3) The member submitting the report on the bill or other matter under consideration;
- (4) The member introducing the bill or other matter under consideration; or
- (5) The member in charge of the measure, who shall be designated by the chair of the standing committee or permanent subcommittee reporting the same to the House at the time the bill or other matter under consideration is reported to the House or taken up for consideration.

(b) The previous question shall be as follows: "Shall the main question now be put?" When the call for the previous question has been decided in the affirmative by a majority vote of the House, the question is on the passage of the bill, resolution, or other matter under consideration.

(c) The call for the previous question shall preclude all motions, amendments, and debate, except the motion to adjourn, motion to recess, or motion to table.

(d) If the previous question is decided in the negative, the question remains under debate.

IV. Voting

RULE 20. Use of Electronic Voting System. – (a) Votes on the following questions shall be taken on the electronic voting system, and the ayes and noes shall be recorded on the Journal:

- (1) The passage as required by Article II, Section 23 of the North Carolina Constitution on second and third readings of any bill:
 - a. Raising money on the credit of the State,
 - b. Pledging the faith of the State for the payment of a debt,
 - c. Imposing a State tax, or
 - d. Authorizing a county, municipality, or other local governmental unit to
 1. Raise money on its credit,
 2. Pledge its faith for the payment of a debt, or
 3. Impose a local tax.
 - (2) All measures affecting a fee imposed by the State or any subdivision thereof.
 - (3) All questions on which a call for the ayes and noes under Rule 24(a) and Article II, Section 19 of the North Carolina Constitution has been sustained.
 - (4) Both second and third readings of bills proposing amendment of the North Carolina Constitution or ratifying resolutions amending the United States Constitution.
 - (5) The passage of a bill notwithstanding the Governor's veto thereof pursuant to Article II, Section 22 of the North Carolina Constitution.
- (b) Votes on the following questions shall be taken on the electronic voting system:
- (1) Second reading of all public bills, all amendments to public bills offered after second reading, third reading if a public bill was amended after second reading or if the reading occurs on a day or days following the second reading, all conference reports on public bills, all motions to lay public bills on the table, and all motions to postpone public bills indefinitely.
 - (2) Upon a call for division.
 - (3) Any other question upon direction of the Speaker or upon motion of any member supported by one-fifth of the members present.

(c) When the electronic voting system is used, 15 seconds shall be allowed for voting on the question before the House, unless the chair shall direct otherwise. Once the system is locked, the vote shall be recorded and printed.

(d) The voting station at each member's desk in the Chamber shall be used only by the member to which the station is assigned. Under no circumstances shall any other person vote at a member's station. It is a breach of the ethical obligation of a member either to request that another person vote at the requesting member's station or to vote at another member's station. The Speaker shall enforce this rule without exception.

(e) When the electronic voting system is used, the Speaker shall state the question and shall then state substantially the following: "All in favor vote 'aye'; all opposed vote 'no'; the Clerk will open the vote." In order to have the vote recorded, the member must vote by the electronic voting system within the time allowed for that vote, unless the voting station assigned to a member is malfunctioning. The Speaker shall enforce this rule without exception. After the allotted time for voting has elapsed, the Speaker shall say: "The Clerk will now lock the machine and record the vote." After the machine is locked and the vote recorded, the Speaker shall announce the vote and declare the result.

(f) One copy of the machine printout of the vote record of all votes taken on the electronic voting system shall be filed in the office of the Principal Clerk, and two copies shall be filed in the Legislative Library where the copies shall be open to public inspection. A legible copy of the bill, amendment, or motion on which the vote was taken shall be filed with the printout of the vote in the Legislative Library.

(g) When the Speaker ascertains that the electronic voting system is inoperative before a vote is taken or while a vote is being taken on the electronic voting system, the Speaker shall announce that fact to the House, and any partial electronic voting system voting record shall be voided. In such a case, if the North Carolina Constitution or the Rules of the House require a call of the ayes and noes, the Clerk shall call the roll of the House, and the ayes and noes shall be taken manually and shall be recorded on the Journal. All roll call votes shall be taken alphabetically. If, after a vote is taken on the electronic voting system, it is discovered that a malfunction caused an error in the electronic voting system printout, the Speaker shall direct the Reading Clerk and the Principal Clerk to verify and correct the printout record and so advise the House.

(h) For the purpose of identifying motions on which the vote is taken on the electronic voting system, the motions are coded as follows:

- (1) To adjourn.
- (2) To recess.
- (3) To lay on the table.
- (4) Previous question.

- (5) To postpone indefinitely.
- (6) To reconsider.
- (7) To postpone to a day certain.
- (8) To re-refer.
- (9) To amend an amendment.
- (10) To amend.
- (11) To concur or not concur.
- (12) Miscellaneous.

RULE 21. Voice Votes; Stating Questions. – (a) All other votes except those required to be taken on the electronic voting system shall be taken by voice vote.

(b) When a voice vote is taken, the Speaker shall put the question substantially as follows: "Those in favor (as the question may be) will say 'Aye,'" and after the affirmative voice has been expressed, "Those opposed will say 'No.'"

(c) No statement, explanation, debate, motion, parliamentary inquiry, or point of order shall be allowed once the voice vote has begun. Any point of order or parliamentary inquiry may be raised, however, after the completion of the vote.

RULE 22. Determining Questions. – (a) Unless otherwise provided by the Constitution of North Carolina or by these rules, all questions shall be determined by a simple majority of the members present and voting.

(b) No member may vote unless the member is in the Chamber when the question is put. This subsection of this rule cannot be suspended.

RULE 23. Voting by Division. – Any member may call for a division of the members upon the question before the result of the vote has been announced. Upon a call for a division, the Speaker shall cause the number voting in the affirmative and in the negative to be determined. Upon a division and count of the House on any question, no member away from the member's seat shall be counted.

RULE 24. Roll Call Vote. – (a) Before a question is put, any member may call for the ayes and noes. If the call is sustained by one-fifth of the members present, the question shall be decided by the ayes and noes upon a roll call vote.

(b) Every member who is in the Hall of the House when the question is put shall vote upon a call of the ayes and noes, unless excused pursuant to Rule 24.1A.

RULE 24.1A. Excuse From Deliberations and Voting on a Bill. – (a) Any member shall, upon request, be excused in advance from the deliberations and voting on a particular bill at any time that the reason for the request arises in the proceedings on the bill.

(b) The member may make a brief oral statement of the reasons for making the request. The member may provide to the Principal Clerk, on a form provided by the Clerk, a concise written statement of the reason for the request, and the Clerk shall include this statement in the Journal.

(c) The member so excused shall not debate the bill or any amendment to the bill, vote on the bill, offer or vote on any amendment to the bill, or offer or vote on any motion concerning the bill, in committee or on the floor of the House at any reading, or any subsequent consideration of the bill.

(d) A member may request that his or her excuse from deliberations on a particular bill be withdrawn.

RULE 24.1B. Division of Amendments. – Any member may call for an amendment to be divided into two or more amendments to be voted on separately, and the Speaker shall determine whether the amendment admits of such a division.

RULE 25. Voting by Speaker. – In all elections the Speaker may vote. In all other instances the Speaker may vote or may reserve this right until there is a tie in which event the Speaker may vote; but in no instance may the Speaker vote twice on the same question.

V. Committees

RULE 26. Standing Committees and Permanent Subcommittees Generally. – (a) The Speaker shall appoint a chair, or cochair, of every standing committee, permanent subcommittee, and select committee, if any. In the construction of these rules, the word "chair" as applied to a committee extends to and includes a cochair of the committee. The Speaker shall have the exclusive right and authority to establish select committees, but this does not exclude the right of the House by resolution to establish select committees.

(b) All permanent subcommittees of each standing committee shall be appointed by the Speaker, and the members appointed, along with the chair of the standing committee, shall constitute the standing committee of which the permanent subcommittee is a part. The Speaker shall appoint all members of permanent subcommittees at the beginning of the first regular session in a manner to reflect the partisan membership of the House.

(c) The Speaker shall appoint the members of all standing committees having no permanent subcommittees at the beginning of the first regular session in a manner to reflect the partisan membership of the House.

(d) Before appointing members of committees and subcommittees, the Speaker shall consult with the minority leader. The Speaker shall consider members' committee preferences in making appointments.

(e) The Speaker may not appoint new members to committees or permanent subcommittees after April 15 of an odd-numbered year or at any time during an even-numbered year except to fill vacancies caused by the resignation, death, removal, or inability to serve of a member. As to

select committees established after March 1 of an odd-numbered year or during an even-numbered year, the Speaker may not appoint new members more than 60 calendar days after the select committee is established, except to fill vacancies caused by the resignation, death, removal, or inability to serve of a member.

(f) Each chair of a permanent subcommittee shall be a vice-chair of the standing committee of which it is a permanent subcommittee. The Speaker may name other members as vice-chairs of the standing committee. The Speaker may name one or more vice-chairs for any standing committee not having permanent subcommittees.

(g) A maximum of two chairs of a standing committee are entitled to vote in a permanent subcommittee of the standing committee.

(h) Either the chair or acting chair, designated by the chair or by the Speaker, and five other members of the standing committee or permanent subcommittee, or a majority of the standing committee or permanent subcommittee, whichever is fewer, shall constitute a quorum of that standing committee or permanent subcommittee.

(i) In any joint meeting of the Senate and House committees or subcommittees, the House standing committee or permanent subcommittee reserves the right to vote separately.

RULE 26.1. Mentions of Standing Committee Includes Select Committee. – Any reference in these rules to standing committees shall extend to select committees unless the context requires otherwise.

RULE 27. List of Standing Committees and Permanent Subcommittees. – The standing committees and permanent subcommittees thereof are:

Committees	Subcommittees
Aging	(None)
Agriculture	(None)
Alcoholic Beverage Control	(None)
Appropriations	-Capital -Education -General Government -Health and Human Services -Justice and Public Safety -Natural and Economic Resources -Transportation

Commerce, Small Business, and Entrepreneurship	(None)
Education	-Community Colleges -Preschool, Elementary, and Secondary Education -Universities
Election Law and Campaign Finance Reform	(None)
Energy and Energy Efficiency	(None)
Environment and Natural Resources	(None)
Ethics	(None)
Federal Relations and Indian Affairs	(None)
Finance	(None)
Financial Institutions	(None)
Health	(None)
Homeland Security, Military, and Veterans Affairs	(None)
Insurance	(None)
Judiciary I	(None)
Judiciary II	(None)
Judiciary III	(None)
Juvenile Justice	(None)
Local Government I	(None)
Local Government II	(None)
Marine Resources and Aquaculture	(None)

Mental Health Reform	(None)
Pender/New Hanover Redistricting	(None)
Pensions and Retirement	(None)
Public Utilities	(None)
Rules, Calendar, and Operations of the House	(None)
Science and Technology	(None)
State Government/State Personnel	(None)
Transportation	(None)
University Board of Governors Nominating	(None)
Water Resources and Infrastructure	(None)
Ways and Means/Broadband Connectivity	(None)
Wildlife Resources	(None)

RULE 28. Standing Committee and Permanent Subcommittee

Meetings. – (a) Standing committees and permanent subcommittees of standing committees shall be furnished with suitable meeting places pursuant to a schedule established by the Chair of the Standing Committee on Rules, Calendar, and Operations of the House. Select committees shall be furnished with suitable meeting places as their needs require by the Chair of the Standing Committee on Rules, Calendar, and Operations of the House.

(b) Subject to the provisions of subsection (c) of this rule, standing committees and permanent subcommittees thereof shall permit other members of the General Assembly, the press, and the general public to attend all sessions of said standing committees or permanent subcommittees.

(c) The Chair or other presiding officer shall have general direction of the meeting place of the standing committee or permanent subcommittee, and, in case of any disturbance or disorderly conduct therein, or if the peace, good order, and proper conduct of the legislative business is hindered by any person or persons, the Chair or presiding officer shall have power to exclude from the session any individual or individuals so hindering the legislative business.

(d) Procedure in the standing committees and permanent subcommittees shall be governed by the rules of the House, so far as the same may be applicable to such procedure. Before a question is put, any member may call for the ayes and noes. If the call is sustained by one-fifth of the members present, the question shall be decided by the ayes and noes upon a roll call vote. All roll call votes shall be taken alphabetically and shall be subject to Rule 21(c).

(e) No standing committee or permanent subcommittee shall meet on any day when the House shall not convene except by permission of the Speaker or by approval of the House by resolution adopted by a majority vote of the House.

(f) No standing committee or permanent subcommittee shall meet during any session of the House. Standing committees and permanent subcommittees shall meet at their regularly scheduled hour. No permanent subcommittee shall meet at the same time that its standing committee is meeting. Standing committees and permanent subcommittees may meet at other times as authorized by the Chair of the Standing Committee on Rules, Calendar, and Operations of the House in order to assure the availability of the meeting room and that no conflicts will exist with the meetings of other bodies. All standing committee and permanent subcommittee meetings shall adjourn no later than:

- (1) 15 minutes preceding a regular session of the House, and
- (2) 10 minutes preceding the hour of the next regularly scheduled standing committee or permanent subcommittee meeting.

(g) Any call or notice of a standing committee or permanent subcommittee meeting between legislative sessions shall be mailed to each member of the standing committee or permanent subcommittee at least five days prior to such meeting. If a member of the body so requests in writing to the chair of the standing committee or permanent subcommittee, the member shall be notified by certified mail of the meetings.

(h) During standing committee and permanent subcommittee meetings, the chair may exercise the right to vote, or may reserve this right until there is a tie, in which event the chair may vote, but in no instance may the chair vote twice on the same question.

RULE 28.1. Ethics Committee Investigations Into Violations of the Open Meetings Law. – (a) On its own motion, or in response to signed and sworn complaint of any individual filed with the Standing Committee on Ethics, the Committee shall inquire into any alleged violation by members of the House of the Open Meetings Law (Article 33C of Chapter 143 of the General Statutes), as the same may be amended in the future.

(b) If, after such preliminary investigation as it may make, the Committee determines to proceed with an inquiry into the conduct of any individual, the Committee shall notify the individual as to the fact of the

inquiry and the charges against the individual and shall schedule one or more hearings on the matter. The individual shall have the right to present evidence, cross-examine witnesses, and be represented by counsel at any hearings.

(c) After the Committee has concluded its inquiries into the alleged violations, the Committee shall dispose of the matter by taking one of the following actions:

- (1) Dismiss the complaint and take no further action.
- (2) Issue a private letter of reprimand to the legislator, if the legislator unintentionally violated the provisions of the Open Meetings Law.
- (3) Issue a public letter of reprimand if the violation of the Open Meetings Law was intentional or if the legislator has previously received a private letter of reprimand. The Chair of the Committee on Ethics shall have the public letter of reprimand spread on the pages of the House Journal.
- (4) Refer the matter to the House for appropriate action.

RULE 29. Notice of Standing Committee and Permanent Subcommittee Meetings and Hearings. – Public notice of all standing committee and permanent subcommittee meetings shall be given in the House. The chair of the standing committee or permanent subcommittee shall notify or cause to be notified the sponsor of each bill which is set for hearing or consideration before the standing committee or permanent subcommittee as to the date, time, and place of that meeting.

RULE 29.1. Public Hearings. – (a) Requests for a public hearing shall be made in writing to the chair of the standing committee and, if applicable, the chair of the permanent subcommittee to which the bill has been referred. The chair of the standing committee may schedule a public hearing by the standing committee as a whole after the adjournment of a regular daily House session. The chair of the permanent subcommittee may schedule a public hearing before the permanent subcommittee at its regularly scheduled hour. Denial of a request made by a House member may be appealed to the Speaker.

Notice shall be given not less than five calendar days prior to public hearings. These notices shall be issued as information for the press and shall be posted in the places designated by the Principal Clerk.

(b) Persons desiring to appear and be heard at a public hearing shall submit their requests to the chair of the standing committee or permanent subcommittee. The standing committee or permanent subcommittee chair may designate one or more members to arrange the order of appearance of interested parties. A brief written statement of testimony may be submitted without oral presentation and shall be incorporated into the minutes of the public hearing.

RULE 29.2. Minutes to Legislative Library. – The chair of a standing committee or a permanent subcommittee shall ensure that written minutes are compiled for each of the body's meetings. The minutes shall indicate the members present and the actions taken at the meeting. Not later than 20 days after the adjournment of each session of the General Assembly, the chair shall deliver the minutes to the Legislative Library. The Speaker of the House may grant a reasonable extension of time for filing said minutes upon written application of the chair.

RULE 30. Standing Committee of the Whole House. – (a) A Standing Committee of the Whole House shall not be formed, except by suspension of the rules, if there be objection by any member.

(b) After passage of a motion to form a Standing Committee of the Whole House, the Speaker shall appoint a chair to preside in the standing committee, and the Speaker shall leave the dais.

(c) The rules of procedure in the House shall be observed in the Standing Committee of the Whole House, so far as they may be applicable, except the rule limiting the time of speaking and the previous question.

(d) In the Standing Committee of the Whole House, a motion that the standing committee rise shall always be in order, except when a member is speaking, and shall be decided without debate.

(e) When a bill is submitted to the Standing Committee of the Whole House, it shall be read and debated by sections, leaving the preamble to be last considered. The body of the bill shall not be defaced or interlined, but all amendments, noting the page and line, shall be duly entered by the Principal Clerk on a separate paper as the same shall be agreed to by the standing committee and be so reported to the House. After report, the bill shall again be subject to be debated and amended by sections before a question on its passage be taken.

VI. Handling of Bills

RULE 31. Introduction of Bills and Resolutions. – (a) All bills and resolutions shall be introduced by submitting same to the Principal Clerk's office on the legislative day prior to the first reading and reference thereof according to the following schedule: by 30 minutes after adjournment each Monday; and by 3:00 P.M. each Tuesday, Wednesday, Thursday, and Friday.

(b) Bills shall not become resolutions provided the Senate has a similar rule. Resolutions shall not become bills. Resolutions are not law but may be used when a law is not necessary for the purpose contained therein. Resolutions shall not be used to appropriate funds for any purpose, but may be used to create study commissions or committees or establish investigative committees, to honor deceased persons, and to adopt House rules and internal affairs. Resolutions cannot amend, repeal, or modify a statute; nor do they have life beyond the term of the session during which they are adopted.

(c) Every bill or resolution shall be read in regular order of business, except upon permission of the Speaker or on the report of a standing committee.

(d) All bills and resolutions shall show in their captions a brief descriptive statement of the true substance of same, which captions may thereafter be amended. Captions of public bills may be amended only by amendment proposed by the standing committee to which the bill was referred. Third reading shall not be had on any bill or resolution on the same day that such caption is amended.

(e) A Substitute Bill shall be covered with the same color jacket as the original bill and shall be prefaced as follows: "House Committee Substitute for _____".

(f) House Resolutions need not be read more than twice.

(g) All memorializing, celebration, commendation, and commemoration resolutions, except those honoring the memory of deceased persons, shall be excluded from introduction and consideration in the House.

(h) Any reference in these rules to bills shall extend to resolutions unless the context requires otherwise.

RULE 31.1. Deadlines on Introduction and Receipt; No Blank Bills; Single Subject Rule. – (a) All local bills must be submitted to the Bill Drafting Division of the Legislative Services Office by 4:00 P.M. on Wednesday, March 18, 2009, and must be introduced not later than 3:00 P.M. on Wednesday, April 1, 2009.

(b) All public bills which would not be required to be re-referred to the Appropriations or Finance Committees under Rule 38 must be submitted to the Bill Drafting Division of the Legislative Services Office by 4:00 P.M. on Thursday, March 26, 2009, and must be introduced not later than 1:00 P.M. on Thursday, April 9, 2009.

(c) All public bills which under Rule 38 are required to be re-referred to either or both of the Appropriations Committee or the Finance Committee, must be submitted to the Bill Drafting Division of the Legislative Services Office by 4:00 P.M. on Wednesday, April 22, 2009, and must be introduced not later than 3:00 P.M. on Wednesday, May 6, 2009. If any bill is subject to the deadline under this subsection and the bill is amended so that all the provisions requiring referral to either or both of those committees under Rule 38 do not remain in the bill, it is not eligible for further consideration.

(d) A bill containing no substantive provisions may not be introduced in the House.

(e) In order to be eligible for consideration by the House during the first Regular Session, all Senate bills other than finance or appropriations bills which would be required to be re-referred to the Appropriations or Finance Committee under Rule 38 or adjournment

resolutions must be received and read on the floor of the House as a message from the Senate no later than Thursday, May 14, 2009; provided that a message from the Senate received by the next legislative day stating that a bill has passed its third reading and is being engrossed shall comply with the requirements of this subsection and provided that the Senate has a similar rule.

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

(g) This rule, other than subsections (d) and (f), does not apply to bills (i) establishing districts for Congress or State or local entities, or (ii) ratifying an amendment or amendments to the Constitution of the United States.

RULE 32. Reference to Standing Committee and to Permanent Subcommittee; Serial Referrals. – (a) Each bill not introduced on the report of a standing committee shall immediately upon its first reading be referred by the Speaker to such standing committee or permanent subcommittee as the Speaker deems appropriate. The Speaker at the same time may order that, if the bill is reported with any favorable recommendation or without prejudice, it be re-referred automatically upon the committee report to another committee or permanent subcommittee designated in the order. Each joint resolution or House resolution not introduced on the report of a standing committee shall immediately upon its first reading either be referred by the Speaker to a standing committee or permanent subcommittee or be calendared on the date designated by the Speaker, as the Speaker deems appropriate.

(b) The standing committee chair may refer each bill referred to the standing committee to the permanent subcommittee specifically charged with the subject matter of the bill. A report of that referral shall be made in writing and submitted to the body pursuant to Rule 5(5). Except as provided in Rule 36, the permanent subcommittee to which the bill is referred shall report the bill back to the full standing committee. That subcommittee report shall include one of the following recommendations:

- (1) Favorable, without prejudice, or unfavorable as to the original bill with the recommendation that the report be made to the standing committee;
- (2) Favorable, without prejudice, or unfavorable as to the original bill, as amended, with the recommendation that the report be made to the standing committee;
- (3) Favorable or without prejudice to the proposed committee substitute, and unfavorable to the original bill, with the recommendation that the report be made to the standing committee;

- (4) Favorable as to the original bill with the recommendation that the report be made directly to the floor of the House, if approved by the standing committee chair;
- (5) Favorable to the original bill, as amended, with the recommendation that the report be made directly to the floor of the House, if approved by the standing committee chair; or
- (6) Favorable to the proposed committee substitute with the recommendation that the report be made directly to the floor of the House, if approved by the standing committee chair, and unfavorable to the original bill.

Any recommendation of favorable or without prejudice may include a recommendation of re-referral to another standing committee. After a bill is reported to a standing committee by a permanent subcommittee of that standing committee, the standing committee chair may re-refer the bill to another permanent subcommittee of that standing committee.

Upon recommendation to the standing committee, the bill shall be before that body for further action unless the permanent subcommittee chair reports the bill directly pursuant to Rule 36.

RULE 33. Papers Addressed to the House. – Petitions, memorials, and other papers addressed to the House shall be presented by the Speaker. A brief statement of the contents thereof may be made orally by the introducer before reference to a committee, but such papers shall not be debated or decided on the day of their first being read unless the House shall direct otherwise.

RULE 34. Introduction of Resolutions and Bills, Copies Required. – (a) Whenever any resolution or bill is introduced, a duplicate copy thereof shall be attached thereto, and the Principal Clerk shall cause said duplicate copy to be numbered as the original resolution or bill is numbered and shall cause the same to be available at all times to the member introducing the same.

(b) Numbering of House Bills shall be designated as "H.B. ___." (No. following). A Joint Resolution shall be designated as "H.J.R. ___." (No. following). A House Resolution shall be designated as "H.R. ___." (No. following).

(c) Whenever any resolution or bill is filed for introduction, it shall be in a House bill jacket containing the number of copies designated by the Principal Clerk and in the form designated by the Speaker. Any resolution or bill not accompanied by the required number of copies shall be returned immediately to the introducer. The Clerk shall stamp the copies with the number stamped upon the original bill.

(d) No bill may be filed for introduction if the draft contains names preprinted on the bill jacket and body of the bill (either as primary sponsors or cosponsors) unless each such member has signed the jacket.

RULE 35. Duplicating and Availability of Copies of Bills. – (a)

The Legislative Services Officer shall cause such bills as are introduced to be duplicated in such numbers as may be specified by the Speaker. The Legislative Services Officer shall cause one copy of each resolution and public bill for each member to be delivered to the member's committee assistant or legislative assistant who shall place it in the appropriate notebook on the member's desk. If a member so requests, a second copy shall be delivered to the member's committee assistant or legislative assistant who shall place it in the member's office. The remaining copies shall be placed in the Printed Bills Room and made available to the committees to which the bill is referred, to individual members on request, and to the general public.

(b) A public bill is a bill affecting 15 or more counties. A local bill is one affecting fewer than 15 counties. No public bill and, upon objection by a member, no local bill may be considered unless copies of the bill have been made available to the entire membership of the House.

RULE 35.1. Assessment Reports. – (a) Every bill or resolution proposing the establishment of an occupational or professional licensing board, as defined in Article 18A of Chapter 120 of the General Statutes, or a study for the need to establish such a board shall have attached to the jacket of the original bill or resolution at the time of its consideration on second and third readings by the House or by any standing committee or permanent subcommittee of the House an assessment report from the Legislative Committee on New Licensing Boards pursuant to Article 18A of Chapter 120 of the General Statutes. The assessment report shall not constitute any part of the expression of legislative intent proposed by the formation of a licensing board. Upon receipt of the request, the Legislative Committee on New Licensing Boards shall prepare and return the assessment report as soon as possible but not later than 60 days, reserving the right to extend this time to 90 days.

(b) Every legislative proposal introduced in the House or received in the House from the Senate, proposing the incorporation of a municipality shall have attached to the jacket of the original bill at the time of its consideration on second or third readings by the House or by any committee of the House prior to a favorable report, a recommendation from the Joint Legislative Commission on Municipal Incorporations, established by Article 20 of Chapter 120 of the General Statutes. The recommendation of the Joint Legislative Commission on Municipal Incorporations shall be made in accordance with the provisions and criteria set forth in Article 20 of Chapter 120 of the General Statutes and shall include the findings required to be made by G.S. 120-166 through G.S. 120-170.

RULE 36. Report by Standing Committee or Permanent Subcommittee. – (a) **When Reports Required.** – All House bills and resolutions shall be reported from the standing committee or permanent

subcommittee to which referred with such recommendations as the standing committee or permanent subcommittee may desire to make except in the case where the principal introducer requests in writing to the chair of the standing committee or permanent subcommittee that the bill not be considered.

With the written approval of the chair of the standing committee and with the recommendation of the subcommittee pursuant to Rule 32(b)(4) through (6), the chair of the permanent subcommittee may report the bill directly to the floor with that recommendation. If a permanent subcommittee recommends reporting a bill to the floor and the chair of the standing committee fails to give approval, the bill shall be deemed to have been reported to the standing committee with the same recommendation as the subcommittee would have made to the House.

(b) **Favorable Report.** – When a standing committee or permanent subcommittee reports a bill with the recommendation that it be passed, the bill shall be placed on the favorable calendar on the day and in the order designated by the Chair of the Standing Committee on Rules, Calendar, and Operations of the House, but not on the same day that it is reported except by leave of the House, and no later than the fourth legislative day after submission of the report or Senate message under Rule 43.2 or Rule 43.3(a), unless:

- (1) The bill is re-referred to the Committee on Appropriations or Committee on Finance under Rule 38 or was serially referred under Rule 32; or
- (2) The bill has not yet been placed on the calendar, and the Speaker refers the bill to another committee.

In order to place a bill on the calendar for a legislative day, notice shall be given by the Chair of the Standing Committee on Rules, Calendar, and Operations of the House orally in the House or in writing to the Principal Clerk. When a committee substitute is adopted and receives a favorable report by the committee or permanent subcommittee, the standing committee or permanent subcommittee chair shall submit to the standing committee or permanent subcommittee the question of an unfavorable report on the original bill. The standing committee's or permanent subcommittee's action, if any, on the original bill shall be reported at the same time the committee substitute is reported.

(c) **Report Without Prejudice.** – When a standing committee reports a bill without prejudice, the bill shall be placed on the favorable calendar in the same manner as provided in subsection (b) of this rule.

(d) **Postponed Indefinitely.** – When a standing committee reports a bill with the recommendation that it be postponed indefinitely and no minority report accompanies it, the bill shall be placed on the unfavorable calendar.

(e) **Unfavorable Report.** – When a standing committee reports a bill with the recommendation that it not be passed and no minority report accompanies it, the bill shall be placed on the unfavorable calendar.

(f) **Minority Report.** – When a bill is reported by a standing committee with a recommendation that it not be passed or that it be postponed indefinitely but it is accompanied by a minority report signed by at least one-fourth of the members of the standing committee who were present and voting when the bill was considered in standing committee, the question before the House shall be: "The adoption of the minority report." If the minority report is adopted by majority vote, the bill shall be placed on the favorable calendar for consideration. If the minority report fails of adoption by a majority vote, the bill shall be placed on the unfavorable calendar.

RULE 36.1. Fiscal Notes. – (a) The Chair or Cochair of the Appropriations Committee, of the Finance Committee, or of the Standing Committee on Rules, Calendar, and Operations of the House, upon the floor of the House, may request that a fiscal analysis be made of a bill, resolution, or an amendment to a bill or resolution which is in the possession of the House and that a fiscal note be attached to the measure, which request shall be allowed when, in the opinion of the Speaker, the fiscal effects of that measure are not apparent from the language of the measure. When a request is properly made under this subsection, the bill is removed from the calendar until such time that the fiscal note is attached to the measure.

(b) The fiscal note shall be filed and attached to the bill or amendment within two legislative days of the request. If it is impossible to prepare a fiscal note within two legislative days, the Director of Fiscal Research shall, in writing, so advise the Speaker, the Principal Clerk, and the member introducing or proposing the measure and shall indicate the time when the fiscal note will be ready.

(c) The fiscal note shall be prepared by the Fiscal Research Division on a form approved by the Chair of the Standing Committee on Rules, Calendar, and Operations of the House as to content and form and signed by the staff member or members preparing it. If no estimate in dollars is possible, the fiscal note shall indicate the reasons that no estimate is provided. The fiscal note shall not comment on the merit but may identify technical problems. The Fiscal Research Division shall make the fiscal note available to the membership of the House.

(d) A sponsor of a bill or amendment may deliver a copy of the bill or amendment to the Fiscal Research Division for the preparation of a fiscal note. The sponsor shall attach the fiscal note to the bill when filed or to the amendment when its adoption is moved.

(e) The sponsor of a bill or amendment to which a fiscal note is attached who objects to the estimates and information provided may reduce to writing the objections. These objections shall be appended to the fiscal note attached to the bill or amendment and to the copies of the fiscal note available to the membership.

(f) Subsection (a) of this rule shall not apply to the Current Operations Appropriations Bill or the Capital Improvement Appropriations Bill. This rule shall not apply to a bill or amendment requiring an actuarial note under these rules.

RULE 36.2. Actuarial Notes. – (a) Every bill or resolution proposing any change in the law relative to any:

- (1) State, municipal, or other retirement system funded in whole or in part out of public funds; or
- (2) Program of hospital, medical, disability, or related benefits provided for teachers and State employees, funded in whole or in part by State funds;

shall have attached to it at the time of its consideration by any standing committee or permanent subcommittee a brief explanatory statement or note which shall include a reliable estimate of the financial and actuarial effect of the proposed change to that retirement or pension system. The actuarial note shall be attached to the jacket of each proposed bill or resolution which is reported favorably by any standing committee or any permanent subcommittee, shall be separate therefrom, and shall be clearly designated as an actuarial note. A bill described in subdivision (a)(1) of this rule shall be referred to the Committee on Pensions and Retirement upon its introduction in accordance with G.S. 120-111.3.

(b) The sponsor of the bill or resolution shall present a copy of the measure, with a request for an actuarial note, to the Fiscal Research Division, which shall prepare the actuarial note as promptly as possible but not later than two weeks after the request is made unless an extension of time is agreed to by the sponsor as being necessary in the preparation of the note. Actuarial notes shall be prepared in the order of receipt of request and shall be transmitted to the sponsor of the measure. The actuarial note of the Fiscal Research Division shall be prepared and signed by an actuary.

(c) The sponsor of the bill or resolution shall also present a copy of the measure to the actuary employed by the system or program affected by the measure. Actuarial notes shall be prepared and transmitted to the sponsor of the measure not later than two weeks after the request is received, unless an extension of time is agreed to by the sponsor as being necessary in the preparation of the note. The actuarial note shall be attached to the jacket of the measure. The provisions of this subsection may be waived by the measure's sponsor for a measure affecting local government retirement or pension plans not administered by the State or any local government program of hospital, medical, disability, or related benefits for local government employees not administered by the State.

(d) The note shall be factual and shall, if possible, provide a reliable estimate of both the immediate effect and, if determinable, the long-range fiscal and actuarial effect of the measure. If, after careful investigation, it is determined that no dollar estimate is possible, the note

shall contain a statement to that effect, setting forth the reasons why no dollar estimate can be given. No comment or opinion shall be included in the actuarial note with regard to the merits of the measure for which the note is prepared. Technical and mechanical defects in the measure may be noted.

(e) When any permanent subcommittee or standing committee reports a measure to which an actuarial note is attached at the time of permanent subcommittee or standing committee consideration, with any amendment of such nature as would substantially affect the cost to or the revenues of any retirement or pension system, or program of hospital, medical, disability, or related benefits for teachers or State employees, the chair of the permanent subcommittee or standing committee reporting the measure shall obtain from the Fiscal Research Division an actuarial note of the fiscal and actuarial effect of the proposed amendment. The actuarial note shall be attached to the jacket of the measure. An amendment to any bill or resolution shall not be in order if the amendment affects the costs to or the revenues of a State-administered retirement or pension system, or program of hospital, medical, disability, or related benefits for teachers or State employees, unless the amendment is accompanied by an actuarial note, prepared by the Fiscal Research Division, as to the actuarial effect of the amendment.

(f) The Fiscal Research Division shall make all relevant actuarial notes available to the membership of the House.

RULE 36.3. Local Legislation Affecting State Highway System.

– A local bill affecting the State Highway System shall be referred to the Committee on Transportation.

RULE 36.4. Content of Appropriations Bills. – No provision shall be contained in any of the following bills unless it pertains to the appropriation of money or the raising or reducing of revenue: (i) the Current Operations Appropriations Bill; (ii) the Capital Improvement Appropriations Bill; (iii) any bill generally revising appropriations for the second fiscal year of a biennium.

RULE 37. Removing Bill From Unfavorable Calendar. – A bill may be removed from the unfavorable calendar upon motion carried by a two-thirds vote. A motion to remove a bill from the unfavorable calendar is debatable.

RULE 38. Reports on Appropriation and Revenue Bills. – (a) All standing committees, other than the Standing Committees on Appropriations, when favorably reporting any bill or resolution which:

- (1) Carries an appropriation from the State; or
- (2) Requires or will require in the future substantial additional State monies from the General Fund or Highway Fund to implement its provisions shall indicate same in the report, and said bill or resolution shall be referred to the Standing Committees on Appropriations for a further report before being acted upon by the House.

(b) All standing committees, other than the Standing Committee on Finance, when favorably reporting any bill which in any way or manner raises revenue, reduces revenue, levies a tax, authorizes the levying of a tax, an assessment, or a fee, or authorizes the issue of bonds or notes, whether public, public-local, or private, shall indicate same in the report, and said bill shall be referred to the Standing Committee on Finance for a further report before being acted upon by the House. This subsection shall not apply to bills only imposing fines, forfeitures, or penalties.

(c) Action on Amendment Before Re-Referral. – If any standing committee recommends adoption of an amendment or committee substitute of a bill which, under the rules of the House, must be referred to the Standing Committees on Appropriations or the Standing Committee on Finance, the amendment or committee substitute shall be considered and, if adopted, the amendment or substitute engrossed before the bill is re-referred.

RULE 39. Recall of Bill From Standing Committee. – (a) When a House bill has been introduced and referred to a standing committee, or when a Senate bill has been referred to a standing committee, if after 10 legislative days the standing committee has failed to act thereon, then the introducer of the House bill or some member designated by the introducer, or some House member designated by the introducer of the Senate bill, may, after three legislative days' public notice given in the House and delivered in writing to the chair of the standing committee, on motion supported by a vote of three-fifths of the members of the House, recall the same from the standing committee to the floor of the House for consideration and such action thereon as a majority of the members present may direct.

(b) This rule shall not be temporarily suspended without one day's notice on the motion given in the House and delivered in writing to the chair of the standing committee, and to sustain that motion two-thirds of the members of the House shall be required.

RULE 39.1. Recall of Bill From Permanent Subcommittee. – When a House bill has been referred to a permanent subcommittee, if after 10 legislative days the subcommittee has failed to act thereon, or at any time, with the agreement of the subcommittee chair, the standing committee chair may re-refer the bill from that permanent subcommittee to another permanent subcommittee of the same standing committee provided the report of the re-referral shall be made pursuant to Rule 32.

RULE 39.2. Re-Referral of Bills From One Standing Committee to Another Standing Committee. – Upon consent of the sponsor of the bill, the Speaker, the chair of the standing committee from whom the bill is to be re-referred, and the chair of the standing committee to whom the bill is to be re-referred, the chair of the standing committee from whom the bill is to be re-referred or the Chair of the Standing Committee on Rules, Calendar, and Operations of the House may move for a re-referral to another standing committee, and the bill shall be re-referred upon vote of the majority present during a regular session of the House.

RULE 40. Calendars and Schedules of Business. – The Clerk of the House shall prepare a daily schedule of business, including the Calendar of Bills and Resolutions for consideration and debate that day, in accordance with the Order of Business of the Day (Rule 5). The Clerk shall number all bills and resolutions in the order in which they are introduced. All bills and resolutions shall be taken up as they appear in each category (Rule 5(10)) in the order they were placed on the Calendar under Rule 36(b).

RULE 41. Reading of Bills. – (a) Every bill shall receive three readings in the House prior to its passage. The first reading and reference to standing committee of a House bill shall occur on the next legislative day following its introduction. The first reading and reference to standing committee of a Senate bill shall occur on the next legislative day following its receipt on messages from the Senate. The Speaker shall give notice at each subsequent reading whether it is the second or third reading.

(b) No bill shall be read more than once on the same day without the concurrence of two-thirds of the members present and voting; provided, no bill governed by Section 23 of Article II of the North Carolina Constitution or described in Rule 20(a)(2) herein shall be read twice on one day under any circumstance.

RULE 42. Effect of a Defeated Bill. – (a) Subject to the provisions of subsection (b) of this rule, after a bill has:

- (1) Been tabled,
- (2) Been postponed indefinitely,
- (3) Failed to pass on any of its readings, or
- (4) Been placed on the unfavorable calendar,

the contents of that bill or the principal provisions of its subject matter shall not be considered in any other measure originating in the Senate or originating thereafter in the House. Upon the point of order being raised and sustained by the chair, that measure shall be laid upon the table, and shall not be taken therefrom except by a two-thirds vote of the members present and voting.

(b) No local bill shall be held by the chair to embody the contents of or the principal provisions of the subject matter of any statewide measure which has been laid on the table, has failed to pass on any of its readings, or has been placed on the unfavorable calendar.

RULE 43. Amendments. – (a) No amendment to a measure before the House shall be in order unless the amendment is germane to the measure under consideration. A House amendment deleting a previously adopted House amendment shall not be in order, except that this sentence does not apply to amendments adopted under Rule 38(c). No amendment that is clearly unconstitutional shall be in order.

If the Senate adopts an amendment or committee substitute to a House bill, the House may refuse to receive the bill on account of lack of germaneness if the Senate has a similar rule.

Only one principal (first degree) amendment shall be pending at any one time. If a subsequent or substitute principal amendment shall be offered, the Speaker shall rule it out of order. However, any member desiring to offer a subsequent or substitute principal amendment in opposition to the pending amendment may inform the House by way of argument against the pending amendment that if it is defeated the member proposes to offer another principal amendment, and the member may then read and explain such proposed amendment.

Perfecting (or second degree) amendments may be offered and considered without limitation as to number, and in the event of multiple perfecting amendments, they shall be voted upon in inverse order.

(b) The following rules apply when considering: (i) the Current Operations Appropriations Bill; (ii) the Capital Improvement Appropriations Bill; (iii) any bill generally revising appropriations for the second fiscal year of a biennium:

- (1) Amendments cannot increase total spending within a subcommittee area beyond the total for that subcommittee as shown in the committee report.
- (2) Amendments can only affect appropriations within the departments, agencies, or programs within the jurisdiction of the subcommittee.
- (3) Amendments cannot increase total spending, from any source, beyond the total amount shown in the committee report.
- (4) Amendments that cause the budget to be unbalanced are not in order.
- (5) Amendments cannot spend reversions.
- (6) Amendments cannot make nonrecurring reductions to fund recurring items.

RULE 43.1. Engrossment. – Bills and resolutions, except those making appropriations, which originate in the House and which are amended, shall be engrossed before being sent to the Senate.

RULE 43.2. House Concurrence in Senate Amendments to House Bills. – When the House receives a Senate amendment to a bill originating in the House, it shall be placed on the calendar in accordance with Rule 36(b).

RULE 43.3. Committee Substitutes Adopted by the Senate to Bills Originating in the House; Procedure for Treatment of Material Amendments Thereto. – (a) Whenever the Senate has adopted a committee substitute for a bill originating in the House and has returned the bill to the House for concurrence in that committee substitute, it shall be placed on the calendar in accordance with Rule 36(b).

(b) The Speaker shall rule whether the committee substitute is a material amendment under Section 23 of Article II of the North Carolina Constitution which reads:

"Revenue bills. – No law shall be enacted to raise money on the credit of the State, or to pledge the faith of the State directly or indirectly for the payment of any debt, or to impose any tax upon the people of the State, or to allow the counties, cities, or towns to do so, unless the bill for the purpose shall have been read three several times in each house of the General Assembly and passed three several readings, which readings shall have been on three different days, and shall have been agreed to by each house respectively, and unless the yeas and nays on the second and third readings of the bill shall have been entered on the journal."

If the committee substitute was referred to standing committee, the standing committee shall:

- (1) Report the bill with the recommendation either that the House do concur or that the House do not concur; and
- (2) Advise the Speaker as to whether or not that committee substitute is a material amendment under Section 23 of Article II of the North Carolina Constitution.
- (c) If the committee substitute for a bill is not a material amendment, the question before the House shall be concurrence.
- (d) If the committee substitute for a bill is a material amendment, the receiving of that bill on messages shall constitute first reading, and the question before the House shall be concurrence on second reading. If the motion is passed, the question then shall be concurrence on third reading on the next legislative day.
- (e) No committee substitute adopted by the Senate for a bill originating in the House may be amended by the House.

RULE 44. Conference Standing Committees. – (a) Whenever the House shall decline or refuse to concur in amendments put by the Senate to a bill originating in the House, or shall refuse to concur in a substitute adopted by the Senate for a bill originating in the House, or whenever the Senate shall decline or refuse to concur in amendments put by the House to a bill originating in the Senate, or shall refuse to concur in a substitute adopted by the House for a bill originating in the Senate, a conference committee may be appointed by the Speaker upon the Speaker's own motion and shall be appointed upon request by the principal sponsor of the original bill, the chair of the House standing committee which reported the bill, or the sponsor of the amendment in which the Senate refused to concur; and the bill under consideration shall thereupon go to and be considered by the joint conferees on the part of the House and Senate. In appointing members to conference committees, the Speaker shall appoint no less than a majority of members who generally supported the House position as determined by the Speaker.

(b) Only such matters as are in difference between the two houses shall be considered by the conferees, and the conference report shall deal only with such matters. The conference report may be made by a majority of the House members of such conference committee and shall not be amended.

(c) If the conferees fail to agree or if either house fails to adopt the report of its conferees, new conferees may be appointed.

(d) No vote shall be taken on adoption of a conference report until the next legislative day following the report.

RULE 44.1. Transmittal of Bills to Senate. – Unless ordered by the Speaker or two-thirds vote of the members present and voting, no bill shall be sent from the House on the day of its passage, except on the last day of the session.

VII. Legislative Officers and Employees

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

(b) The House shall elect its Speaker Pro Tempore from among its membership who shall perform such duties as the Speaker may assign.

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

RULE 46. Assistants to Principal Clerk and Sergeant-at-Arms. – The Principal Clerk and the Sergeant-at-Arms may appoint, with the approval of the Speaker, such assistants as may be necessary to the efficient discharge of the duties of their respective offices.

RULE 47. Speaker's Staff; Chaplain; and Pages. – (a) The Speaker may appoint one or more staff members to the Speaker, a Chaplain of the House, and pages to wait upon the sessions of the House.

(b) When the House is not in session, the pages shall be under the supervision of the Supervisor of Pages.

(c) The Speaker, at the request of a member, may appoint honorary pages.

RULE 48. Member's Staff. – (a) Each standing committee and permanent subcommittee shall have a committee assistant. The committee assistant to a standing committee or permanent subcommittee shall serve as staff to the chair of the standing committee or permanent subcommittee.

(b) Each member shall be assigned a legislative assistant, unless the member has a committee assistant to serve as legislative assistant.

(c) The selection and retention of committee assistants, legislative assistants, and office assistants shall be the sole prerogative of the individual member or members. Such staff shall file initial applications for employment with the Principal Clerk and shall receive compensation as prescribed by the Legislative Services Commission. The employment period

of such staff shall commence not earlier than the convening date of the General Assembly and shall terminate not later than the final adjournment or recess of the General Assembly unless employment for an extended period is approved by the Speaker. The committee assistants, legislative assistants, and office assistants shall adhere to such uniform rules and regulations not inconsistent with these rules regarding hours and other conditions of employment as the Legislative Services Commission shall fix by appropriate regulations.

RULE 49. Compensation of Legislative Assistants. – No clerk, committee assistant, legislative assistant, office assistant, or other person employed or appointed under Rules 46, 47, and 48 hereof shall receive during such employment, appointment, or service any compensation from any department of the State government, and there shall not be voted, paid, or awarded any additional pay, bonus, or gratuity to any of them; but they shall receive only the pay now provided by law for such duties and services. This rule shall not apply to employment, appointment, or service or to the receipt of compensation or additional pay, bonus, or gratuity from another department of State government between regular sessions of the General Assembly.

VIII. Privileges of the Hall

RULE 50. Admittance to Floor. – No person except members, officers, and designated employees of the General Assembly who have been issued identification tags as provided by this rule, and former members of the General Assembly who are not registered under the provisions of Article 2 of Chapter 120C of the General Statutes, shall be allowed on the floor of the House during its session, unless permitted by the Speaker or otherwise provided by law. Employees of the General Assembly shall wear identification tags, approved by the Legislative Services Officer, when on the floor of the House.

RULE 51. Admittance of Press. – Reporters wishing to take down debates may be admitted by the Speaker, who shall assign such places to them on the floor or elsewhere, to effect this object, as shall not interfere with the convenience of the House. Reporters admitted to the floor of the House shall observe the same requirements of attire for members contained in Rule 12(h).

RULE 52. Extending Courtesies. – Courtesies of the floor, galleries, or lobby shall be extended at the discretion of the Speaker and only by the Speaker. Requests by members to extend these courtesies shall be typewritten and delivered to the Speaker. No member shall orally ask the Speaker to extend these courtesies during the daily session.

RULE 53. Order in House Chamber, Galleries, and Lobby. – In case of any disturbance or disorderly conduct in the House Chamber, galleries, or lobby, the Speaker or other presiding officer is empowered to order the same to be cleared to the extent they deem necessary.

IX. General Rules

RULE 54. Attendance of Members. – No member or officer of the House shall be absent from the service of the House without leave, unless from sickness or disability.

RULE 55. Documents to Be Signed by the Speaker. – All acts, addresses, and resolutions and all warrants and subpoenas issued by order of the House shall be signed by the Speaker or other presiding officer.

RULE 56. Printing or Reproducing Materials. – There shall be no printing or reproducing of paper(s) that are not legislative in essence except upon approval of the Speaker.

RULE 57. Placement or Circulation of Materials. – Persons other than members of the House shall not place or cause to be placed any materials on members' desks in the House Chamber without obtaining approval of the Speaker. Any material placed on members' desks in the House Chamber, or circulated to House members anywhere in the Legislative Building or the Legislative Office Building, shall bear the name of the originator.

RULE 58. Rules, Rescission, and Alteration. – (a) These rules shall not be permanently rescinded or altered except by House simple resolution passed by a two-thirds vote of the members present and voting. The introducer of the resolution must on the floor of the House give notice of intent to introduce the resolution on the legislative day preceding its introduction.

(b) Except as otherwise provided herein, the House upon two-thirds vote of the members present and voting may temporarily suspend any rule.

RULE 59. Cosponsorship of Bills and Resolutions. – (a) Any member wishing to cosponsor a bill or resolution which has been introduced may do so by appearing in the office of the Principal Clerk for such purpose within one-half hour following the adjournment of the session during which such bill or resolution was first read and referred, or within one hour following adjournment if the cosponsorship is done electronically under procedures approved by the Principal Clerk.

(b) Members wishing to jointly sponsor legislation should indicate such to the drafter at the time the bill is requested or upon filing the bill with the Principal Clerk's office. The names of the members who are the primary sponsors shall be listed in the order requested by them, followed by the words (Primary Sponsors); and the remaining names of members cosponsoring shall follow. No more than four members may be listed as primary sponsors.

(c) No member shall permit anyone, other than that member's committee assistant, legislative assistant, office assistant, or another member, to have possession of and solicit for bill or resolution cosponsorship, the jacket of a bill or resolution.

RULE 60. Correcting of Typographical Errors. – The Legislative Services Officer may correct typographical errors appearing in House bills or resolutions provided that such corrections are made before ratification and do not conflict with any actions or rules of the Senate and provided further that such correction be approved by the Chair of the Standing Committee on Rules, Calendar, and Operations of the House, the Speaker, or other presiding officer.

RULE 61. Assignment of Seats. – After initial assignment of seats, a member shall continue to occupy the seat to which initially assigned until assigned a permanent seat; once assigned a permanent seat, the member shall occupy it for the entire biennial session. In event of vacancy, that member's successor will occupy the seat of the member replaced for the remainder of the biennial session.

RULE 61.1. Office Assignments. – The Chair of the Standing Committee on Rules, Calendar, and Operations of the House shall assign to each member an office space. When available, chairs of standing committees and permanent subcommittees shall be assigned an office adjacent to the room in which the standing committee or permanent subcommittee generally meets if the Chair so desires. The Speaker shall be assigned an office of his or her choice.

RULE 61.2. Convening and Assigning Seats in the New House.
– (a) The Principal Clerk of the previous House of Representatives shall convene the House of Representatives at 12:00 noon on the date established by law for the convening of each regular session and preside over the body until the members elect a Speaker. In the case of a vacancy, inability, or refusal to so serve, the duty shall devolve upon the Sergeant-at-Arms of the prior House, and in the case of a vacancy in that office, or inability or refusal to so serve, the duty shall devolve upon the Reading Clerk of the prior House.

(b) It shall be the duty of the Chair of the Standing Committee on Rules, Calendar, and Operations of the House of the prior House to assign temporary seats to the members of the House of Representatives in its Chamber. In the case of the inability or refusal to serve of the Chair of the Standing Committee on Rules, Calendar, and Operations of the House, the Speaker of the prior House of Representatives shall appoint a person to assign seats to members of the House of Representatives in its Chamber. In the event that the party that had a majority of members in the prior House will no longer have a majority of members in the new House, then the duty assigned in this subsection to the Chair of the Committee of the prior House shall instead be the duty of the person nominated as Speaker by the majority party caucus for the new House, or some member-elect designated by the Speaker-nominee. In the event no party will have a majority, then the duty assigned in this subsection to the Chair of the Committee of the prior House shall instead be the joint duty of one person chosen each by the caucuses of the two parties having the greatest numbers of members.

RULE 62. Matters Not Covered in These Rules. – Except as herein set out, the rules of Mason's Manual of Legislative Procedure shall govern the operation of the House.

SECTION 2. This resolution is effective upon adoption.

APPOINTMENTS BY THE SPEAKER

BOARDS AND COMMISSIONS

APPOINTMENTS

(December 1, 2008 – January 31, 2010)

APPOINTED EXPIRES

**ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE,
JOINT LEGISLATIVE**

G.S. 120-70.100

Rep. Ronnie Sutton, Co-Chair		9/3/2009	1/25/2011
Rep. John M. Blust	(Reappointment)	9/3/2009	1/25/2011
Rep. Pryor Gibson	(Reappointment)	9/3/2009	1/25/2011
Rep. Melanie Wade Goodwin		9/3/2009	1/25/2011
	(Reappointment)		
Rep. Earl Jones	(Reappointment)	9/3/2009	1/25/2011
Rep. Jimmy L. Love, Sr.	(Reappointment)	9/3/2009	1/25/2011
Rep. Grey Mills		9/3/2009	1/25/2011
Rep. Tim Moore	(Reappointment)	9/3/2009	1/25/2011

AFRICAN-AMERICAN HERITAGE COMMISSION

G.S. 143B-135(b)(3)

Mr. Donald A. Bonner	(Reappointment)	10/1/2009	9/30/2012
(Public member)			

AGING, NORTH CAROLINA STUDY COMMISSION ON

G.S. 120-182(2)

Rep. Jean Farmer-Butterfield, Co-Chair		9/24/2009	6/30/2011
	(Reappointment)		
Rep. Alice L. Bordsen	(Reappointment)	9/24/2009	6/30/2011
Rep. Bob England, M.D.	(Reappointment)	9/24/2009	6/30/2011
Rep. Garland E. Pierce	(Reappointment)	9/24/2009	6/30/2011
Rep. Jennifer Weiss		9/24/2009	6/30/2011
Ms. Mary P. Barker		9/24/2009	6/30/2011
(Planner/provider position)			

AGING, NORTH CAROLINA STUDY COMMISSION ON-Contd.

Ms. Joan M. Pellettier (Planner/provider)	9/24/2009	6/30/2011
Ms. Patricia E. Sprigg (Public member)	9/24/2009	6/30/2011

AGRICULTURAL DEVELOPMENT AND FARMLAND PRESERVATION TRUST FUND AND ADVISORY COMMITTEE

G.S. 106-744(g)(4)		
Ms. Anne G. Briley (Filling the unexpired term of Ms. Jane Iseley)	9/11/2009	12/31/2009
	(Reappointment) 1/5/2010	12/31/2010
Ms. Jane Iseley (Resigned effective 8/24/2009)	(Reappointment) 2/6/2009	12/31/2009

AGRICULTURAL FINANCE AUTHORITY, NORTH CAROLINA

G.S. 122D-4(b)(7)		
Mr. Henry Vines (Public member)	8/18/2009	6/30/2012

AGRICULTURE AND FORESTRY AWARENESS STUDY COMMISSION

G. S. 120-150(3)		
Rep. Dewey L. Hill, Co-Chair (Reappointment)	2/12/2009	9/30/2011
Rep. Roger West (Reappointment)	2/12/2009	9/30/2011
Rep. Arthur Williams (Reappointment)	2/12/2009	9/30/2011
Hon. Spruill Randolph (Randy) Britt (Public member) (Reappointment)	1/26/2009	9/30/2011

(The current members term ended on 9/30/2009 and were reappointed 10/1/2009 for a term ending on 9/30/2011.)

ALARM SYSTEMS LICENSING BOARD

G.S. 74D-4(b)		
Mr. Larry W. McClellan (Individual licensed under this chapter) (Filling the unexpired term of Mr. Darrell Furr)	1/1/2009	6/30/2009
	(Reappointment) 8/18/2009	6/30/2012
Mr. Guy John Phillips, Jr.	1/1/2010	6/30/2012

**ART, BOARD OF TRUSTEES OF THE NORTH CAROLINA
MUSEUM OF**

G.S. 140-5.13(b)(4)

Mr. LeAnder Canady (Public member)	(Reappointment) 8/18/2009	6/30/2011
Ms. Kaola Allen Phoenix (Public member)	8/18/2009	6/30/2011

**AUTISM SPECTRUM DISORDER AND PUBLIC SAFETY,
JOINT STUDY COMMITTEE ON**

Session Law 2009-451, Section 10.21D(a)

Rep. Bob England, M.D., Co-Chair	12/1/2009	12/31/2010
Rep. Martha B. Alexander	12/1/2009	12/31/2010
Rep. Jerry C. Dockham	12/1/2009	12/31/2010
Rep. Hugh Holliman	12/1/2009	12/31/2010
Rep. Earline W. Parmon	12/1/2009	12/31/2010
Mr. Frederick L. Bone	12/1/2009	12/31/2010
Mr. Edmund W. Caldwell, Jr.	12/1/2009	12/31/2010
Chief William Farley	12/1/2009	12/31/2010
Ms. Marsha Jones	12/1/2009	12/31/2010
Dr. Gary Mesibov	12/1/2009	12/31/2010
Mr. Edd Nye	12/1/2009	12/31/2010
Hon. Kimberly S. Taylor	12/1/2009	12/31/2010
Ms. Elizabeth H. Thompson	12/1/2009	12/31/2010

**BANKING LAWS AND THE CONSUMER FINANCE ACT,
JOINT LEGISLATIVE STUDY COMMISSION ON
THE MODERNIZATION OF NORTH CAROLINA**

S.L. 2009-574 Part XLVIII, Section 48.2(1)

Rep. Hugh Holliman, Co-Chair	9/29/2009	Final Report
Rep. Harold J. Brubaker	9/29/2009	
Rep. Susan C. Fisher	9/29/2009	
Rep. Larry D. Hall	9/29/2009	
Rep. Arthur Williams	9/29/2009	
Mr. Chris McKinley (Representing the Consumer Finance Industry)	9/29/2009	
Ms. Lisa B. McDougald (Representing a State Chartered Bank)	9/29/2009	
Ms. Hazel Mack-Hilliard (Representing a Consumer Advocacy Organization)	9/29/2009	

**BIOTECHNOLOGY CENTER BOARD OF DIRECTORS,
NORTH CAROLINA**

By-laws

Mr. John L. Atkins, III	(Reappointment)	5/26/2009	7/31/2011
Mr. John F. Del Giorno	(Reappointment)	5/26/2009	7/31/2011
Dr. Stephen R. Mosier	(Reappointment)	5/26/2009	7/31/2011

**BLIND, CONSUMER AND ADVOCACY ADVISORY
COMMITTEE FOR THE**

G.S. 143B-164(a)(2)

Rep. Garland E. Pierce		7/1/2009	6/30/2011
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**BLOUNT STREET HISTORIC DISTRICT
OVERSIGHT COMMITTEE**

Session Law 2003-404, Section 3(b)(4)

Mr. Kevin Kane	(Reappointment)	12/10/2009	7/1/2013
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BOXING COMMISSION, ADVISORY

G.S. 143-652(a)(7)

Dr. Joseph J. Estwanik resigned effective 2/9/2009.

BUILDING COMMISSION, STATE

G.S. 143-135.25(c)(9)

Mr. Rodney Dickerson		8/18/2009	6/30/2012
(Local government representative)			

**CAPITAL FACILITIES FINANCE AGENCY, NORTH CAROLINA
BOARD OF DIRECTORS**

G.S. 159D-38(a)

Mr. David B. Fountain	(Reappointment)	8/18/2009	3/1/2013
(Director who is a resident of the state and does not hold other public office)			

**CAPITAL IMPROVEMENTS, JOINT LEGISLATIVE OVERSIGHT
COMMITTEE ON**

G.S. 120-258(1)

Rep. Henry M. Michaux, Jr., Co-Chair		9/10/2009	1/25/2011
Rep. Bill Owens, Co-Chair		9/10/2009	1/25/2011
Rep. N. Leo Daughtry		9/10/2009	1/25/2011
Rep. Bruce Goforth		9/10/2009	1/25/2011
Rep. W. Robert Grady		9/10/2009	1/25/2011
Rep. Hugh Holliman		9/10/2009	1/25/2011
Rep. Ric Killian		9/10/2009	1/25/2011
Rep. Larry Womble		9/10/2009	1/25/2011

CAPITAL PLANNING COMMISSION, NORTH CAROLINA

G.S. 143B-374(a)

Rep. Darren G. Jackson		9/3/2009	12/31/2010
Rep. Deborah K. Ross	(Reappointment)	9/3/2009	12/31/2010
Rep. Paul Stam	(Reappointment)	9/3/2009	12/31/2010
Rep. Jennifer Weiss	(Reappointment)	9/3/2009	12/31/2010
Rep. Bill Owens	(Reappointment)	9/3/2009	12/31/2010

(Speaker's designee to the Commission)

CAPITAL TRIAL, SENTENCING, AND POST CONVICTION PROCEDURES FOR PERSONS WHO SUFFER SEVERE MENTAL DISABILITIES

Rule 26(a) of the Rules of the House of Representatives of the 2007 General Assembly

Rep. Verla Insko, Co-Chair		12/1/2008	1/27/2009
Rep. Pricey Harrison		12/1/2008	1/27/2009
Rep. Tim Moore		12/1/2008	1/27/2009
Rep. Bonner L. Stiller		12/1/2008	1/27/2009
Rep. William L. Wainwright		12/1/2008	1/27/2009

CATAWBA/WATEREE RIVER BASIN ADVISORY COMMISSION

G.S. 77-113(a)(1)

Rep. Becky Carney	(Reappointment)	2/26/2009	12/31/2010
Rep. Mitch Gillespie	(Reappointment)	2/26/2009	12/31/2010

CEMETERY COMMISSION

G.S. 65-50(a)

Mr. Leonard J. Fulcher	(Reappointment)	8/18/2009	6/30/2013
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(Public member)

CENTENNIAL AUTHORITY

G.S. 160A-480.3

Ms. Judi K. Grainger	(Reappointment)	8/18/2009	6/30/2013
Mr. Ray N. Rouse III	(Reappointment)	8/18/2009	6/30/2013

CHILD CARE COMMISSION

G.S. 143B-168.4(a)

Ms. Angela Boyce Davis		8/18/2009	6/30/2011
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(For-profit child care facility provider)

Ms. Jennifer Svenstrup		8/18/2009	6/30/2011
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(Non-profit child care provider)

CHILDHOOD OBESITY, LEGISLATIVE TASK FORCE ON

Session Law 2009-574, Part XLIX, Section 49.2(1)

Rep. Douglas Y. Yongue, Co-Chair	9/28/2009	5/1/2010
Rep. Larry R. Brown	9/28/2009	5/1/2010
Rep. Bob England, M.D.	9/28/2009	5/1/2010
Rep. W. Robert Grady	9/28/2009	5/1/2010
Rep. Sandra Spaulding Hughes	9/28/2009	5/1/2010
Rep. Jennifer Weiss	9/28/2009	5/1/2010

CHILDREN AND YOUTH, LEGISLATIVE STUDY COMMISSION ON

G.S. 120-217(a)(1)

Ms. Deborah Armstrong Whitfield	10/15/2009	1/25/2011
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CHILDREN, COUNCIL ON EDUCATIONAL SERVICES FOR EXCEPTIONAL

G.S. 115C-112.1(b)

Rep. Laura I. Wiley	(Reappointment)	9/11/2009	6/30/2011
Ms. Sally A. Hunter	(Reappointment)	9/11/2009	6/30/2011
(Parent of a child with a disability)			

CHIROPRACTIC EXAMINERS, STATE BOARD OF

G.S. 90-139(a)

Dr. David Yarasheski	(Reappointment)	8/18/2009	6/30/2011
(Practicing doctor of chiropractic)			

CLEAN WATER MANAGEMENT TRUST FUND BOARD OF TRUSTEES

G.S. 113a-255(b)

Mr. Preston Pate, Jr.		11/1/2009	7/1/2013
(Public member with knowledge in wildlife and fisheries habitats and resources)			

CONSOLIDATION OF EARLY CHILDHOOD EDUCATION AND CARE JOINT LEGISLATIVE TASK FORCE

Senate Bill 202, Section 10.7A.(c) and Section 10.7A.(e)

Rep. Ray Rapp, Co-Chair	9/10/2009	3/15/2010
Rep. Rick Glazier	9/10/2009	3/15/2010
Rep. Verla Insko	9/10/2009	3/15/2010

CORRECTIONS, CRIME CONTROL, AND JUVENILE JUSTICE OVERSIGHT COMMITTEE, JOINT LEGISLATIVE

G.S. 120-70.93

Rep. Alice L. Bordsen, Co-Chair	9/3/2009	1/25/2011
(Reappointment)		

**CORRECTIONS, CRIME CONTROL, AND JUVENILE JUSTICE
OVERSIGHT COMMITTEE, JOINT LEGISLATIVE-Contd.**

Rep. Jimmy L. Love, Sr., Co-Chair	9/3/2009	1/25/2011
(Reappointment)		
Rep. James L. Boles, Jr.	9/3/2009	1/25/2011
Rep. Melanie Wade Goodwin	9/3/2009	1/25/2011
(Reappointment)		
Rep. W. David Guice	9/3/2009	1/25/2011
Rep. Annie W. Mobley (Reappointment)	9/3/2009	1/25/2011
Rep. Shirley B. Randleman	9/3/2009	1/25/2011
Rep. Timothy L. Spear (Reappointment)	9/3/2009	1/25/2011

COSMETIC ART EXAMINERS, NORTH CAROLINA BOARD OF

G.S. 88B-3(a)(2)

Ms. Polly G. Barnhardt	8/18/2009	6/30/2013
(Licensed cosmetologist)		

**CRIMINAL JUSTICE EDUCATION AND TRAINING
STANDARDS COMMISSION, NORTH CAROLINA**

G.S. 17C-3

Mr. Richard J. Armstrong (Reappointment)	8/18/2009	6/30/2011
(Public member)		
Mr. Vernon Julius Bryant (Reappointment)	8/18/2009	6/30/2011
(Correctional officer in a management position from the Division of Community Corrections)		
Mayor James K. Festerman (Reappointment)	8/18/2009	6/30/2011
(Public member)		
Mr. Kevin G. Wallace (Reappointment)	8/18/2009	6/30/2011
(Correctional officer in a management position from the Division of Community Corrections)		

**CRIMINAL JUSTICE INFORMATION NETWORK
GOVERNING BOARD**

G.S. 143-661

Mr. Todd Jones	8/18/2009	6/30/2013
(Employee working with the governing board)		

DEAF AND HARD OF HEARING, COUNCIL FOR THE

G.S. 143B-216.32(a)

Rep. Beverly M. Earle	7/1/2009	6/30/2013
Rep. Jim Gulley	7/1/2009	6/30/2013

DEBT AFFORDABILITY ADVISORY COMMITTEE

G.S. 142-101(a)(7)

Dr. James V. Porto	(Reappointment)	5/26/2009	12/31/2010
Mr. A. John Vogt		5/26/2009	12/31/2010

DIETETICS AND NUTRITION, NORTH CAROLINA BOARD OF

G.S. 90-354

Ms. Michelle Futrell		12/31/2008	6/30/2009
(Professional whose primary practice is community/public health dietetics/nutrition)			
(Filling the unexpired term of Ms. Miriam Peterson)			
	(Reappointment)	8/18/2009	6/30/2012

DISCIPLINARY HEARING COMMISSION OF THE NORTH CAROLINA STATE BAR

G.S. 84-28.1(a)

Mr. Michael Houser	(Reappointment)	8/18/2009	6/30/2012
(Citizen not licensed to practice law in this or any other state)			
Ms. Karen B. Ray		8/18/2009	6/30/2012
(Citizen not licensed to practice law in this or any other state)			

DISPUTE RESOLUTION COMMISSION

G.S. 7A-38.2(c)

Mr. Edward C. Hay, Jr.	(Reappointment)	10/1/2009	9/30/2012
(Representing a citizen knowledgeable in mediation)			

DOMESTIC VIOLENCE COMMISSION

G.S. 143B-394.15

Ms. Marisol D. Barr		9/1/2009	8/31/2011
(Citizen representing a cultural and linguistic minority)			
Hon. Beverly A. Scarlett	(Reappointment)	9/1/2009	8/31/2011
(District court judge)			

DOMESTIC VIOLENCE, JOINT LEGISLATIVE COMMITTEE ON

G.S. 120-265 and G.S. 120-267(a)

Rep. Marian N. McLawhorn, Co-Chair		9/3/2009	1/25/2011
(Reappointment)			
Rep. Jean Farmer-Butterfield		9/3/2009	1/25/2011
(Reappointment)			
Rep. Melanie Wade Goodwin		9/3/2009	1/25/2011
(Reappointment)			
Rep. Dan W. Ingle		9/3/2009	1/25/2011
Rep. Johnathan Rhyne, Jr.		9/3/2009	1/25/2011

**DOMESTIC VIOLENCE, JOINT LEGISLATIVE
COMMITTEE ON-Contd.**

Rep. Deborah K. Ross	(Reappointment)	9/3/2009	1/25/2011
Rep. Sarah Stevens		9/3/2009	1/25/2011
Rep. Ray Warren	(Reappointment)	9/3/2009	1/25/2011

**DROPOUT PREVENTION AND HIGH SCHOOL GRADUATION,
JOINT LEGISLATIVE COMMISSION ON**

Session Law 2007-323, Section 7.32(f)(1)

Rep. Earline W. Parmon, Co-Chair		9/10/2009	1/25/2011
	(Reappointment)		
Rep. Angela R. Bryant	(Reappointment)	9/10/2009	1/25/2011
Rep. William A. Current, Sr.		9/10/2009	1/25/2011
	(Reappointment)		
Rep. Susan C. Fisher	(Reappointment)	9/10/2009	1/25/2011
Rep. Rosa U. Gill		9/10/2009	1/25/2011
Rep. Bryan R. Holloway	(Reappointment)	9/10/2009	1/25/2011
Rep. Pat B. Hurley	(Reappointment)	9/10/2009	1/25/2011
Rep. Cullie M. Tarleton	(Reappointment)	9/10/2009	1/25/2011

**EASTERN REGION DEVELOPMENT COMMISSION,
NORTH CAROLINA'S**

G.S. 158-35(a)(4) and 158-35(b)

Mr. John D. Chaffee resigned effective March 16, 2009.

Ms. Wanda Edwards Yuhas	8/18/2009	6/30/2011
	(Public member)	
	(Filling the unexpired term of John D. Chaffee)	

E-NC AUTHORITY

G.S. 143B-437.46

Mr. Stanley H. Fox	(Reappointment)	8/18/2009	12/31/2011
	(Public member)		
Mr. Tom Vanderbeck		8/18/2009	12/31/2011
	(Filling the unexpired term of Wayne Goodwin as a public member)		

ECONOMIC DEVELOPMENT BOARD

G.S. 143B-434(b)

Rep. Joe P. Tolson	(Reappointment)	7/1/2009	7/1/2013
Rep. Michael H. Wray	(Reappointment)	7/1/2009	7/1/2011
	(Filling the unexpired term of Bill Daughtridge)		

ECONOMIC DEVELOPMENT CENTER, RURAL

Article V, Section 2 of the By-Laws

Dr. Robin G. Cummings	9/10/2009	12/31/2010
Mr. James A. Harrell, III	9/10/2009	12/31/2010
Mr. Larry Meadows	9/10/2009	12/31/2010

ECONOMIC DEVELOPMENT COMMISSION, SOUTHEASTERN NORTH CAROLINA REGIONAL

G.S. 158-8.3(b)(3)

Mr. Michael Green (Public member)	8/18/2009	6/30/2013
Mr. George Rountree, III resigned effective 8-19-2008.		
Mr. James L. F. (Jimmy) Smith (Public member) (Reappointment)	8/18/2009	6/30/2013
Mr. Kermit D. Williamson (Reappointment) (Public member)	8/18/2009	6/30/2013

ECONOMIC DEVELOPMENT COMMISSION, WESTERN NORTH CAROLINA

G.S. 158-8.1(b)(3)

Mr. George J. Couch (Public member) (Reappointment)	8/18/2009	6/30/2013
Mr. Henry H. Doss (Public member)	8/18/2009	6/30/2013
Mr. Charles M. "Mike" Fulenwider (Public member) (Reappointment)	8/18/2009	6/30/2013

ECONOMIC DEVELOPMENT OVERSIGHT JOINT LEGISLATIVE COMMITTEE

G.S. 120-70.132(a)

Rep. Margaret Highsmith Dickson, Co-Chair (Reappointment)	9/3/2009	1/25/2011
Rep. Larry D. Hall	9/3/2009	1/25/2011
Rep. Julia C. Howard (Reappointment)	9/3/2009	1/25/2011
Rep. Edgar V. Starnes (Reappointment)	9/3/2009	1/25/2011
Rep. Michael H. Wray	9/3/2009	1/25/2011
Rep. W. A. (Winkie) Wilkins (Reappointment)	9/3/2009	1/25/2011

ECONOMIC RECOVERY, SELECT COMMITTEE ON

Rep. Joe P. Tolson, Chair	3/25/2009
Rep. Larry M. Bell	3/25/2009
Rep. Angela R. Bryant	3/25/2009

ECONOMIC RECOVERY, SELECT COMMITTEE ON-Contd.

Rep. Nelson Cole	3/25/2009
Rep. Bill Faison	3/25/2009
Rep. Dale R. Folwell	3/25/2009
Rep. Bruce Goforth	3/25/2009
Rep. Julia C. Howard	3/25/2009
Rep. Verla Insko	3/25/2009
Rep. Linda P. Johnson	3/25/2009
Rep. Wil Neumann	3/25/2009
Rep. Cullie M. Tarleton	3/25/2009
Rep. Thom Tillis	3/25/2009

EDENTON HISTORICAL COMMISSION

G.S. 143B-98

Ms. Erika Churchill	(Reappointment)	4/22/2009	12/31/2010
Ms. Katherine Craft Kopp	(Reappointment)	4/22/2009	12/31/2010
Mr. Robert H. Quinn		4/22/2009	12/31/2010
Ms. Lou S. Sykes	(Reappointment)	4/22/2009	12/31/2010

EDUCATION COMMISSION OF THE STATES

G.S. 115C-104 Article III

Rep. Marvin W. Lucas	(Reappointment)	8/18/2009	12/31/2010
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EDUCATION OVERSIGHT COMMITTEE, JOINT LEGISLATIVE

G.S. 120-70.80

Rep. Douglas Y. Yongue, Co-Chair	8/26/2009	1/25/2011
Rep. Larry M. Bell	8/26/2009	1/25/2011
Rep. Curtis Blackwood	8/26/2009	1/25/2011
Rep. Rick Glazier	8/26/2009	1/25/2011
Rep. Maggie Jeffus	8/26/2009	1/25/2011
Rep. Linda P. Johnson	8/26/2009	1/25/2011
Rep. Marvin Lucas	8/26/2009	1/25/2011
Rep. Marian N. McLawhorn	8/26/2009	1/25/2011
Rep. Ray Rapp	8/26/2009	1/25/2011
Rep. Joe P. Tolson	8/26/2009	1/25/2011
Rep. Laura I. Wiley	8/26/2009	1/25/2011

Advisory - Non-Voting Members

Rep. Tricia Ann Cotham	8/26/2009	1/25/2011
Rep. Susan C. Fisher	8/26/2009	1/25/2011
Rep. Earline W. Parmon	8/26/2009	1/25/2011
Rep. Edith D. Warren	8/26/2009	1/25/2011

ELECTIONS OVERSIGHT COMMITTEE, JOINT LEGISLATIVE

G.S. 120-70.140(2)

Rep. Melanie Wade Goodwin, Chair	9/3/2009	1/14/2011
Rep. Deborah K. Ross, Vice-Chair	9/3/2009	1/14/2011
Rep. Tricia Ann Cotham	9/3/2009	1/14/2011
Rep. William A. Current, Sr.	9/3/2009	1/14/2011
Rep. Hugh Holliman	9/3/2009	1/14/2011
Rep. Henry M. Michaux, Jr.	9/3/2009	1/14/2011
Rep. Tim Moore	9/3/2009	1/14/2011
Rep. Paul Stam	9/3/2009	1/14/2011
Rep. Edgar V. Starnes	9/3/2009	1/14/2011

EMPLOYEE HOSPITAL AND MEDICAL BENEFITS, COMMITTEE ON

G.S. 135-38 (a)(2a)

Rep. Hugh Holliman, Co-Chair	1/15/2009	1/14/2011
(Reappointment)		
Rep. Jerry C. Dockham (Reappointment)	1/15/2009	1/14/2011
Rep. Beverly M. Earle (Reappointment)	1/15/2009	1/14/2011
Rep. Bob England, M.D. (Reappointment)	1/15/2009	1/14/2011
Rep. Mitchell S. Setzer (Reappointment)	1/15/2009	1/14/2011
Rep. Joe P. Tolson	1/15/2009	1/14/2011

ENERGY POLICY COUNCIL

G.S. 113B-3(a)(1)

Rep. Angela R. Bryant	2/24/2009	1/31/2011
Rep. Pricey Harrison (Reappointment)	2/24/2009	1/31/2011

ENVIRONMENTAL MANAGEMENT COMMISSION

G.S. 143B-283(d)

Ms. Yvonne C. Bailey (Public member)	8/18/2009	6/30/2011
Mr. John S. Curry (Reappointment) (Public member)	8/18/2009	6/30/2011

ENVIRONMENTAL REVIEW COMMISSION

G.S. 120-70.42

Rep. Lucy T. Allen, Co-Chair	9/3/2009	1/25/2011
(Reappointment)		
Rep. Pryor Gibson, Co-Chair	9/3/2009	1/25/2011
(Reappointment)		
Rep. Pricey Harrison (Reappointment)	9/3/2009	1/25/2011
Rep. Carolyn H. Justice (Reappointment)	9/3/2009	1/25/2011
Rep. Ruth Samuelson (Reappointment)	9/3/2009	1/25/2011

ENVIRONMENTAL REVIEW COMMISSION-Contd.

Rep. Cullie M. Tarleton	(Reappointment)	9/3/2009	1/25/2011
Rep. Edith D. Warren	(Reappointment)	9/3/2009	1/25/2011
Rep. Larry Womble	(Reappointment)	9/3/2009	1/25/2011

Advisory - Non-Voting Members

Rep. Johnathan Rhyne, Jr.		9/3/2009	1/25/2011
Rep. Russell E. Tucker	(Reappointment)	9/3/2009	1/25/2011

ETHICS COMMITTEE, LEGISLATIVE

G.S. 120-99

Rep. Rick Glazier, Co-Chair		1/29/2009	12/31/2012
	(Reappointment)		
Rep. Marvin W. Lucas	(Reappointment)	2/3/2009	12/31/2012
Rep. Wm. C. "Bill" McGee	(Reappointment)	2/3/2009	12/31/2010
Rep. Paul Stam	(Reappointment)	2/3/2009	12/31/2012
Rep. Edith D. Warren	(Reappointment)	2/3/2009	12/31/2010
Rep. Laura I. Wiley	(Reappointment)	2/3/2009	12/31/2010

S.L. 2009-10 provides for staggered terms of office for the current appointees.

These new terms are effective May 6, 2009.

Pursuant to G.S. 120-100(c), Rep. Stam recuses himself from C-LEC-09-001 and as Minority Leader, nominates the following Members to serve as a Member of the Legislative Ethics Committee for this specific matter only:

Rep. Johnathan Rhyne, Jr.

Rep. Jerry C. Dockham

Rep. Ruth Samuelson

(Pursuant to G.S. 120-100(c) Speaker Hackney appoints Rep. Ruth Samuelson to replace Rep. Stam for C-LEC-09-001 only)

**EX-OFFENDER REINTEGRATION INTO SOCIETY,
JOINT SELECT COMMITTEE ON**

G.S. 120-19.6(A1)

Rep. Angela R. Bryant, Co-Chair		1/22/2009	2/1/2011
Rep. Garland E. Pierce, Co-Chair		1/22/2009	2/1/2011
Rep. Martha B. Alexander		1/22/2009	2/1/2011
Rep. Justin P. Burr		1/22/2009	2/1/2011
Rep. Phillip Frye		1/22/2009	2/1/2011
Rep. W. David Guice		1/22/2009	2/1/2011
Rep. Nick Mackey		1/22/2009	2/1/2011
Rep. Ray Warren		1/22/2009	2/1/2011

FORESTRY ADVISORY COUNCIL

G.S. 143B-309(a)(3)

Mr. Robert D. Brown	(Reappointment)	12/22/2009	6/30/2013
(Non-industrial woodland owner)			

FORESTRY ADVISORY COUNCIL-Contd.

Mr. Charles F. Buchanan (Reappointment) (Non-industrial woodland owner)	12/29/2009	6/30/2013
Commissioner Billy Corey (Representative of the logging industry)	9/29/2009	6/30/2011
Mr. Robert R. Emory, Jr. (Reappointment) (Registered forester/representative of a forestry products industry)	12/22/2009	6/30/2013

GENERAL STATUTES COMMISSION

G.S. 164-14(a)(6) Rep. Deborah K. Ross (Reappointment)	6/1/2009	5/31/2011
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GEOGRAPHIC INFORMATION COORDINATING COUNCIL, NORTH CAROLINA

G.S. 143-726 (c) Mr. Herbert P. McKim, Jr. (Reappointment)	1/5/2010	12/31/2010
Mr. Jeremy S. Poss (Reappointment)	1/5/2010	12/31/2010
Mr. Ronald C. York (Reappointment)	1/5/2010	12/31/2010

GLOBAL CLIMATE CHANGE, JOINT LEGISLATIVE STUDY COMMISSION ON

Session Law 2005-442, and modified by Session Law 2006-73, Section 11
Session Law 2009-306 extends the Legislative Commission on Global
Climate Change until 10/1/2010.

Rep. Pricey Harrison, Co-Chair (Reappointment)	9/17/2009	10/1/2010
Rep. Lucy T. Allen (Reappointment)	9/17/2009	10/1/2010
Rep. Becky Carney (Reappointment)	9/17/2009	10/1/2010
Rep. Alice Graham Underhill (Reappointment)	9/17/2009	10/1/2010
Rep. W. A. (Winkie) Wilkins (Reappointment)	9/17/2009	10/1/2010
Mr. Thomas F. Cecich (Reappointment)	9/17/2009	10/1/2010
Mr. Robert J. Glaser (Reappointment)	9/17/2009	10/1/2010
Mr. Charles C. Thomas (Reappointment) (Public member)	9/17/2009	10/1/2010
Ms. Susan Tompkins (Reappointment)	9/17/2009	10/1/2010

GLOBAL ENGAGEMENT, JOINT SELECT COMMITTEE ON

G.S. 120-19.6(a1) Rep. Becky Carney, Co-Chair	11/17/2009	2/1/2011
Rep. Larry R. Brown	11/17/2009	2/1/2011
Rep. Nelson Dollar	11/17/2009	2/1/2011
Rep. Grier Martin	11/17/2009	2/1/2011

GLOBAL ENGAGEMENT, JOINT SELECT COMMITTEE ON-Contd.

Rep. Wil Neumann	11/17/2009	2/1/2011
Rep. W. A. (Winkie) Wilkins	11/17/2009	2/1/2011
Rep. Larry Womble	11/17/2009	2/1/2011

GLOBAL TRANSPARK AUTHORITY BOARD OF DIRECTORS, NORTH CAROLINA

G.S. 63A-3(b)(2)

Mr. R. Gene Braswell (Public member)	(Reappointment)	8/18/2009	6/30/2013
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GOLDEN L.E.A.F. (Long-Term Economic Advancement Foundation) INC., BOARD OF DIRECTORS

Senate Bill 6, Section 2(c) of Session Law 1999-2

Mr. J. T. Bunn	12/2/2009	11/30/2013
Mr. S. Lawrence Davenport	12/2/2009	11/30/2013

GOVERNANCE AND ADEQUACY OF THE INVESTMENT AUTHORITY OF VARIOUS STATE-OWNED FUNDS FOR THE PURPOSES OF ENHANCING THE RETURN ON INVESTMENTS

S.L. 2009-574, Part XLVII, Section 47.2(a)(2) and (9)

Rep. Henry M. Michaux, Jr., Co-Chair	9/29/2009	Final Report
Rep. Wm. C. "Bill" McGee	9/29/2009	
Rep. Bill Owens	9/29/2009	
Rep. Deborah K. Ross	9/29/2009	
Rep. Fred F. Steen, II	9/29/2009	
Ms. Jean Gordon Carter (Certified Public Accountant)	9/29/2009	

GOVERNMENTAL IMMUNITY, JOINT SELECT COMMITTEE ON

G.S. 120-19.6(a1) and Rule 26(a) of the Rules of the House of

Representatives of the 2007 General Assembly

Rep. Deborah K. Ross, Co-Chair	3/4/2008	12/31/2008
Rep. Dan Blue	4/1/2008	12/31/2008
Rep. N. Leo Daughtry	3/4/2008	12/31/2008
Rep. Larry D. Hall	3/4/2008	12/31/2008
Rep. Jimmy L. Love, Sr.	3/4/2008	12/31/2008
Rep. Bonner L. Stiller	3/4/2008	12/31/2008
Rep. Ronnie Sutton	3/4/2008	12/31/2008

(Commission extended until 1/27/2009.)

**GOVERNMENTAL OPERATIONS - SUBCOMMITTEE ON
EDUCATION/HEALTH & HUMAN RESOURCES**

G.S. 120-74

Rep. Maggie Jeffus, Co-Chair	8/25/2009	1/15/2011
	(Reappointment)	
Rep. Martha B. Alexander	(Reappointment) 8/25/2009	1/15/2011
Rep. Verla Insko	(Reappointment) 8/25/2009	1/15/2011
Rep. Linda P. Johnson	8/25/2009	1/15/2011
Rep. Joe P. Tolson	(Reappointment) 8/25/2009	1/15/2011
Rep. Douglas Y. Yongue	(Reappointment) 8/25/2009	1/15/2011

Advisory - Non-Voting Members

Rep. Beverly M. Earle	(Reappointment) 8/25/2009	1/15/2011
Rep. Bob England, M.D.	(Reappointment) 8/25/2009	1/15/2011
Rep. Rick Glazier	(Reappointment) 8/25/2009	1/15/2011
Rep. Marian N. McLawhorn	(Reappointment) 8/25/2009	1/15/2011
Rep. Ray Rapp	(Reappointment) 8/25/2009	1/15/2011

**GOVERNMENTAL OPERATIONS - SUBCOMMITTEE ON
JUSTICE AND PUBLIC SAFETY**

G.S. 120-74

Rep. R. Phillip Haire, Co-Chair	8/25/2009	1/15/2011
	(Reappointment)	
Rep. Paul Stam	(Reappointment) 8/25/2009	1/15/2011

Advisory - Non-Voting Members

Rep. Alice L. Bordsen	(Reappointment) 8/25/2009	1/15/2011
Rep. Jimmy. L. Love, Sr.	(Reappointment) 8/25/2009	1/15/2011

**GOVERNMENTAL OPERATIONS - SUBCOMMITTEE ON
STATEWIDE/CAPITAL/GENERAL GOVERNMENT**

G.S. 120-74

Rep. Henry M. Michaux, Jr., Co-Chair	8/25/2009	1/15/2011
	(Reappointment)	
Rep. Alma Adams	(Reappointment) 8/25/2009	1/15/2011
Rep. Wm. C. "Bill" McGee	(Reappointment) 8/25/2009	1/15/2011
Rep. Bill Owens	(Reappointment) 8/25/2009	1/15/2011
Rep. Deborah K. Ross	(Reappointment) 8/25/2009	1/15/2011
Rep. Larry Womble	(Reappointment) 8/25/2009	1/15/2011

Advisory - Non-Voting Members

Rep. Bruce Goforth	(Reappointment) 8/25/2009	1/15/2011
Rep. Alice Graham Underhill	(Reappointment) 8/25/2009	1/15/2011
Rep. Susan C. Fisher	8/25/2009	1/15/2011

**GOVERNMENTAL OPERATIONS - SUBCOMMITTEE ON
NATURAL AND ECONOMIC RESOURCES/TRANSPORTATION**

G.S. 120-74

Rep. James W. Crawford, Jr., Co-Chair 8/25/2009 1/15/2011
(Reappointment)

Rep. Nelson Cole (Reappointment) 8/25/2009 1/15/2011

Advisory - Non-Voting Members

Rep. Pricey Harrison 8/25/2009 1/15/2011

Rep. Garland E. Pierce 8/25/2009 1/15/2011

Rep. Grier Martin 8/25/2009 1/15/2011

Rep. Edith D. Warren 8/25/2009 1/15/2011

HEALTH AND WELLNESS TRUST FUND COMMISSION

G.S. 147-86.32(b)(3)

Dr. Thomas H. Johnson, Sr. 7/22/2009 6/30/2012
(Designation as an at-large public member)

Ms. Donna Lockhart 1/5/2010 6/30/2013
(Member of statewide environmental or wildlife
conservation organization)

Dr. Rebecca H. Wartman (Reappointment) 12/4/2008 6/30/2012
(Person involved with health care for underserved populations)

**HEALTH CARE OVERSIGHT COMMITTEE,
JOINT LEGISLATIVE**

G.S. 120-70.110

Rep. Bob England, M.D., Co-Chair 9/3/2009 1/25/2011
(Reappointment)

Rep Martha B. Alexander (Reappointment) 9/3/2009 1/25/2011

Rep. Jeff Barnhart (Reappointment) 9/3/2009 1/25/2011

Rep. Pearl Burris-Floyd 9/3/2009 1/25/2011

Rep. William A. Current, Sr. (Reappointment) 9/3/2009 1/25/2011

Rep. Beverly M. Earle (Reappointment) 9/3/2009 1/25/2011

Rep. Verla Insko (Reappointment) 9/3/2009 1/25/2011

Rep. William L. Wainwright (Reappointment) 9/3/2009 1/25/2011

**HEART DISEASE AND STROKE PREVENTION
TASK FORCE, JUSTUS-WARREN**

G.S. 143B-216.60

Rep. Jennifer Weiss (Reappointment) 8/18/2009 6/30/2011

Rep. Arthur Williams (Reappointment) 8/18/2009 6/30/2011

Rep. Larry Womble (Reappointment) 8/18/2009 6/30/2011

Mr. W. Robert Bizzell (Reappointment) 8/18/2009 6/30/2011
(Registered pharmacist)

**HEART DISEASE AND STROKE PREVENTION
TASK FORCE, JUSTUS-WARREN-Contd.**

Ms. Sylvia Coleman (Registered nurse)	(Reappointment) 8/18/2009	6/30/2011
Ms. Ashley M. Honeycutt (Licensed dietitian)	8/18/2009	6/30/2011
Ms. Karen Anne McCall (Survivor of a stroke)	(Reappointment) 8/18/2009	6/30/2011
Hon. Noah Woods (County Commissioner)	8/18/2009	6/30/2011

HOLOCAUST, NORTH CAROLINA COUNCIL ON THE

G.S. 143A-48.1(b)

Mr. James A. Brenner	(Reappointment) 7/7/2009	6/30/2011
Ms. Renee G. Fink	(Reappointment) 7/7/2009	6/30/2011
Ms. Karen Gordon Klaich	7/7/2009	6/30/2011
Ms. Nancy Misenheimer Miller (Reappointment)	7/7/2009	6/30/2011
Mr. Thomas Schick	(Reappointment) 7/7/2009	6/30/2011
Mr. Lowell Simon	(Reappointment) 7/7/2009	6/30/2011

HOME INSPECTOR LICENSURE BOARD, NORTH CAROLINA

G.S. 143-151.46(a)(1)

Mr. Gerald W. Canipe (Home inspector)	(Reappointment) 8/18/2009	7/1/2013
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**HOSPITAL INFECTION CONTROL AND DISCLOSURE,
JOINT STUDY COMMITTEE ON**

G.S. 120-19.6(a1)

Rep. Martha B. Alexander, Co-Chair	4/1/2008	12/31/2008
Rep. Lucy T. Allen	4/1/2008	12/31/2008
Dr. Christopher T. Aul	2/22/2008	1/27/2009
Ms. Marina B. Barber	2/22/2008	1/27/2009
Ms. Jayne P. Lee	2/22/2008	1/27/2009
Dr. William A. Rutala	2/22/2008	1/27/2009

**HOUSING FINANCE AGENCY BOARD OF DIRECTORS,
NORTH CAROLINA**

G.S. 122A-4(c)

Mr. William C. Fitzgerald, III (Reappointment) (Person having experience with a mortgage serving institution)	8/18/2009	6/30/2011
Mr. Paul S. Jaber (Public member)	(Reappointment) 8/18/2009	6/30/2011
Mr. William C. Lackey, Jr. (Licensed real estate broker)	(Reappointment) 8/18/2009	6/30/2011

**HOUSING FINANCE AGENCY BOARD OF DIRECTORS,
NORTH CAROLINA-Contd.**

Mr. James W. Oglesby (Reappointment) 8/18/2009 6/30/2011
(Public member)

HOUSING PARTNERSHIP, NORTH CAROLINA

G.S. 122E-4(b)(5)

Mr. Brian D. Coyle (Reappointment) 8/18/2009 8/31/2012
(Representative of the real estate lending industry)

Mr. Scott Dedman (Reappointment) 8/18/2009 8/31/2012
(Representative of a non-profit housing development corporation)

Mr. E. G. "Ned" Fowler (Reappointment) 8/18/2009 8/31/2012
(At-large)

Ms. Tonia W. Scott (Reappointment) 8/18/2009 8/31/2012
(Resident of low income housing)

Ms. Constance Stancil (Reappointment) 8/18/2009 8/31/2012
(At-large)

**HURRICANES ON THE NORTH CAROLINA INSURANCE
INDUSTRY, JOINT SELECT STUDY COMMITTEE ON THE
POTENTIAL IMPACT OF MAJOR**

G.S. 120-19.6(a1), Rule 31 of the Rules of the Senate of the 2007 General Assembly and Rule 26(a) of the Rules of the House of Representatives of the 2007 General Assembly

Rep. Hugh Holliman, Co-Chair 9/9/2008 Convening of

Rep. Harold J. Brubaker 9/9/2008 2009 G.A.

Rep. Angela R. Bryant 9/9/2008

Rep. Bruce Goforth 9/9/2008

Rep. Carolyn H. Justice 9/9/2008

Rep. Grier Martin 9/9/2008

Rep. Timothy L. Spear 9/9/2008

Rep. Bonner L. Stiller 9/9/2008

Mr. Steve Carroll 9/9/2008

Mr. Charles D. Evans 9/16/2008

Mr. Glenn P. Hahn 9/9/2008

Mr. Donald Thomas Hornstein 9/30/2008

Mr. John W. (Bill) Hurley 9/9/2008

Dr. David C. Marlett 9/9/2008

(Revised on 12/5/08 to extend the termination date until 1/27/2009.)

**INFORMATION TECHNOLOGY, JOINT LEGISLATIVE
OVERSIGHT COMMITTEE ON**

G.S. 120-232(a)(2)

Rep. Joe P. Tolson, Co-Chair 8/26/2009 1/25/2011

Rep. Jim Gulley 8/26/2009 1/25/2011

**INFORMATION TECHNOLOGY, JOINT LEGISLATIVE
OVERSIGHT COMMITTEE ON-Contd.**

Rep. Mark K. Hilton	8/26/2009	1/25/2011
Rep. Grier Martin	8/26/2009	1/25/2011
Rep. Garland E. Pierce	8/26/2009	1/25/2011
Rep. Ray Rapp	8/26/2009	1/25/2011
Rep. Thom Tillis	8/26/2009	1/25/2011
Rep. Russell E. Tucker	8/26/2009	1/25/2011

INTERNSHIP COUNCIL, NORTH CAROLINA

G.S. 143B-418		
Rep. Paul Luebke	(Reappointment) 9/2/2009	6/30/2011

**INTERSTATE JUVENILE SUPERVISION NORTH CAROLINA
STATE COUNCIL**

G.S. 7B-4000		
Rep. Annie W. Mobley	9/1/2009	8/31/2012

**IRRIGATION CONTRACTORS LICENSING BOARD,
NORTH CAROLINA**

G.S. 89G-4.(a)(2)		
Mr. Michael F. Currin	(Reappointment) 10/1/2009	9/30/2012
(Irrigation contractor)		

**JOBS (JOINING OUR BUSINESSES AND SCHOOLS)
STUDY COMMISSION, JOINT LEGISLATIVE**

Session Law 2009-339, Section 2.(a)(4)a		
Rep. Rick Glazier, Vice-Chair	9/25/2009	12/31/2010
Rep. R. Van Braxton	9/25/2009	12/31/2010
Rep. Douglas Y. Yongue	9/25/2009	12/31/2010
Ms. Laura Carpenter Bingham	9/25/2009	6/30/2012
(Representative of the Independent Colleges and Universities)		
Mr. Joseph D. Crocker	9/25/2009	6/30/2012
(Representative of the Department of Commerce)		
Mr. Grant Godwin	9/25/2009	6/30/2012
(Representative of the Community College System)		
Ms. Caroline Watts McCullen	9/25/2009	6/30/2012
(Representative of Business and Industry)		
Dr. Susan R. Purser	9/25/2009	6/30/2012
(School Superintendent)		

JUDICIAL COUNCIL, STATE

G.S. 7A-409(a)(12)		
Hon. Dumont Clarke	(Reappointment) 1/1/2009	12/31/2012
(Attorney member of the council)		

LEGISLATIVE RESEARCH COMMISSION

G.S. 120-30.10(a)		
Rep. Hugh Holliman	2/5/2009	1/15/2011
Rep. Deborah K. Ross	2/5/2009	1/15/2011
Rep. Paul Stam	2/5/2009	1/15/2011
Rep. Thom Tillis	2/5/2009	1/15/2011
Rep. William L. Wainwright	2/5/2009	1/15/2011

LEGISLATIVE SERVICES COMMISSION

G.S. 120-31(a)		
Speaker Joe Hackney, Chair	9/3/2009	1/25/2011
Rep. Harold J. Brubaker (Reappointment)	9/3/2009	1/25/2011
Rep. Nelson Cole (Reappointment)	9/3/2009	1/25/2011
Rep. Julia C. Howard (Reappointment)	9/3/2009	1/25/2011
Rep. Paul Luebke	9/3/2009	1/25/2011
Rep. Wil Neumann (Reappointment)	9/3/2009	1/25/2011
Rep. Bill Owens (Reappointment)	9/3/2009	1/25/2011
Rep. William L. Wainwright (Reappointment)	9/3/2009	1/25/2011

LICENSE TO GIVE TRUST FUND COMMISSION

G.S. 20-7.5(a)(2)		
Mr. Jens Saakvitne resigned effective 2/25/2009.		
Mr. Dean E. Vavra	8/18/2009	12/31/2010
(North Carolina Eye Bank)		
(Filling the unexpired term of Mr. Jens Saakvitne)		

LICENSING BOARDS, LEGISLATIVE COMMITTEE ON NEW

G.S. 120-149.6(b)		
Rep. Earline W. Parmon, Chair	3/10/2009	1/15/2011
(Reappointment)		
Rep. Jeff Barnhart (Reappointment)	3/10/2009	1/15/2011
Rep. Harold J. Brubaker (Reappointment)	3/10/2009	1/15/2011
Rep. Jane Whilden	3/10/2009	1/15/2011
Rep. W. A. (Winkie) Wilkins	3/10/2009	1/15/2011

LOCAL GOVERNMENT COMMISSION

G.S. 159-3(a)		
Mr. Fred Folger, Jr.	8/18/2009	6/30/2013
(Public member)		

LOCKSMITH LICENSING BOARD, NORTH CAROLINA

G.S. 74F-5		
Mr. T. Alan Boone	1/1/2009	12/31/2011
(Locksmith position)		

LOCKSMITH LICENSING BOARD, NORTH CAROLINA-Contd.

Mr. James D. Storie 1/1/2009 12/31/2010
 (Locksmith position)
 (Filling the unexpired term of Mr. Larry K. Hayes)
(On 8/18/2009 the expiration date was changed from 12/31/2010 to 6/30/2010.)

MANUFACTURED HOUSING BOARD, NORTH CAROLINA

G.S. 143-143.10(a)(4, 5, 9)

Mr. Dell Averette (Reappointment) 8/18/2009 6/30/2012
 (Representative of the insurance industry)
 Ms. Katrina F. Bryant (Reappointment) 8/18/2009 6/30/2012
 (Representative of an employee with a HUD approved housing
 counseling agency)
 Mr. Wayne E. Carpenter (Reappointment) 8/18/2009 6/30/2012
 (Representative of the banking and finance industry)

**MASSAGE AND BODYWORK THERAPY,
NORTH CAROLINA BOARD OF**

G.S. 90-625(a)(1)

Ms. Jaime A. Huffman (Reappointment) 8/18/2009 6/30/2012
 (Licensed massage therapist)
 Mr. Kevin E. Powell 8/18/2009 6/30/2012
 (Licensed massage therapist)

**MENTAL HEALTH, DEVELOPMENTAL DISABILITIES AND
SUBSTANCE ABUSE SERVICES COMMISSION FOR**

G.S. 143B-148

Ms. Jennifer Brobst (Reappointment) 8/18/2009 6/30/2012
 (Attorney licensed in NC with experience in the practice
 of mental health law)
 Ms. Debra Dihoff 8/18/2009 6/30/2012
 (Public member)
 Dr. John J. Haggerty, Jr. 8/18/2009 6/30/2012
 (Physician)

**MENTAL HEALTH, DEVELOPMENTAL DISABILITIES AND
SUBSTANCE ABUSE SERVICES, JOINT LEGISLATIVE
OVERSIGHT COMMITTEE ON**

G.S. 120-240(b)(2)

Rep. Verla Insko, Co-Chair 8/25/2009 1/25/2011
 Rep. Martha B. Alexander 8/25/2009 1/25/2011
 Rep. Jeff Barnhart 8/25/2009 1/25/2011
 Rep. Beverly M. Earle 8/25/2009 1/25/2011
 Rep. Bob England, M.D. 8/25/2009 1/25/2011

**MENTAL HEALTH, DEVELOPMENTAL DISABILITIES AND
SUBSTANCE ABUSE SERVICES, JOINT LEGISLATIVE
OVERSIGHT COMMITTEE ON-Contd.**

Rep. Jean Farmer-Butterfield	8/25/2009	1/25/2011
Rep. Carolyn K. Justus	8/25/2009	1/25/2011
Rep. Fred F. Steen, II	8/25/2009	1/25/2011

Advisory - Non-Voting Members

Rep. R. Van Braxton	8/25/2009	1/25/2011
Rep. William D. Brisson	8/25/2009	1/25/2011

**MILITARY AFFAIRS, NORTH CAROLINA
ADVISORY COMMISSION ON**

G.S. 127C-2(b)(1)		
Mr. Stephen D. Jackson	(Reappointment) 1/5/2010	12/31/2011
(Public member)		
Major Gene D. Kent	(Reappointment) 1/5/2010	12/31/2011
(Member of a recognized Veterans organization)		
Mr. John Hank Krebs, Jr.	(Reappointment) 1/5/2010	12/31/2011
(Public member)		

MOUNTAIN RESOURCES COMMISSION

G.S. 153B-3(d)(1)		
Mr. Tom Massie	12/10/2009	8/31/2013
Mr. George Santucci	12/10/2009	8/31/2013

**MUNICIPAL INCORPORATIONS, JOINT LEGISLATIVE
COMMISSION ON**

G.S. 120-158(b)(2)		
Rep. Becky Carney	(Reappointment) 9/14/2009	6/30/2011
Rep. William L. Wainwright	(Reappointment) 9/14/2009	6/30/2011
Mr. Mike Cross	(Reappointment) 9/14/2009	6/30/2011

NORTHEAST COMMISSION, NORTH CAROLINA'S

G.S. 158-8.2(b)(3)		
Mayor Drewery N. Beale	(Reappointment) 8/18/2009	6/30/2011
(Public member/experienced business person)		
Mr. Eddie J. Lynch	(Reappointment) 8/18/2009	6/30/2011
(Public member/experienced business person)		
Mayor Thomas B. Richter	(Reappointment) 8/18/2009	6/30/2011
(Public member/experienced business person)		

NURSING SCHOLARS COMMISSION, NORTH CAROLINA

G.S. 90-171.60

Mr. James Lamar Mitchell (Public member)	8/18/2009	6/30/2013
Dr. Evelyn Shepherd Pruden (Reappointment) (Public member)	8/18/2009	6/30/2013

OFFSHORE ENERGY EXPLORATION STUDY COMMITTEE

G.S. 120-30.10(c)

Dr. Douglas N. Rader, Co-Chair	1/16/2009	Convening of 2009 G.A.
Dr. Lawrence Cahoon	1/16/2009	
Dr. Joel J. Ducoste	1/16/2009	
Mr. Edward S. Holmes	1/16/2009	
Dr. Jamie Brown Kruse	1/16/2009	
Mr. John M. Monaghan, Jr.	1/16/2009	
Dr. Hans W. Paerl	1/16/2009	
Ms. Jane Smith Patterson	1/16/2009	
Mr. M. Paul Sherman	1/16/2009	
Mr. W. Hugh Thompson	1/16/2009	
Dr. Jeffrey D. Warren	1/16/2009	
Dr. Rob Young	1/16/2009	

(Advisory Subcommittee was established on 2/23/2009 pursuant to G.S. 120-30.10(c). The current members remain and expire on 5/1/2009.)

Revised as of 4/28/2009 to extend until the convening of the 2010 Regular Session of the 2009 General Assembly pursuant to G.S. 120-30.10(c).

Also see Legislative Research Commission Advisory Subcommittee on Offshore Energy Exploration in Appendix.

ON-SITE WASTEWATER CONTRACTORS AND INSPECTION CERTIFICATION BOARD, NORTH CAROLINA

G.S. 90A-73(a)(7-9)

Dr. Diana M. Rashash (Member employed by the NC Cooperative Extension Service and knowledgeable in the area of on-site wastewater systems)	(Reappointment) 8/18/2009	6/30/2012
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PARKS AND RECREATION AUTHORITY, NORTH CAROLINA

G.S. 143B-313.2(a)(7)

Ms. Jennifer S. Andrews (Public member)	8/18/2009	6/30/2012
Mr. Thomas S. Blue resigned effective 3/10/09.		
Mr. Ashley B. "Brownie" Futrell, Jr. (Filling the unexpired term of Thomas S. Blue) (Public member)	8/18/2009	6/30/2010
Mr. Edward W. Wood (Public member)	(Reappointment) 8/18/2009	6/30/2012

PORTS AUTHORITY, NORTH CAROLINA STATE

G.S. 143B-452

Mr. Jesse Smith Capel (Public member)	(Reappointment) 8/18/2009	6/30/2011
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**POVERTY REDUCTION AND ECONOMIC RECOVERY
LEGISLATIVE STUDY COMMISSION**

Session Law 2008-181, Part XLI, Section 41.1

Rep. Randy Stewart	9/2/2009	Convening of 2010 G.A.
Rep. Bryan R. Holloway	9/2/2009	

**PRESERVE THE CULTURE AND CUSTOMS OF INDIAN
CHILDREN AS A TRIBAL REPRESENTATIVE
HOUSE STUDY COMMITTEE**

G.S. 120-19.6(a1)

Rep. Ronnie Sutton, Chair	1/5/2010	Convening of 2010 G.A.
Rep. Sarah Stevens	1/5/2010	
Rep. Edith D. Warren	1/5/2010	
Rep. Michael H. Wray	1/5/2010	
Ms. Beverly Collins-Hall (Representative of the American Indian Mothers)	1/5/2010	
Ms. Tammy Jacobs (Tribal representative)	1/5/2010	
Ms. Charisse Johnson (Representative of the NCDHHS)	1/5/2010	
Ms. Kara Jones (Indian group representative)	1/5/2010	
Ms. Rhonda Jones (Tribal representative)	1/5/2010	
Mr. Rick Oxendine (Indian group representative)	1/5/2010	
Ms. Julia Phipps (Tribal representative)	1/5/2010	
Mr. Greg Richardson (Representative of the Commission of Indian Affairs)	1/5/2010	
Ms. Juanita Wilson (Tribal representative)	1/5/2010	

**PRESERVATION OF BIOLOGICAL EVIDENCE, JOINT SELECT
STUDY COMMITTEE ON**

Session Law 2009-203 Section 7(a)(2)

Rep. Rick Glazier, Co-Chair	10/27/2009	4/1/2010
Rep. Darren G. Jackson	10/27/2009	4/1/2010
Rep. Paul Stam	10/27/2009	4/1/2010
Hon. Pat Devine	10/27/2009	4/1/2010
Mr. Tom Keith	10/27/2009	4/1/2010

PRIVATE PROTECTIVE SERVICES BOARD

G.S. 74C-4

Mr. William F. Booth	(Reappointment) 8/18/2009	6/30/2012
(Licensee under this Chapter)		
Mr. Robert M. Clark	8/18/2009	6/30/2012
(Licensee under this Chapter)		
Ms. Sally K. Pleasant	(Reappointment) 8/18/2009	6/30/2012
(Licensee under this Chapter)		

**PROFESSIONAL TEACHING STANDARDS COMMISSION,
NORTH CAROLINA**

G.S. 115C-295.1 (c)(3)

Ms. Linda Davis	1/27/2010	8/31/2013
(At-large)		

**PROGRAM EVALUATION OVERSIGHT COMMITTEE,
JOINT LEGISLATIVE**

G.S. 120-36.15(c)

Rep. Nelson Cole, Co-Chair	3/18/2009	1/14/2011
Rep. James W. Crawford, Jr., Co-Chair	3/18/2009	1/14/2011
(Reappointment)		
Rep. Bruce Goforth	(Reappointment) 3/18/2009	1/14/2011
Rep. Larry D. Hall	9/22/2009	1/14/2011
(Filling the unexpired term of Ty Harrell)		
Rep. Ty Harrell	3/26/2009	1/14/2011
(Resigned as Member of the House 9/20/09)		
Rep. Hugh Holliman	(Reappointment) 3/18/2009	1/14/2011
Rep. Carolyn H. Justice	(Reappointment) 3/18/2009	1/14/2011
Rep. James H. Langdon, Jr.	(Reappointment) 3/18/2009	1/14/2011
Rep. David R. Lewis	(Reappointment) 3/18/2009	1/14/2011
Rep. Paul Luebke	(Reappointment) 3/18/2009	1/14/2011

PUBLIC HEALTH STUDY COMMISSION

G.S. 120-197

Rep. Bob England, M.D., Co-Chair	5/5/2009	6/30/2010
(Reappointment)		
Rep. Alma Adams	(Reappointment) 5/5/2009	6/30/2010
Rep. William A. Current, Sr.	5/5/2009	6/30/2010
(Reappointment)		
Rep. Verla Insko	(Reappointment) 5/5/2009	6/30/2010
Rep. Carolyn K. Justus	(Reappointment) 5/5/2009	6/30/2010
Dr. Edward L. Baker, Jr.	(Reappointment) 5/5/2009	6/30/2010
Dr. Evelyn Schmidt	(Reappointment) 5/5/2009	6/30/2010

**PUBLIC SCHOOL FORUM OF NORTH CAROLINA
BOARD OF DIRECTORS**

Bylaws

Rep. Larry M. Bell	(Reappointment) 1/20/2009	12/31/2010
Rep. Rick Glazier	(Reappointment) 1/20/2009	12/31/2010
Rep. Laura I. Wiley	(Reappointment) 1/20/2009	12/31/2010
Rep. Douglas Y. Yongue	(Reappointment) 1/20/2009	12/31/2010

**PUBLIC TELECOMMUNICATIONS, NORTH CAROLINA
AGENCY FOR**

G.S. 143B-426.9

Mr. H. W. Crenshaw	(Reappointment) 8/18/2009	6/30/2011
(Public member)		

Hon. James H. Edwards resigned effective 2/6/2009.

Mr. Stanley H. Fox	8/18/2009	6/30/2011
(Public member)		
(Filling the unexpired term of Hon. James H. Edwards)		

**RAILROAD COMPANY BOARD OF DIRECTORS,
NORTH CAROLINA**

G.S. 124-6(b)

Mr. John L. Atkins, III	(Reappointment) 8/18/2009	6/30/2013
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**RECREATIONAL THERAPY LICENSURE BOARD,
NORTH CAROLINA**

G.S. 90C-23(a)(1)

Ms. Michelle Lowery	8/18/2009	6/30/2011
(Practicing recreational therapist)		

RESPIRATORY CARE BOARD OF DIRECTORS

G.S. 90-649(a)(1)(2)

Ms. Kimberly M. Clark	8/18/2009	10/31/2012
(Respiratory care practitioner)		

Dr. Joseph Paul Coyle	8/18/2009	10/31/2012
(Physician)		

REVENUE LAWS STUDY COMMITTEE

G.S. 120-70.105 (a)(2)

Rep. Paul Luebke, Co-Chair	9/22/2009	1/15/2011
(Reappointment)		

Rep. Harold J. Brubaker	(Reappointment) 9/22/2009	1/15/2011
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Rep. Becky Carney	(Reappointment) 9/22/2009	1/15/2011
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Rep. Pryor Gibson	(Reappointment) 9/22/2009	1/15/2011
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REVENUE LAWS STUDY COMMITTEE-Contd.

Rep. Dewey L. Hill	(Reappointment) 9/22/2009	1/15/2011
Rep. Julia C. Howard	9/22/2009	1/15/2011
Rep. Daniel F. McComas	(Reappointment) 9/22/2009	1/15/2011
Rep. Wm. C. "Bill" McGee	(Reappointment) 9/22/2009	1/15/2011
Rep. William L. Wainwright	(Reappointment) 9/22/2009	1/15/2011
Rep. Jennifer Weiss	(Reappointment) 9/22/2009	1/15/2011
Advisory - Non-Voting Member		
Rep. Larry Womble	9/22/2009	1/15/2011

ROANOKE ISLAND COMMISSION

G.S. 143B-131.6		
Mr. O. Rolf Blizzard, III	(Reappointment) 8/18/2009	6/30/2011
Dr. Thomas E. Brooks	(Reappointment) 8/18/2009	6/30/2011
Mr. Walter E. Daniels	(Reappointment) 8/18/2009	6/30/2011

RULES REVIEW COMMISSION

G.S. 143B-30.1		
Ms. Jennie Jarrell Hayman	(Reappointment) 8/18/2009	6/30/2011
Hon. Clarence E. Horton, Jr.	(Reappointment) 8/18/2009	6/30/2011
Mr. Daniel F. McLawhorn	(Reappointment) 8/18/2009	6/30/2011

SCHOOL TECHNOLOGY, COMMISSION ON

G.S. 115C-102.5(b)(7)		
Rep. Earl Jones	(Reappointment) 9/22/2009	12/31/2010
Rep. Joe P. Tolson	(Reappointment) 9/22/2009	12/31/2010
Ms. Marsha Davis Jones	(Reappointment) 1/28/2009	6/30/2009

SCIENCE AND MATHEMATICS, BOARD OF TRUSTEES OF THE NORTH CAROLINA SCHOOL OF

G.S. 116-233 (a)(6)		
Dr. Richard J. Richardson	(Reappointment) 8/18/2009	6/30/2011
(Public member)		
Mr. Hughley B. Spruill, Sr.	(Reappointment) 8/18/2009	6/30/2011
(Public member)		

SCIENCE AND TECHNOLOGY, NORTH CAROLINA BOARD OF

G.S. 143B-472.80		
Mr. W. Hugh Thompson	(Reappointment) 8/18/2009	6/30/2011
(Public member)		

**SEAFOOD AND AQUACULTURE, JOINT LEGISLATIVE
COMMISSION ON**

G.S. 120-70.61

Rep. William L. Wainwright, Co-Chair	9/15/2009	1/25/2011
(Reappointment)		
Rep. Dewey L. Hill	(Reappointment) 9/15/2009	1/25/2011
Rep. Timothy L. Spear	9/15/2009	1/25/2011
Rep. Alice Graham Underhill	(Reappointment) 9/15/2009	1/25/2011

**SEAFOOD INDUSTRIAL PARK AUTHORITY,
NORTH CAROLINA**

G.S. 113-315.25

Ms. Gwen A. White	(Reappointment) 8/18/2009	6/30/2011
(Public member)		

**SENTENCING AND POLICY ADVISORY COMMISSION,
NORTH CAROLINA**

G.S. 164-37(12)

Rep. Alice L. Bordsen, Co-Chair	10/27/2009	6/30/2011
(Reappointment)		
Rep. Jimmy L. Love, Sr.	10/27/2009	6/30/2011
Rep. Timothy L. Spear	(Reappointment) 10/27/2009	6/30/2011
Mr. Morris McKnight	(Reappointment) 10/27/2009	6/30/2011
(Member of the business community)		

SOIL SCIENTISTS, NORTH CAROLINA BOARD FOR LICENSING

G.S. 89F-4(a)(5)

Mr. Bryan S. Evans resigned effective 2/9/2009.

Mr. Jarrett A. Crowe	8/18/2009	6/30/2011
(Public member)		
(Filling the unexpired term of Mr. Bryan S. Evans)		

STATE CONSUMER AND FAMILY ADVISORY COMMITTEE

G.S. 122C-171(b)(2)(3)

Ms. Laura Keeney	(Reappointment) 7/1/2009	6/30/2012
(Representative of the Central Region for institutional services)		

**STATE FUNDED STUDENT FINANCIAL AID, JOINT SELECT
COMMITTEE ON**

G.S. 120-19.6(a1)

Rep. Ray Rapp, Co-Chair	11/5/2009	1/26/2011
Rep. Larry M. Bell	11/5/2009	1/26/2011
Rep. Hugh Blackwell	11/5/2009	1/26/2011

STATE FUNDED STUDENT FINANCIAL AID, JOINT SELECT COMMITTEE ON-Contd.

Rep. Rick Glazier	11/5/2009	1/26/2011
Rep. Cullie M. Tarleton	11/5/2009	1/26/2011
Rep. Joe P. Tolson	11/5/2009	1/26/2011

STATE HEALTH PLAN ADMINISTRATIVE COMMISSION

G.S. 135-43.2(a)(1)

Mr. John H. Cilley, IV	7/1/2008	6/30/2010
Mr. Louis M. Pate, Jr.	7/1/2008	6/30/2010

These appointments were received on 8/18/2009.

STATE HEALTH PLAN BLUE RIBBON TASK FORCE

Session Law 2009-571, Section 7(b)

Rep. Hugh Holliman, Co-Chair	9/1/2009	12/31/2010
Rep. R. Van Braxton	9/1/2009	12/31/2010
Rep. Dale R. Folwell	9/1/2009	12/31/2010
Ms. Victoria Leigh Simmons (Public school teacher)	9/1/2009	12/31/2010
Mr. Charles Stone (State or local government retiree/not a retired public school teacher)	9/1/2009	12/31/2010
Mr. Allen Feezor (Public member)	9/1/2009	12/31/2010

STATE LOTTERY COMMISSION, NORTH CAROLINA

G.S. 18C-111

Dr. Edward B. Fort resigned effective March 31, 2009.

Hon. J. Marlene Hyatt (Public member) (Filling the unexpired term of Dr. Edward B. Fort)	8/18/2009	8/31/2013
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STATE WATER INFRASTRUCTURE COMMISSION

G.S. 159G-65(b)(13)

Rep. Bill Owens (Reappointment)	1/1/2010	12/31/2011
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SUBSTANCE ABUSE ADVISORY COUNCIL

G.S. 143B-270(b)

Mr. Thomas L. Covington (Reappointment)	12/22/2008	9/30/2012
Ms. Arlene Pulley (Reappointment)	12/22/2008	9/30/2012
Mr. Frederick Hodge Stephens (Professional in the field of substance abuse services)	12/22/2008	9/30/2012

**SUPPLEMENTAL RETIREMENT BOARD OF TRUSTEES,
NORTH CAROLINA**

G.S. 135-96(b)(2)

Ms. Mona M. Keech (Public member)	8/18/2009	6/30/2010
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**SUSTAINABLE LOCAL FOOD ADVISORY COUNCIL,
NORTH CAROLINA**

G.S. 106-831(a)(24)

Mr. Uli Bennewitz (Representative of a business engaged in the processing, packaging, or distribution of food)	10/20/2009	7/1/2014
Mr. Andrew Branan (Representative of the North Carolina Farm Transition Network, Inc.)	10/20/2009	7/1/2014
Mr. Ted Burch (Organic crop producer)	10/20/2009	7/1/2012
Mr. Billy Ray Hall (Representative of the North Carolina Rural Economic Development Center)	10/20/2009	7/1/2014
Ms. Debbie Hamrick (Representative of the North Carolina Farm Bureau Federation, Inc.)	10/20/2009	7/1/2013
Ms. Linda Harris (Organic food producer)	10/20/2009	7/1/2012
Mr. Phil Hudson (Representative of the North Carolina State Grange)	10/20/2009	7/1/2012

**TAX INFORMATION MANAGEMENT SYSTEM (TIMS)
OVERSIGHT COMMITTEE**

Session Law 2009-451, Section 6.20.(c)

Mr. G. Richard McGee	11/13/2009	6/30/2011
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**TEACHER ACADEMY BOARD OF TRUSTEES,
NORTH CAROLINA**

G.S. 115C-296.4(c)(6)

Ms. Emma Alston (Teacher grades K-12)	1/7/2010	6/30/2013
Ms. Tina Beachum (Teacher position)	(Reappointment) 8/18/2009	6/30/2013

**TEACHERS' AND STATE EMPLOYEE'S, STATE HEALTH
PLAN FOR, BOARD OF TRUSTEES**

G.S. 135.44(d)

Dr. John E. Hammond (Reappointment)	8/18/2009	6/30/2011
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**TEACHERS' AND STATE EMPLOYEE'S RETIREMENT
SYSTEM, BOARD OF TRUSTEES OF THE**

G.S. 135-6(b)(4)

Mr. Donald L. Tarkenton	(Reappointment) 8/18/2009	6/30/2011
(Non-state and non-local government employee)		

**TEACHING BOARD OF TRUSTEES, CENTER
FOR THE ADVANCEMENT OF**

G.S. 116-74.7

Ms. Linda S. Suggs	(Reappointment) 7/1/2009	6/30/2013
(Public member)		
Hon. Willis P. Whichard	7/1/2009	6/30/2013
(Public member)		

TEACHING FELLOWS COMMISSION, NORTH CAROLINA

G.S. 115C-363.23(a)(5)

Ms. Stephanie Lemon	(Reappointment) 8/18/2009	6/30/2013
(Public member)		

TOBACCO TRUST FUND COMMISSION

G.S. 143-717(b)(3)(c)

Mr. Keith Beavers	8/10/2009	6/30/2012
(At-large)		
Mr. Jeff Simpson	8/10/2009	6/30/2013
(At-large)		
Mr. Rick Smith	(Reappointment) 8/10/2009	6/30/2012

**TRANSPORTATION OVERSIGHT COMMITTEE,
JOINT LEGISLATIVE**

G. S. 120-70.50

Rep. Nelson Cole, Co-Chair	(Reappointment) 9/22/2009	1/25/2011
Rep. Becky Carney	(Reappointment) 9/22/2009	1/25/2011
Rep. Lorene Coates	(Reappointment) 9/22/2009	1/25/2011
Rep. James. W. Crawford, Jr.	(Reappointment) 9/22/2009	1/25/2011
Rep. William A. Current, Sr.	9/22/2009	1/25/2011
Rep. Mitch Gillespie	(Reappointment) 9/22/2009	1/25/2011
Rep. Kelly M. Alexander, Jr.	9/22/2009	1/25/2011
Rep. Grier Martin	9/22/2009	1/25/2011
Rep. Daniel F. McComas	(Reappointment) 9/22/2009	1/25/2011

Advisory - Non-Voting Members

Rep. Lucy T. Allen	(Reappointment) 9/22/2009	1/25/2011
Rep. Arthur Williams	9/22/2009	1/25/2011

TRAVEL AND TOURISM BOARD, NORTH CAROLINA

G.S. 143B-434.1(c)(11)

Rep. R. Phillip Haire	(Reappointment) 1/20/2009	12/31/2010
Rep. Alice Graham Underhill	(Reappointment) 1/20/2009	12/31/2010
Mr. John P. Meroski	(Reappointment) 1/20/2009	12/31/2010
Mr. Davin P. Olsen	(Reappointment) 1/20/2009	12/31/2010
Ms. Joan H. Pulley	1/20/2009	12/31/2010

TURNPIKE AUTHORITY, NORTH CAROLINA

G.S. 136-89.182(c)

Mr. Edward C. Hay, Jr. (Public member)	8/18/2009	1/14/2013
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**UNIVERSITY OF NORTH CAROLINA CENTER FOR
PUBLIC TELEVISION, BOARD OF TRUSTEES OF THE**

G.S. 116-37.1(b)(1)

Mr. Clement Geitner (Public member)	(Reappointment) 8/18/2009	6/30/2011
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**URBAN GROWTH AND INFRASTRUCTURE ISSUES,
LEGISLATIVE STUDY COMMISSION ON**

Part XXXVI, Section 36.3 of S.L. 2008-181, the Studies Act of 2008

Rep. Jennifer Weiss, Co-Chair	10/13/2009	12/31/2010
Rep. Kelly M. Alexander, Jr.	10/13/2009	12/31/2010
Rep. Daniel F. McComas	10/13/2009	12/31/2010
Rep. Wm C. "Bill" McGee	10/13/2009	12/31/2010
Rep. Ray Rapp	10/13/2009	12/31/2010
Rep. Deborah K. Ross (Public member)	10/13/2009	12/31/2010
Mr. Danny Pleasant (Public member)	10/13/2009	12/31/2010

UTILITY REVIEW COMMITTEE, JOINT LEGISLATIVE

G.S. 120-70.2

Rep. Lorene Coates, Co-Chair	8/26/2009	1/25/2011
Rep. Harold J. Brubaker	(Reappointment) 8/26/2009	1/25/2011
Rep. Angela R. Bryant	(Reappointment) 8/26/2009	1/25/2011
Rep. Dale R. Folwell	(Reappointment) 8/26/2009	1/25/2011
Rep. Pricey Harrison	(Reappointment) 8/26/2009	1/25/2011

VAGABOND SCHOOL OF DRAMA INC., BOARD OF TRUSTEES

Bylaws

Rep. R. Phillip Haire	(Reappointment) 3/16/2009	12/31/2010
Rep. Carolyn K. Justus	(Reappointment) 3/16/2009	12/31/2010

VOCATIONAL REHABILITATION ADVISORY COUNCIL

G.S. 143-548(a)(2)

Ms. Doreen Byrd	6/1/2009	6/30/2012
(Representing a parent training and information center)		
Ms. Davan Cloninger	1/21/2009	6/30/2010
(Representing disability advocacy groups and a cross-section of individuals with physical, cognitive, sensory, and mental disabilities)		
(Filling the unexpired term of Ms. Janet Schazenbach in the hold-over status)		
Mr. Horace Hunt	(Reappointment) 6/1/2009	6/30/2012
(Person representing business and industry)		

WATER AND WASTEWATER INFRASTRUCTURE, LEGISLATIVE STUDY COMMISSION ON

S.L. 2009-574

Rep. James W. Crawford, Jr., Co-Chair	9/28/2009	Convening of
Rep. Mitch Gillespie	9/28/2009	2011 G.A.
Rep. Bill Owens	9/28/2009	
Rep. Cullie M. Tarleton	9/28/2009	

WELL CONTRACTORS CERTIFICATION COMMISSION

G.S. 143B-301.12(a)(5)

Ms. Cassandra "Casey" Champion	8/18/2009	6/30/2012
(Employee of a local health department engaged in well inspection and permitting)		

WIRELESS 911 BOARD

G.S. 62A-22(a)(2)

Mr. William R. Craigle, III resigned effective 3/9/2009.		
Mr. Jerry Jones	10/1/2009	12/31/2014
(CMRS provider)		
Mr. Robert Smith	8/18/2009	12/31/2012
(Local Exchange Carrier)		
(Filling the unexpired term of William Craigle)		

WORK AND FAMILY BALANCE, JOINT SELECT COMMITTEE ON

G.S. 120-19.6(a1)

Rep. Alma Adams, Co-Chair	11/13/2009	2/1/2011
Rep. Nelson Dollar	11/13/2009	2/1/2011
Rep. Susan C. Fisher	11/13/2009	2/1/2011
Rep. Elmer Floyd	11/13/2009	2/1/2011

**WORK AND FAMILY BALANCE, JOINT SELECT
COMMITTEE ON-Contd.**

Rep. Pat McElraft	11/13/2009	2/1/2011
Rep. Mitchell S. Setzer	11/13/2009	2/1/2011
Rep. Alice Graham Underhill	11/13/2009	2/1/2011

**ZOOLOGICAL PARK FUNDING AND ORGANIZATION
STUDY COMMITTEE, NORTH CAROLINA**

Session Law 2009-329 Part V, Section 5.2(2)

Rep. Harold J. Brubaker, Co-Chair	12/1/2009	5/1/2010
Rep. Edith D. Warren, Co-Chair	12/1/2009	5/1/2010
Rep. Pricey Harrison	12/1/2009	5/1/2010
Rep. Pat B. Hurley	12/1/2009	5/1/2010
Rep. Cullie M. Tarleton	12/1/2009	5/1/2010
Ms. Mary Flanagan	12/1/2009	5/1/2010
Dr. David Harling	12/1/2009	5/1/2010
Ms. Melanie Wilson	12/1/2009	5/1/2010

North Carolina House of Representatives

Office of the Speaker

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

**LEGISLATIVE RESEARCH COMMISSION
ADVISORY SUBCOMMITTEE ON OFFSHORE
ENERGY EXPLORATION**

Section 1. The **Legislative Research Commission Advisory Subcommittee on Offshore Energy Exploration** (hereinafter "Advisory Subcommittee") is established by the President Pro Tempore of the Senate and the Speaker of the House of Representatives pursuant to G.S. 120-30.10(c).

Section 2. The Advisory Subcommittee consists of 24 public members listed below; 12 appointed by the President Pro Tempore of the Senate and 12 appointed by the Speaker of the House of Representatives. The President Pro Tempore of the Senate and the Speaker of the House of Representatives shall each appoint a co-chair from among their respective appointees. Members shall serve at the pleasure of the appointing authority.

**President Pro Tempore
Appointments**

James Leutze, Co-chair,
New Hanover County
Orlando Hankins,
Wake County
Jane Lewis-Raymond,
Mecklenburg County
Christopher S. Martens,
Orange County
Mac Montgomery,
New Hanover County
Michael K. Orbach,
Carteret County
Walter Phillips,
Carteret County
Wayland Sermons,
Beaufort County
Laura O. Taylor,
Wake County
Paul Tine,
Dare County
William Weatherspoon,
Wake County
Nancy White,
Dare County

**Speaker of the House of
Representatives Appointments**

Douglas N. Rader, Co-chair,
Wake County
Lawrence Cahoon,
New Hanover County
Joel J. Ducoste,
Wake County
Edward S. Holmes,
Orange County
Jamie Brown Kruse,
Pitt County
John M. Monaghan, Jr.,
Wake County
Hans W. Paerl,
Carteret County
Jane Smith Patterson,
Orange County
M. Paul Sherman,
Wake County
W. Hugh Thompson,
Wake County
Jeffrey D. Warren,
Wake County
Rob Young,
Jackson County

Section 3. The Advisory Subcommittee shall study:

1. The implications of leasing federal waters off North Carolina's coast in the Atlantic Outer Continental Shelf to energy companies for oil and natural gas exploration.
2. Relevant federal law and the legal authority of the State of North Carolina with regard to offshore drilling.
3. The potential impacts on the nation's energy supply, including documenting the best unbiased estimates available for what oil and natural gas might exist.
4. The potential financial impact of proposed exploration on the State of North Carolina, including effects on the economy, tourism, the commercial fishing industry, the impacts of a more industrial coastline, and ensuring a share of State profits.
5. The environmental impacts of exploration on North Carolina's coastline, including possibilities of spills, effects on water quality, air quality, marine life, and contributions to global climate change.

6. The environmental impacts of the infrastructure that would be associated with exploration and drilling for oil and natural gas.

Section 3.1. In addition to topics authorized under Section 3, the Advisory Subcommittee may study the potential impacts of alternative offshore energy projects on the nation's energy supply, including wind energy, wave energy, ocean current energy, solar energy, and hydrogen production.

Section 4. The Advisory Subcommittee shall meet upon the call of its Co-chairs. A quorum of the Advisory Subcommittee is a majority of its members. No action may be taken except by a majority vote at a meeting at which a quorum is present.

Section 5. The Advisory Subcommittee shall hold public hearings in North Carolina's coastal region to solicit feedback from local residents as to the potential impacts of offshore drilling on those communities.

Section 6. The Advisory Subcommittee may establish an advisory group comprised of university faculty and scientific experts to assist in gathering and analyzing data so that the Advisory Subcommittee may provide more informed recommendations to the Legislative Research Commission. The work and membership of the advisory group shall be coordinated through the President of The University of North Carolina, utilizing appropriate resources of the various constituent institutions. The Legislative Services Commission shall allocate funds for the expenses of the advisory group. The allocation may be accomplished by transfer of funds to the University of North Carolina.

Section 7. The Advisory Subcommittee is authorized to solicit testimony and evidence from experts outside of North Carolina and, subject to the approval of the Legislative Services Commission, shall make arrangements to reimburse such experts for their expenses associated with appearing before the Advisory Subcommittee.

Section 8. The Advisory Subcommittee, while in the discharge of its official duties, may exercise all powers provided for under G.S. 120-19 of the General Statutes. The Legislative Services Commission may contract for professional, clerical, or consultant services to be provided to the Advisory Subcommittee, as provided by G.S. 120-32.02.

Section 9. Members of the Advisory Subcommittee shall receive per diem, subsistence, and travel allowance as provided in G.S. 138-5 and 138-6, as appropriate.

Section 10. The expenses of the Advisory Subcommittee shall be considered expenses incurred for the joint operation of the General Assembly. An initial allocation of \$100,000 shall be provided to the Advisory Subcommittee from funds appropriated to the General Assembly.

Section 11. The Legislative Services Officer may assign professional and clerical staff to assist the Advisory Subcommittee in its work. The Director of Legislative Assistants of the House of Representatives and the Director of Legislative Assistants of the Senate shall assign clerical support staff to the Advisory Subcommittee.

Section 12. In addition to the required public hearings in North Carolina's coastal region, the Advisory Subcommittee 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 Advisory Subcommittee in the State Legislative Building or the Legislative Office Building, subject to the availability of meeting space during the 2009 Regular Session.

Section 13. The Advisory Subcommittee may submit an interim report on the results of this study, including any proposed legislation, to the Legislative Research Commission (hereinafter "LRC") on or before May 15, 2009, by filing a copy of the report with the Cochairs of the LRC. The Advisory Subcommittee shall submit a final report on the results of this study, including any proposed legislation, to the LRC on or before the convening of the 2010 Regular Session of the 2009 General Assembly, by filing a copy of the report with the Cochairs of the LRC. The Advisory Subcommittee shall terminate upon the filing of its final report, or on the convening of the 2010 Regular Session of the 2009 General Assembly, whichever occurs first.

Effective this 11th day of February, 2009 and revised this 28th day of April, 2009.

/S/ Marc Basnight
President Pro Tempore

/S/ Joe Hackney
Speaker

Revised April 28, 2009, amending the February 11, 2009 authorization to add Section 3.1 and to extend the Subcommittee to the convening of the 2010 Regular Session of the 2009 General Assembly.

North Carolina House of Representatives**Office of the Speaker****HOUSE SELECT COMMITTEE ON HIGH SPEED INTERNET
ACCESS IN RURAL AND URBAN AREAS****2009-2010 Session Committee Appointments**

Pursuant to the authority granted in G.S. 120-19.6(a1) Speaker Hackney has made the following appointments and reappointments to the House Select Committee on High Speed Internet Access in Rural and Urban Areas. These appointments are effective immediately and will end on December 31, 2010.

**House Select Committee on High Speed Internet
Access in Rural and Urban Areas**

Representative Bill Faison, Chair
Representative Angela Bryant
Representative Jim Gulley
Representative Phillip Haire
Representative Kelly Alexander
Representative Thom Tillis
Representative Joe Tolson
Representative Roger West
Representative Earl Jones
Representative Marilyn Avila
Representative Lorene Coates

Thank you for your willingness to serve in this capacity. I am deeply grateful for people like you who are willing to give their time and talent to move North Carolina forward. I know that you will have much to offer to the House Select Committee on High Speed Internet Access in Rural and Urban Areas and will be effective and diligent in your service to our State.

Very truly yours,
/S/ Joe Hackney
Speaker

Monday, October 12, 2009

North Carolina House of Representatives**Office of the Speaker****TO THE HONORABLE MEMBERS OF THE NORTH CAROLINA
HOUSE OF REPRESENTATIVES****HOUSE SELECT COMMITTEE ON THE USE OF 911 FUNDS**

Section 1. The House Select Committee on the Use of 911 Funds (hereinafter "Committee") is established by the Speaker of the House of Representatives pursuant to G.S. 120-19.6(a1) and Rule 26(a) of the Rules of the House of Representatives of the 2009 General Assembly.

Section 2. The Committee consists of the 6 members listed below, appointed by the Speaker of the House of Representatives. Members serve at the pleasure of the Speaker of the House of Representatives. Vacancies of the Committee are filled by the Speaker of the House of Representatives, and the Speaker may dissolve the Committee at any time.

Representative Allen, Co-Chair
Representative Bryant, Co-Chair
Representative Coates
Representative Faison
Representative Sager
Representative West

Section 3. The Committee may examine the use of the 911 Funds by Public Safety Answering Points (PSAPs). In conducting its study, the Committee may:

- (1) Consider expanding the uses of the 911 Funds by PSAPs to provide a funding mechanism to account for the broad spectrum of needs of the PSAPs.
- (2) Consider expanding the uses of the 911 Funds by PSAPs to provide flexibility to local governments.
- (3) Consider any report submitted by the North Carolina 911 Board on the use of the 911 Fund.
- (4) Examine funding needs of PSAPs, including all of the following:
 - a. The lease or purchase of an additional communications tower, a multisite simulcast system, microwave connectivity between the sites, a site monitoring and alarm system, and grounding and lightning protection.

- b. Equipment for radio and telephone system upgrades, equipment for reverse 911, and street sign maintenance.
 - c. The lease, purchase, operation, and maintenance of consoles and communications equipment owned or operated by the PSAP and physically located within and for the use of the PSAP and radio or microwave towers and equipment with lines that terminate in the PSAP.
- (5) Consider other relevant issues it deems appropriate.

Section 4. The Committee shall meet upon the call of its Co-Chairs. A quorum of the Committee shall be a majority of its members.

Section 5. The Committee, while in the discharge of its official duties, may exercise all powers provided for under G.S. 120-19 and Article 5A of Chapter 120 of the General Statutes.

Section 6. Members of the Committee shall receive per diem, subsistence, and travel allowance as provided in G.S. 120-3.1.

Section 7. The expenses of the Committee including per diem, subsistence, travel allowances for Committee members, and contracts for professional or consultant services shall be paid upon the written approval of the Speaker of the House of Representatives pursuant to G.S. 120-32.02(c) and G.S. 120-35 from funds available to the House of Representatives for its operations. Individual expenses of \$5,000 or less, including per diem, travel, and subsistence expenses of members of the Committee, and clerical expenses shall be paid upon the authorization of the Co-Chairs of the Committee. Individual expenses in excess of \$5,000 shall be paid upon the written approval of the Speaker of the House of Representatives.

Section 8. The Legislative Services Officer shall assign professional and clerical staff to assist the Committee in its work. The Director of Legislative Assistants of the House of Representatives shall assign clerical support staff to the Committee.

Section 9. The Committee may meet at various locations around the State in order to promote greater public participation in its deliberations.

Section 10. The Committee may submit an interim report on the results of the study, including any proposed legislation, on or before May 1, 2010, by filing a copy of the report with the Office of the Speaker of the House of Representatives, the House Principal Clerk, and the Legislative Library. The Committee shall submit a final report on the results of its

study, including any proposed legislation, to the members of the House of Representatives on or before February 1, 2011, by filing the final report with the Office of the Speaker of the House of Representatives, the House Principal Clerk, and the Legislative Library. The Committee terminates on February 1, 2011, or upon the filing of its final report, whichever occurs first.

Effective this the 17th day of November, 2009.

/S/ Joe Hackney
Speaker

North Carolina House of Representatives

Office of the Speaker

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

**HOUSE SELECT COMMITTEE ON
HOMEOWNERS ASSOCIATIONS**

Section 1. The House Select Committee on Homeowners Associations (hereinafter "Committee") is established by the Speaker of the House of Representatives pursuant to G.S. 120-19.6(a1) and Rule 26(a) of the Rules of the House of Representatives of the 2009 General Assembly.

Section 2. The Committee consists of the 7 members listed below, appointed by the Speaker of the House of Representatives. Members serve at the pleasure of the Speaker of the House of Representatives. Vacancies of the Committee are filled by the Speaker of the House of Representatives, and the Speaker may dissolve the Committee at any time.

Representative Weiss, Co-Chair
Representative McGee, Co-Chair
Representative Cleveland
Representative Earle
Representative Heagarty
Representative Howard
Representative Wray

Section 3. The Committee may study issues concerning the protection and participation of homeowners in the governance of their homeowners associations, particularly as to assessments and record keeping of the associations. The Committee may also study any other relevant issue that it deems appropriate.

Section 4. The Committee shall meet upon the call of its Co-Chairs. A quorum of the Committee shall be a majority of its members.

Section 5. The Committee, while in the discharge of its official duties, may exercise all powers provided for under G.S. 120-19 and Article 5A of Chapter 120 of the General Statutes.

Section 6. Members of the Committee shall receive per diem, subsistence, and travel allowance as provided in G.S. 120-3.1.

Section 7. The expenses of the Committee including per diem, subsistence, travel allowances for Committee members, and contracts for professional or consultant services shall be paid upon the written approval of the Speaker of the House of Representatives pursuant to G.S. 120-32.02(c) and G.S. 120-35 from funds available to the House of Representatives for its operations. Individual expenses of \$5,000 or less, including per diem, travel, and subsistence expenses of members of the Committee, and clerical expenses shall be paid upon the authorization of the Co-Chairs of the Committee. Individual expenses in excess of \$5,000 shall be paid upon the written approval of the Speaker of the House of Representatives.

Section 8. The Legislative Services Officer shall assign professional and clerical staff to assist the Committee in its work. The Director of Legislative Assistants of the House of Representatives shall assign clerical support staff to the Committee.

Section 9. The Committee may meet at various locations around the State in order to promote greater public participation in its deliberations.

Section 10. The Committee may submit an interim report on the results of the study, including any proposed legislation, on or before May 1, 2010, by filing a copy of the report with the Office of the Speaker of the House of Representatives, the House Principal Clerk, and the Legislative Library. The Committee shall submit a final report on the results of its study, including any proposed legislation, to the members of the House of Representatives on or before February 1, 2011, by filing the final report with the Office of the Speaker of the House of Representatives, the House Principal Clerk, and the Legislative Library. The Committee terminates on February 1, 2011, or upon the filing of its final report, whichever occurs first.

Effective this the 17th day of November, 2009.

/S/ Joe Hackney
Speaker

North Carolina House of Representatives

Office of the Speaker

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

**HOUSE SELECT COMMITTEE ON
CIVIL CUSTODY GUARDIANS**

Section 1. The House Select Committee on Civil Custody Guardians (hereinafter "Committee") is established by the Speaker of the House of Representatives pursuant to G.S. 120-19.6(a1) and Rule 26(a) of the Rules of the House of Representatives of the 2009 General Assembly.

Section 2. The Committee consists of the 7 members listed below, appointed by the Speaker of the House of Representatives. Members serve at the pleasure of the Speaker of the House of Representatives. Vacancies of the Committee are filled by the Speaker of the House of Representatives, and the Speaker may dissolve the Committee at any time.

Representative Martin, Co-Chair
Representative Jackson, Co-Chair
Representative Farmer-Butterfield
Representative Hurley
Representative Insko
Representative Stevens
Representative Whilden

Section 3. The Committee may study the feasibility and desirability of creating a statewide Civil Custody Guardian Program. Specifically, the Committee may:

- (1) Review and evaluate other states' statutes and practices and North Carolina pilot programs that establish guardians or child conservators to help the courts, families, and especially children with issues involving custody and visitation.
- (2) Recommend standards for appointment and service as custody guardians, including:

- a. Qualification and certification of guardians.
 - b. Responsibilities of guardians.
 - c. Compensation of guardians.
 - d. Appointment and retention procedures for guardians.
 - e. Any other factor involving the appointment of guardians.
- (3) Consider whether the standards for a custody guardian program should be statutory or through administrative rules.
 - (4) Consider the impact of any recommendation upon services currently provided in North Carolina.
 - (5) Evaluate the likely impact of a best practices recommendation on children, families, courts, attorneys, and the administration of justice.
 - (6) Consider other relevant issues it deems appropriate.

Section 4. The Committee shall meet upon the call of its Co-Chairs. A quorum of the Committee shall be a majority of its members.

Section 5. The Committee, while in the discharge of its official duties, may exercise all powers provided for under G.S. 120-19 and Article 5A of Chapter 120 of the General Statutes.

Section 6. Members of the Committee shall receive per diem, subsistence, and travel allowance as provided in G.S. 120-3.1.

Section 7. The expenses of the Committee including per diem, subsistence, travel allowances for Committee members, and contracts for professional or consultant services shall be paid upon the written approval of the Speaker of the House of Representatives pursuant to G.S. 120-32.02(c) and G.S. 120-35 from funds available to the House of Representatives for its operations. Individual expenses of \$5,000 or less, including per diem, travel, and subsistence expenses of members of the Committee, and clerical expenses shall be paid upon the authorization of the Co-Chairs of the Committee. Individual expenses in excess of \$5,000 shall be paid upon the written approval of the Speaker of the House of Representatives.

Section 8. The Legislative Services Officer shall assign professional and clerical staff to assist the Committee in its work. The Director of Legislative Assistants of the House of Representatives shall assign clerical support staff to the Committee.

Section 9. The Committee may meet at various locations around the State in order to promote greater public participation in its deliberations.

Section 10. The Committee may submit an interim report on the results of the study, including any proposed legislation, on or before May 1, 2010, by filing a copy of the report with the Office of the Speaker of the House of Representatives, the House Principal Clerk, and the Legislative Library. The Committee shall submit a final report on the results of its study, including any proposed legislation, to the members of the House of Representatives on or before February 1, 2011, by filing the final report with the Office of the Speaker of the House of Representatives, the House Principal Clerk, and the Legislative Library. The Committee terminates on February 1, 2011, or upon the filing of its final report, whichever occurs first.

Effective this the 17th day of November, 2009.

Joe Hackney
/S/ Speaker

Revised 1/19/10 to add Representative Verla Insko.

North Carolina House of Representatives

Office of the Speaker

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

**HOUSE SELECT COMMITTEE ON A COMPREHENSIVE RAIL
SERVICE PLAN FOR NORTH CAROLINA**

Section 1. The House Select Committee on a Comprehensive Rail Service Plan for North Carolina (hereinafter "Committee") is established by the Speaker of the House of Representatives pursuant to G.S. 120-19.6(a1) and Rule 26(a) of the Rules of the House of Representatives of the 2009 General Assembly.

Section 2. The Committee consists of the 19 members listed below, appointed by the Speaker of the House of Representatives. Members serve at the pleasure of the Speaker, and vacancies are filled by the Speaker. The Speaker of the House of Representatives may dissolve the Committee at any time.

Representative Rapp, Chair
Representative Allen
Representative Barnhart
Representative Carney
Representative Coates
Representative Cole
Representative Dockham
Representative Earle
Representative Frye
Representative Goodwin
Representative Hilton
Representative Iler
Representative Ingle
Representative Martin
Representative McComas
Representative Parmon
Representative Ross
Representative Steen
Representative Sutton

Section 3. The Committee may study all of the following:

1. Development of a comprehensive plan for freight and passenger rail service for the State, in coordination with federal rail service plans and the existing national rail system.
2. The estimated cost of a comprehensive rail plan and appropriate mechanisms including federal, State, and local and private funding sources and bonds to finance its implementation.
3. The benefits of expanding and upgrading rail passenger and freight service, the effect expanded service would have on economic development, tourism, and job creation, and the importance of rail expansion to the State ports and across the State.
4. The cost and benefits of expanding passenger and freight rail service to the western and eastern areas of the State.
5. The need for more efficient, accessible, and reliable rail service to military bases in the State.
6. The role and impact of short-line railroads in the overall comprehensive rail plan of the State.
7. Ways to utilize and preserve unused or abandoned rail corridors for future rail needs.

8. The feasibility, cost, and benefits of establishing commuter rail service in the major urban areas of the State.
9. Issues related to the corridor to the North Carolina Railroad and land and business owners located adjacent to the corridor.
10. Other passenger and freight related rail issues that the Committee identifies in the course of its study.

Section 4. The Committee shall meet upon the call of its Chair. A quorum of the Committee shall be a majority of its members. No action may be taken except by a majority vote at a meeting at which a quorum is present.

Section 5. The Committee, while in the discharge of its official duties, may exercise all powers provided for under G.S. 120-19 and Article 5A of Chapter 120 of the General Statutes.

Section 6. Members of the Committee shall receive per diem, subsistence, and travel allowance as provided in G.S. 120-3.1.

Section 7. The expenses of the Committee including per diem, subsistence, travel allowances for Committee members, and contracts for professional or consultant services shall be paid upon the written approval of the Speaker of the House of Representatives pursuant to G.S. 120-32.02(c) and G.S. 120-35 from funds available to the House of Representatives for its operations. Individual expenses of \$5,000 or less, including per diem, travel, and subsistence expenses of members of the Committee, and clerical expenses shall be paid upon the authorization of the Chair of the Committee. Individual expenses in excess of \$5,000 shall be paid upon the written approval of the Speaker of the House of Representatives.

Section 8. The Legislative Services Officer shall assign professional and clerical staff to assist the Committee in its work. The Director of Legislative Assistants of the House of Representatives shall assign clerical support staff to the Committee.

Section 9. The Committee may meet at various locations around the State in order to promote greater public participation in its deliberations.

Section 10. The Committee may submit an interim report on the results of the study, including any proposed legislation, on or before May 1, 2010, by filing a copy of the report with the Office of the Speaker of the House of Representatives, the House Principal Clerk, and the Legislative Library. The Committee shall submit a final report on the results of its study, including any proposed legislation, to the members of the House of Representatives prior to the convening of the 2011 General Assembly by

filing the final report with the Office of the Speaker of the House of Representatives, the House Principal Clerk, and the Legislative Library. The Committee terminates upon the convening of the 2011 General Assembly or upon the filing of its final report, whichever occurs first.

Effective this the 22nd day of January, 2010.

/S/ Joe Hackney
Speaker

North Carolina House of Representatives

Office of the Speaker

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

HOUSE SELECT COMMITTEE ON SMALL BUSINESS

Section 1. The House Select Committee on Small Business (hereinafter "Committee") is established by the Speaker of the House of Representatives pursuant to G.S. 120-19.6(a1) and Rule 26(a) of the Rules of the House of Representatives of the 2009 General Assembly.

Section 2. The Committee consists of 18 members appointed by the Speaker of the House of Representatives. The membership of the committee shall include the legislators specified below. Members serve at the pleasure of the Speaker of the House of Representatives. The Speaker of the House of Representatives may dissolve the Committee at any time. Vacancies are filled by the Speaker of the House of Representatives.

Representative Holliman, Chair
Representative K. Alexander
Representative Boles
Representative Braxton
Representative Cole
Representative Crawford
Representative Frye
Representative Gibson
Representative Goforth
Representative Hill
Representative Justus

Representative McComas
Representative Owens
Representative Ross
Representative Setzer
Representative Wainwright
Representative West
Representative Whilden

Section 3. The Committee may study issues related to small business including: access to credit; technical assistance and support needs of small businesses; the impact of existing economic development efforts on small business development; and tax credits to small businesses to spur job creation. The Committee may also examine any other issue it deems relevant to its study.

Section 4. The Committee shall meet upon the call of its Chair. A quorum of the Committee shall be a majority of its members. No action may be taken except by a majority vote at a meeting at which a quorum is present.

Section 5. The Committee, while in the discharge of its official duties, may exercise all powers provided for under G.S. 120-19 and Article 5A of Chapter 120 of the General Statutes.

Section 6. Members of the Committee shall receive per diem, subsistence, and travel allowance as provided in G.S. 120-3.1.

Section 7. The expenses of the Committee including per diem, subsistence, travel allowances for Committee members, and contracts for professional or consultant services shall be paid upon the written approval of the Speaker of the House of Representatives pursuant to G.S. 120-32.02(c) and G.S. 120-35 from funds available to the House of Representatives for its operations. Individual expenses of \$5,000 or less, including per diem, travel, and subsistence expenses of members of the Committee, and clerical expenses shall be paid upon the authorization of the Chair of the Committee. Individual expenses in excess of \$5,000 shall be paid upon the written approval of the Speaker of the House of Representatives.

Section 8. The Legislative Services Officer shall assign professional and clerical staff to assist the Committee in its work. The Director of Legislative Assistants of the House of Representatives shall assign clerical support staff to the Committee.

Section 9. The Committee may meet at various locations around the State in order to promote greater public participation in its deliberations.

Section 10. The Committee may submit an interim report on the results of the study, including any proposed legislation, on or before May 1, 2010, by filing a copy of the report with the Office of the Speaker of the House of Representatives, the House Principal Clerk, and the Legislative Library. The Committee shall submit a final report on the results of its study, including any proposed legislation, to the members of the House of Representatives prior to the convening of the 2011 General Assembly by filing the final report with the Office of the Speaker of the House of Representatives, the House Principal Clerk, and the Legislative Library. The Committee terminates upon the convening of the 2011 General Assembly or upon the filing of its final report, whichever occurs first.

Effective this the 22nd day of January, 2010.

/S/ Joe Hackney
Speaker

**EXECUTIVE ORDERS BY
GOVERNOR MICHAEL F. EASLEY
By Title
December 2008 – January 9, 2009**

Number	Title
149	Proclamation of a State of Disaster for the Town of Mount Pleasant, the Town of Kannapolis, and the Town of Concord
150	E-Mail Retention and Archiving

**EXECUTIVE ORDERS BY
GOVERNOR BEVERLY EAVES PERDUE
By Title
January 12, 2009 - January 31, 2010**

Number	Title
1	Governor's Task Force for the Development of an Endowment for Positive Gubernatorial Campaigns
2	Reforming Department of Transportation

- 3 On-Site and State-Stat Performance Management and Accountability
- 4 Openbook Government for North Carolina
- 5 Establishing the North Carolina Budget Reform and Accountability Commission (BRAC)
- 6 Budget Administration Due to National Economic Slowdown
- 7 Proclamation of State of Emergency by the Governor of the State of North Carolina
- 8 Notice of Termination of Executive Order of State of Disaster and State of Emergency by the Governor of the State of North Carolina
- 9 To Establish the Emergency Medical Services and Trauma Rules Effective Date
- 10 Ethical Standards for the State Health Coordinating Council
- 11 Establishing and Implementing a Flexible Furlough Plan for the 2008-09 Fiscal Year
- 12 Governor's Streetsafe Task Force to Stop Repeat Offenders
- 13 Support for Historically Underutilized Businesses
- 14 Equal Employment Opportunity
- 15 Promulgation and Implementation of the North Carolina Emergency Operations Plan
- 16 Designating the Office of Economic Recovery and Investment as the Authorized Entity under the American Recovery and Reinvestment Act Strengthening Communities Fund
- 17 Notice and Reporting of Economic Development Consulting Relationships
- 18 E-mail Retention and Archiving Policy

- 19 Designating the North Carolina Health and Wellness Trust Fund Commission as the Authorized Entity under the Health Information Technology for Economic and Clinical Health Act of the American Recovery and Reinvestment Act
- 20 Establishing Budget Management Restrictions for State Agencies for the 2009-10 Fiscal Year
- 21 Reduce Monthly Budget Allotments for the 2009-10 Fiscal Year
- 22 Amending and Extending Executive Order No. 128, Governor's Advisory Council on Hispanic/Latino Affairs
- 23 Governor's Scientific Advisory Panel on Offshore Energy
- 24 Regarding Gifts to State Employees
- 25 Amending Executive Order No. 12, Streetsafe Task Force
- 26 Reestablishing the Governor's Task Force for Healthy Carolinians
- 27 Proclamation of a State of Emergency by the Governor of the State of North Carolina
- 28 Reestablishing the North Carolina Film Council
- 29 Establishing the North Carolina Innovation Council
- 30 Proclamation of a State of Emergency by the Governor of the State of North Carolina
- 31 Immediate Eligibility for Unemployment Benefits in Wake of Major Industrial Disaster in Wake County
- 32 Governor's Logistics Task Force
- 33 Establishment of the North Carolina Complete Count Committee
- 34 Ethics and Attendance Standards for Gubernatorial Appointees to Boards

- 35 Ethics Standards for Certain Boards
- 36 Designation of Certain State Employees and Appointees as Covered Public Servants under the State Government Ethics Act
- 37 North Carolina Emergency Response Commission
- 38 Reestablishing the Food Safety and Defense Task Force
- 39 Replacing Executive Order No. 124, Statewide Flexible Benefits Program
- 40 Replacing Executive Order No. 133, Juvenile Justice Planning Committee
- 41 Reestablishing the North Carolina Commission on Volunteerism and Community Service
- 42 Emergency Relief for Damage Caused by Ice/Snow Storm
- 43 Temporary Suspension of Motor Vehicle Regulations to Ensure Adequate Fuel Supplies throughout the State
- 44 Proclamation of a State of Emergency by the Governor of the State of North Carolina
- 45 To Facilitate Employee Access to State Facilities and Cabinet Agency Leaders
- 46 Temporary Suspension of Motor Vehicle Regulations to Ensure Restoration of Utility Services throughout the State
- 47 Proclamation of a State of Emergency by the Governor of the State of North Carolina Due to a Winter Storm

**2009 HOUSE OF REPRESENTATIVES
OFFICERS AND STAFF**

OFFICE OF THE SPEAKER

Speaker	Joe Hackney
Executive Assistant	Emily Reynolds Freeman
Executive Assistant	Meredith Swindell

General Counsel	Robin Johnson
Senior Policy Advisor	Laura DeVivo
Director of Administration, Boards and Commissions	Allen Rogers
Assistant to Boards and Commissions	Lucille Thompson
Director of Communications	William L. Holmes
House Tax Counsel	Canaan Huie
Legislative Assistant	Andrew Korostynski
Assistant for Budget	Lesley Cates
Assistant for Constituent Services	Zadia Brown
Assistant for Special Projects	Kati Buckner

OFFICE OF THE SPEAKER PRO TEMPORE

Speaker Pro Tempore	William L. Wainwright
Senior Staff Associate	Blinda Edwards
Administrative Assistant	Johnna Smith
Research and Policy Analyst	Shannon Smith

OFFICE OF THE PRINCIPAL CLERK

Principal Clerk	Denise G. Weeks
Administrative Clerks	Carmen W. Cauthen Jim McElroy Michelle Adams Poole
Director of Legislative Assistants	Dianne Russell
Administrative Assistant	Nancy Goodman
Administrative Assistant	Jackie Hamby
Calendar Clerk Assistants	Wesley Daniel Carole Gaskins Elizabeth Henderson Mary Catherine Stokes Mary Ann Yarborough
Computer Clerks	Ann Luck Sharon Sexton-Gainey
Journal Computer Clerks	Polly Davison Terry Rumley
Page Supervisor	Bonnie Trivette
Reading Clerk	John Young

OFFICE OF THE SERGEANT-AT-ARMS

Sergeant-at-Arms	Robert R. Samuels
Deputy Sergeant-at-Arms	James Peyton, Jr.
Secretary	Carolyn Bowden
Assistant Sergeants-at-Arms	Carlton Adams Toussaint Avent

Young Bae
 John Brandon
 Kenneth Burroughs
 Charles Coker
 Rodney Finger
 Martha Gadison
 Fred Hines
 Marvin Lee
 Michael Martin
 Martha Parrish
 Jerald Perry
 Frank Prevo
 Trey Raley
 Dusty Rhodes
 Robert Rossi
 David Shearon
 Reginald Sills
 Judy Turner
 Thomas Wilder
 Charles Williams
 James Worth

**HOUSE COMMITTEE ASSISTANTS AND
LEGISLATIVE ASSISTANTS**

Dianne Russell, Director

ASSISTANTS

Ahlin, Pamela
 Alston, Mildred

 Benson, Wanda
 Bobbitt, Jo

 Bowers, Carol

 Brantley, Nancy

 Brown, Lisa

 Brown, Sandra
 Burleson, Susan
 Burnette, Sherric
 Capps, Mary

COMMITTEE

Appropriations-Natural and
 Economic Resources

 Federal Relations and Indian
 Affairs; Judiciary III
 Financial Institutions; Office of
 Majority Leader
 State Government/State
 Personnel
 Appropriations-Health and
 Human Services; Health
 Appropriations
 Appropriations-Education;
 Local Government I
 Insurance

Childress, Betty Christmas, Pat	Education-Preschool, Elementary and Secondary Education
Clabough, Joan Coley, Cindy Conner, Marjorie Copeland, Jan Crocker, Dot	Rules, Calendar and Operations of the House
Danchi, Christin Davis, Susanna Dickens, Jackie Dockery, Margaret Doty, Susan Dyar, Elizabeth Edwards, Blinda	Office of Minority Leader Finance
Edwards, Carolyn	Finance
Evans, Pam Farmer, Carla Faust, Ann Finch, Ada Finke, Mizie Fish, Ruth Fleming, Pattie Floyd, Chris	Office of Speaker Pro Tempore Education; Office of Majority Whip Wildlife Resources
	Appropriations
Fox, Nancy Freeman, Emily Reynolds Garriss, Nancy Gilliam, Forrest Gillis, Sally Graham, Shara	Office of Deputy Minority Whip
	Office of the Speaker
	Appropriations-Education Pensions and Retirement Environment and Natural Resources
Guice, Kerry Hall, Michelle	Appropriations-Justice and Public Safety; Juvenile Justice
Hallissy, Lona	Marine Resources and Aquaculture
Hammons, Sylvia Hardy, Karon Harris, Joyce Hayes, Mary	Appropriations-Transportation Energy and Energy Efficiency Finance

Herring, Margaret	
Hinton, Jo	
Hobbs, Cindy	
Hocutt, Barbara	Local Government II
Hogg, Joanna	
Holder, Deborah	
Hoover, Martha	Appropriations-Natural and Economic Resources
Horne, Susan West	
Insko, Gina	Appropriations-Health and Human Services; Health
Irwin, Regina	
Johnson, Linda A.	Appropriations-Capital
Johnson, Linda C.	
Jordan, Ann	Appropriations-Capital; Insurance; Office of Majority Whip
Kelley, Rosa	Education-Preschool, Elementary and Secondary Education
Kirk, Jane	
Laton, Linda	Appropriations-Transportation
Ledford, Delores	
Lee, Brenda	Commerce, Small Business and Entrepreneurship; University Board of Governors Nominating
LeGrande, Beth	
Lehrschall, Brian	
Lennard, Sara Jane	Appropriations
Lennon, Melissa	Public Utilities
Lewis, Susan	
Long, Dina	
Lopez, Theresa	Alcoholic Beverage Control
Lowe, Judy	
McLean, Dorothy	Appropriations-Capital; Education-Universities
McMillan, Angela	
McMillan, Barbara	Judiciary II
McMillan, Jane	Election Law and Campaign Finance Reform
Merkle, Ruth	Aging; Office of Majority Whip
Miller, Wendy	
Mitchell, Tazra	Transportation
Mobley-Bennett, Janice	Juvenile Justice
Montgomery, John	

Murtha, Anne Nelson, Jayne Nygard, Sylvia	Appropriations-Justice and Public Safety; Education- Community Colleges
Olls, Brenda Osborne, Sue	Appropriations-Natural and Economic Resources
Pearce, Edna Penven, Margie	Ethics; Judiciary I; Office of Majority Whip Appropriations
Phillips, Shirley Phillips, Susan Philon, Cara Pickett, Ellen Raeford, Ann	Appropriations-Health and Human Services; Mental Health Reform
Ray, Lisa	Homeland Security, Military, and Veterans Affairs; Office of Majority Whip
Riehm, Dixie Robinson, Mary Lee Rogers, Grace Sherrell, Vivian Slate, Candace Smith, Johnna	Office of Deputy Minority Whip Office of Deputy Minority Whip Finance; Office of Speaker Pro Tempore
Stancil, Jackson Stanley, Katie Stevens, Barbara Stirling, Caroline Stussie, Pat Suitt, Marilyn Swanson, Lara Tennant, Lynn	Appropriations Mental Health Reform Science and Technology Appropriations-General Government
Thurlow, Gennie Todd, Rhonda Utley, Thelma Veorse, Judy	Agriculture Education Appropriations-General Government

Vitalis, Lavada
Wakely, Carol
Weaver, Renee
Whitehead, Susan

Wilder, Anita
Wilson, Carol
Wimbish, Renee
Winstead, Linda
Winstead, Shirley
Wraight, Diana

Ways and Means/Broadband
Connectivity
Office of Minority Whip
Ethics
Water Resources and
Infrastructure
Appropriations

Appropriations



PRESENTMENT OF BILLS TO THE GOVERNOR
(Date Enrolling Clerk Delivered to the
Office of the Governor)
2009 SESSION

BILL NUMBER	DATE DELIVERED	BILL NUMBER	DATE DELIVERED
SB 198	March 3, 2009	HB 925	June 2, 2009
SB 5	March 12, 2009	HB 1221	June 2, 2009
SB 127	March 17, 2009	HB 1315	June 2, 2009
SB 37	March 18, 2009	HB 1331	June 2, 2009
SB 136	March 20, 2009	SB 575	June 2, 2009
HB 94	March 25, 2009	SB 114	June 3, 2009
SB 89	March 30, 2009	SB 957	June 3, 2009
HB 105	April 9, 2009	HB 135	June 3, 2009
HB 494	April 9, 2009	HB 201	June 3, 2009
HB 628	April 14, 2009	HB 360	June 3, 2009
SB 287	April 22, 2009	HB 439	June 3, 2009
SB 452	April 24, 2009	HB 461	June 3, 2009
HB 557	April 24, 2009	HB 960	June 3, 2009
HB 613	April 24, 2009	HB 1027	June 3, 2009
HB 97	May 6, 2009	HB 1037	June 3, 2009
SB 668	May 13, 2009	HB 1039	June 3, 2009
HB 588	May 13, 2009	HB 1108	June 3, 2009
HB 917	May 14, 2009	HB 1118	June 3, 2009
HB 2	May 15, 2009	HB 1168	June 3, 2009
HB 186	May 22, 2009	HB 1175	June 3, 2009
HB 220	May 22, 2009	HB 1198	June 3, 2009
HB 411	May 22, 2009	HB 1327	June 3, 2009
HB 616	May 22, 2009	SB 52	June 4, 2009
HB 800	May 22, 2009	SB 188	June 4, 2009
HB 1272	May 22, 2009	SB 703	June 4, 2009
HB 65	May 27, 2009	HB 170	June 4, 2009
SB 750	May 28, 2009	HB 867	June 4, 2009
SB 617	May 29, 2009	HB 43	June 5, 2009
SB 633	May 29, 2009	HB 266	June 5, 2009
SB 669	May 29, 2009	HB 759	June 5, 2009
HB 25	May 29, 2009	HB 825	June 5, 2009
HB 85	May 29, 2009	HB 1083	June 5, 2009
HB 42	June 2, 2009	HB 1104	June 5, 2009
HB 218	June 2, 2009	HB 1109	June 5, 2009
HB 223	June 2, 2009	HB 1124	June 5, 2009
HB 642	June 2, 2009	SB 204	June 9, 2009

BILL NUMBER	DATE DELIVERED	BILL NUMBER	DATE DELIVERED
SB 411	June 9, 2009	HB 1161	June 17, 2009
SB 484	June 9, 2009	HB 1164	June 17, 2009
HB 18	June 9, 2009	HB 1165	June 17, 2009
HB 22	June 9, 2009	HB 1210	June 17, 2009
HB 96	June 9, 2009	HB 1271	June 17, 2009
HB 358	June 9, 2009	HB 1368	June 17, 2009
HB 436	June 9, 2009	HB 1390	June 17, 2009
HB 482	June 9, 2009	SB 889	June 18, 2009
HB 1129	June 9, 2009	HB 315	June 18, 2009
SB 200	June 9, 2009	HB 323	June 18, 2009
SB 256	June 10, 2009	HB 576	June 18, 2009
SB 356	June 10, 2009	HB 673	June 18, 2009
SB 724	June 10, 2009	HB 722	June 18, 2009
HB 490	June 10, 2009	HB 787	June 18, 2009
HB 9	June 11, 2009	HB 1190	June 18, 2009
HB 659	June 11, 2009	HB 1530	June 18, 2009
HB 838	June 11, 2009	SB 448	June 19, 2009
HB 964	June 11, 2009	SB 625	June 19, 2009
HB 1171	June 11, 2009	HB 203	June 19, 2009
HB 1399	June 11, 2009	HB 380	June 19, 2009
SB 141	June 12, 2009	HB 543	June 19, 2009
SB 1000	June 12, 2009	HB 672	June 19, 2009
SB 1011	June 12, 2009	HB 723	June 19, 2009
HB 221	June 12, 2009	HB 735	June 19, 2009
HB 391	June 12, 2009	HB 1021	June 19, 2009
HB 440	June 12, 2009	HB 1087	June 19, 2009
HB 686	June 12, 2009	HB 1106	June 19, 2009
HB 1031	June 12, 2009	HB 1388	June 19, 2009
HB 1094	June 12, 2009	SB 457	June 23, 2009
SB 754	June 17, 2009	SB 648	June 23, 2009
SB 1027	June 17, 2009	HB 808	June 23, 2009
HB 312	June 17, 2009	HB 1032	June 23, 2009
HB 377	June 17, 2009	HB 1180	June 23, 2009
HB 379	June 17, 2009	SB 1018	June 23, 2009
HB 381	June 17, 2009	SB 526	June 23, 2009
HB 615	June 17, 2009	SB 258	June 24, 2009
HB 698	June 17, 2009	SB 268	June 24, 2009
HB 794	June 17, 2009	SB 482	June 24, 2009
HB 896	June 17, 2009	SB 1030	June 24, 2009
HB 1046	June 17, 2009	HB 239	June 24, 2009
HB 1088	June 17, 2009	HB 630	June 24, 2009

BILL NUMBER	DATE DELIVERED	BILL NUMBER	DATE DELIVERED
HB 1079	June 24, 2009	SB 208	July 2, 2009
HB 1091	June 24, 2009	SB 357	July 2, 2009
SB 652	June 25, 2009	SB 483	July 2, 2009
SB 763	June 25, 2009	SB 564	July 2, 2009
HB 511	June 25, 2009	SB 694	July 2, 2009
HB 631	June 25, 2009	HB 866	July 2, 2009
HB 682	June 25, 2009	HB 1453	July 2, 2009
HB 1186	June 25, 2009	HB 309	July 2, 2009
SB 324	June 25, 2009	SB 605	July 8, 2009
SB 893	June 25, 2009	SB 799	July 8, 2009
HB 749	June 25, 2009	SB 1089	July 8, 2009
SB 412	June 26, 2009	HB 79	July 8, 2009
SB 649	June 26, 2009	HB 632	July 8, 2009
SB 1010	June 26, 2009	HB 1009	July 8, 2009
HB 88	June 26, 2009	SB 870	July 8, 2009
HB 316	June 26, 2009	HB 98	July 8, 2009
HB 755	June 26, 2009	HB 1132	July 8, 2009
HB 780	June 26, 2009	HB 1330	July 8, 2009
HB 994	June 26, 2009	SB 467	July 9, 2009
HB 1093	June 26, 2009	SB 1021	July 9, 2009
HB 1419	June 26, 2009	HB 182	July 9, 2009
HB 1446	June 26, 2009	HB 886	July 9, 2009
HB 1508	June 26, 2009	HB 1267	July 9, 2009
SB 1009	June 30, 2009	SB 481	July 10, 2009
SB 1008	June 30, 2009	SB 689	July 10, 2009
SB 311	June 30, 2009	SB 835	July 10, 2009
HB 703	June 30, 2009	HB 535	July 10, 2009
SB 43	July 1, 2009	HB 684	July 10, 2009
SB 1019	July 1, 2009	HB 852	July 10, 2009
HB 799	July 1, 2009	HB 877	July 10, 2009
SB 981	July 1, 2009	HB 885	July 10, 2009
SB 159	July 2, 2009	HB 1187	July 10, 2009
SB 248	July 2, 2009	HB 1189	July 10, 2009
SB 586	July 2, 2009	HB 1299	July 10, 2009
SB 634	July 2, 2009	HB 1449	July 10, 2009
SB 661	July 2, 2009	SB 285	July 14, 2009
SB 691	July 2, 2009	SB 332	July 14, 2009
SB 828	July 2, 2009	SB 584	July 14, 2009
HB 1112	July 2, 2009	SB 674	July 14, 2009
HB 1294	July 2, 2009	SB 962	July 14, 2009
HB 1438	July 2, 2009	HB 187	July 14, 2009

BILL NUMBER	DATE DELIVERED	BILL NUMBER	DATE DELIVERED
HB 243	July 14, 2009	SB 647	July 17, 2009
HB 582	July 14, 2009	SB 764	July 17, 2009
HB 661	July 14, 2009	SB 1017	July 17, 2009
HB 881	July 14, 2009	SB 304	July 21, 2009
HB 1100	July 14, 2009	SB 618	July 21, 2009
HB 1105	July 14, 2009	HB 506	July 21, 2009
HB 1471	July 14, 2009	SB 465	July 22, 2009
SB 56	July 15, 2009	HB 1084	July 22, 2009
SB 817	July 15, 2009	HB 1159	July 22, 2009
HB 1504	July 15, 2009	HB 1183	July 22, 2009
SB 65	July 16, 2009	HB 1228	July 22, 2009
SB 755	July 16, 2009	HB 1255	July 22, 2009
SB 913	July 16, 2009	HB 1256	July 22, 2009
SB 1069	July 16, 2009	HB 1314	July 22, 2009
SB 307	July 17, 2009	HB 1523	July 22, 2009
SB 877	July 17, 2009	SB 1004	July 23, 2009
SB 1076	July 17, 2009	SB 935	July 24, 2009
HB 23	July 17, 2009	HB 115	July 24, 2009
HB 81	July 17, 2009	HB 378	July 24, 2009
HB 192	July 17, 2009	HB 816	July 24, 2009
HB 205	July 17, 2009	HB 996	July 24, 2009
HB 334	July 17, 2009	HB 1077	July 24, 2009
HB 447	July 17, 2009	HB 1110	July 24, 2009
HB 559	July 17, 2009	HB 1464	July 24, 2009
HB 581	July 17, 2009	HB 1595	July 24, 2009
HB 629	July 17, 2009	SB 368	July 24, 2009
HB 746	July 17, 2009	SB 658	July 24, 2009
HB 765	July 17, 2009	SB 863	July 24, 2009
HB 878	July 17, 2009	HB 311	July 24, 2009
HB 882	July 17, 2009	HB 1516	July 24, 2009
HB 937	July 17, 2009	SB 195	July 28, 2009
HB 1034	July 17, 2009	SB 367	July 28, 2009
HB 1073	July 17, 2009	SB 969	July 28, 2009
HB 1090	July 17, 2009	HB 1005	July 28, 2009
HB 1185	July 17, 2009	HB 1078	July 28, 2009
HB 1309	July 17, 2009	SB 38	July 29, 2009
HB 1342	July 17, 2009	SB 44	July 29, 2009
HB 1347	July 17, 2009	SB 513	July 29, 2009
HB 1378	July 17, 2009	SB 514	July 29, 2009
HB 1478	July 17, 2009	SB 687	July 29, 2009
HB 1617	July 17, 2009	SB 708	July 29, 2009

BILL NUMBER	DATE DELIVERED	BILL NUMBER	DATE DELIVERED
SB 713	July 29, 2009	SB 660	August 4, 2009
SB 804	July 29, 2009	HB 1057	August 4, 2009
SB 820	July 29, 2009	SB 295	August 5, 2009
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**NORTH CAROLINA GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES**

Representative Ty Harrell
41st District

September 20, 2009

Dear Speaker Hackney:

I write to inform you of my intent to resign from the North Carolina House of Representatives, effective immediately.

My parents always told me, and I believe, that public service is an honorable calling. I answered that call by serving in the General Assembly as an agent for positive change. But holding public office can put significant strains on a young family and I am living proof of that. Now, I must turn my full attention to the well-being of my young sons, Leighton and Kieren, and to answering any questions surrounding my campaign activities.

The people of District 41, and all citizens of North Carolina, deserve representatives who can make clearly-focused decisions on their behalf. With the recent turbulence in my personal life and continued speculation about my campaign expenditures, I do not feel that I can provide the high standard of representation that my constituents expect and deserve. Once I have achieved better balance between my personal life and professional responsibilities, I hope that I might find another way to serve.

Serving the people of District 41 has been a tremendous privilege for me and I am thankful for this humbling opportunity. In addition, please thank the outstanding General Assembly staff for their tireless efforts to make North Carolina a better place to live and work.

To you, Mr. Speaker, and to all my colleagues in the NC House of Representatives, I would like to express my appreciation and respect for your leadership of our great State. It has been my distinct honor to serve with you.

Sincerely,
S/ Ty Harrell

**NORTH CAROLINA GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES**

Representative Margaret H. Dickson
44th District

January 21, 2010

The Honorable Joe Hackney
Speaker of the House
North Carolina House of Representatives
16 W. Jones Street, Room 2304
Raleigh, North Carolina 27601-1096

Dear Mr. Speaker:

It has been my profound honor and personal pleasure to serve with you and our colleagues in the North Carolina House of Representatives.

I am deeply grateful for the opportunity to have served our great state during both times of prosperity and, more recently, during more trying days. I believe that the General Assembly has made positive and solid decisions over the last eight years that have advanced and protected North Carolina's values in public education, health care, and economic development. My faith in our institution and its collective wisdom is unwavering.

Thank you for your long and dedicated service to North Carolina and for the opportunities you have given me for service to our state. As I move into a new chapter of service to my community and our state, please know how deeply I value both the experiences I have had in the House of Representatives and the enduring and enriching friendships I have made in the People's House.

I resign my position representing House District 44 effective Thursday, January 21, 2010.

Sincerely,
S/ Margaret H. Dickson

Cc: The Honorable Beverly E. Perdue

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COMMITTEE ASSIGNMENTS - Aging; Appropriations, Chair; Commerce, Small Business, and Entrepreneurship, Vice Chair; Education; Education Subcommittee on Universities; Health; Local Government I.

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COMMITTEE ASSIGNMENTS – Energy and Energy Efficiency; Environment and Natural Resources; Finance; Juvenile Justice; Public Utilities; Water Resources and Infrastructure, **Vice Chair**; Ways and Means/Broadband Connectivity.

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COMMITTEE ASSIGNMENTS – Appropriations, **Chair**; Education; Education Subcommittee on Universities; Health; Judiciary I; Mental Health Reform, **Vice Chair**; Pender/New Hanover Redistricting.

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COMMITTEE ASSIGNMENTS – Appropriations; Appropriations Subcommittee on Transportation, **Vice Chair**; Commerce, Small Business, and Entrepreneurship; Environment and Natural Resources, **Chair**; Local Government I, **Vice Chair**; Transportation; Water Resources and Infrastructure, **Vice Chair**; Ways and Means/Broadband Connectivity.

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COMMITTEE ASSIGNMENTS – Agriculture; Appropriations; Appropriations Subcommittee on Capital, **Vice Chair**; Commerce, Small Business, and Entrepreneurship; Health; Transportation.

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- H 978 RESTORE PRIOR APPOINTMENT PROCESS/
AUCTIONEERS COMMISSION
(Commerce, Small Business, and Entrepreneurship)..... 465.

AVERY COUNTY

- H 701 AVERY TAX COLLECTOR APPOINTIVE/MOORE
PYROTECHNICS (Ch. SL 2009-75)342, 431, 523,
554, 1220, 1229, 1237, 1262.
- H 664 AVERY: DEED RECORDATION AND DELINQUENT
TAXES (Senate)331, 431, 460.

AVILA, MARILYN

- BILLS INTRODUCED - 35, 70, 83, 97, 98, 99, *125, *126, 168, *182,
183, *233, 237, 275, 279, *302, 303, 338, 339, 361, 386, 430, 473,
497, 498, 516, 544, 625, 687, 696, 697, *770, 776, 831, *840, 849,
890, *928, 935, 1024, 1044, 1078, 1116, 1131, 1132, 1146, 1147,
1148, 1149, *1198, *1221, 1239, 1251, *1252, 1268, 1276, *1400,
1403, *1502, 1517, 1560, 1583, 1656.
- COMMITTEE ASSIGNMENTS – Appropriations; Appropriations
Subcommittee on Capital; Commerce, Small Business, and
Entrepreneurship; Education; Education Subcommittee on Community
Colleges; Health; Juvenile Justice; Local Government I; Science and
Technology, **Vice Chair.**
- ESCORT
REPRESENTATIVE ROSA U. GILL 1301.
- EXCUSED ABSENCES858, 1435.
- OATH (January 3, 2009)..... 22.

-B-

BANKS (G.S. 53)

- S 668 AMEND BANKING LAWS
(Ch. SL 2009-28)694, 767, 897, 930, 935, 1088.
- S 669 BANKING COMMISSION APPEALS
(Ch. SL 2009-57) 724, 825, 1115, 1137, 1143, 1203.

BANKS-Contd.

- H 1626 CAP ANNUAL PERCENTAGE RATE FOR CONSUMER
LOANS (Financial Institutions)..... 884.
- H 1137 NORTH CAROLINA CONSUMER FINANCE ACT
AMENDMENTS (Financial Institutions)..... 513.
- H 1523 SECURE AND FAIR ENFORCEMENT (S.A.F.E.)
MORTGAGE LICENSING ACT
(Ch. SL 2009-374)689, 786, 852, 873, 912,
1337, 1415, 1424, 1466, 1493,
1497, 1536, 1579, 1606, 1609, 1735.

BARBERS (G.S. 86A)

- H 596 ALLOW IN-HOME LICENSED BARBERING
(Ch. SL 2009-471)290, 437, 500, 552,
1891, 1905, 1924, 1936.

BARNHART, JEFF

APPROVAL OF VOTE CHANGE

- S.B. 461 1556.

BILLS INTRODUCED - *2, 70, 97, 98, 99, 114, 116, 126, 148, 168,
185, 211, 237, *243, 269, 270, 275, *327, *335, *356, 361, 396, 415,
423, 425, 430, 432, *450, *451, 457, 458, 473, *490, 491, 492, 493,
544, *560, *561, 594, 611, *673, *692, *693, *694, 696, 737, 738,
776, 787, 831, 859, *861, 890, 891, 892, 926, 935, *949, 1002, 1003,
*1034, 1044, 1063, *1067, 1131, *1133, 1146, 1147, 1148, 1149,
1210, 1241, 1251, *1257, 1258, 1265, 1268, 1276, 1277, 1318, *1332,
*1334, 1366, 1397, 1400, *1401, 1403, 1414, 1431, 1455, *1484,
*1485, *1532, *1533, 1548, *1569, *1626, 1630, 1652, 1656.

COMMITTEE ASSIGNMENTS – Appropriations; Appropriations
Subcommittee on Health and Human Services, **Vice Chair**; Health;
Homeland Security, Military, and Veterans Affairs; Insurance; Mental
Health Reform, **Vice Chair**; Rules, Calendar, and Operations of the House.

CONFEREE

- H.B. 589 1860.
- S.B. 202 1273.
- S.B. 287 684.
- S.B. 628 1631.

EXCUSED ABSENCES53, 59, 66, 71, 115, 135,
139, 174, 337, 353, 681, 729, 743, 1110, 1152, 1335, 1583, 1656, 1679.

OATH 22.

BASTARDY (G.S. 49)

- H 307 SET ASIDE CHILD SUPPORT/
LIMITED CIRCUMSTANCES
(Senate) 168, 272, 295, 300, 317.

BEASLEY, JUDGE CHERI

- ADMINISTERS OATH TO REPRESENTATIVE WAINWRIGHT,
SPEAKER PRO TEMPORE 40.

BEAUFORT COUNTY

- H 254 BEAUFORT SCHOOL BOARD VACANCIES
(Ch. SL 2009-30) 146, 307, 327, 1097, 1112.
- H 502 LOCAL GOVERNMENT PROPERTY TRANSACTIONS
(Ch. SL 2009-168) 239, 431, 460, 1271,
1353, 1373, 1379, 1389.
- H 921 WASHINGTON DEANNEXATION/DARE TRAPPING
(Ch. SL 2009-469) 442, 703, 905, 936,
1795, 1830, 1911, 1928, 1936.

BELL, LARRY M.

- APPOINTED TO SELECT COMMITTEE ON
ECONOMIC RECOVERY 375.
- APPROVAL OF VOTE CHANGE

- H.B. 102 294.
- S.B. 37 294.
- S.B. 468 1651.

BILLS INTRODUCED - 8, 9, 15, 16, 20, 21, *32, 34, 56, 71, 72, 96, 127, 173, 174, 177, 184, 185, 187, 195, 196, 198, 199, 212, 216, 217, 229, 231, *232, 236, 240, 262, 303, 329, 341, *348, 361, *364, *365, 386, 387, 388, 389, 390, 400, 403, 407, 408, 410, 425, 468, 472, *476, 548, 571, 577, 582, 583, 584, 586, 589, 594, 595, *627, 642, 648, 651, 654, 655, 656, 657, 672, 673, 691, 695, 704, 705, 707, 712, 717, *796, *797, 842, 845, 846, *856, 862, 875, 876, 887, 896, *1009, *1032, 1049, 1051, 1054, 1059, 1064, 1067, 1075, 1078, 1079, 1086, 1140, 1163, *1177, *1178, *1179, 1225, 1240, 1252, 1268, 1306, *1325, *1364, *1365, 1371, 1372, *1373, 1414, 1466, 1467, 1468, *1469, *1471, 1505, 1517, *1535, 1550, *1583, *1648.

COMMITTEE ASSIGNMENTS – Agriculture, **Vice Chair**; Alcoholic Beverage Control; Appropriations; Appropriations Subcommittee on Education, **Vice Chair**; Education, **Chair**; Ethics; Pensions and Retirement, **Vice Chair**; Rules, Calendar, and Operations of the House; University Board of Governors Nominating.

CONFEREE

- S.B. 202 1273.
- S.B. 658 1459.

BELL, LARRY M.-Contd.

DEMOCRATIC WHIP 101.

ESCORT

 GOVERNOR PERDUE 219.

 SPEAKER PRO TEMPORE WAINWRIGHT 40.

EXCUSED ABSENCES 78, 115, 120, 221, 251, 258,
268, 320, 702, 714.

OATH 22.

BERTIE COUNTY

H 103 DELINQUENT TAX - DENY BUILDING PERMIT
(Ch. SL 2009-117)86, 155, 381, 412,
1270, 1287, 1295, 1318.

BLACKWELL, HUGH

APPROVAL OF VOTE CHANGE

 H.B. 1094..... 1014.

BILLS INTRODUCED - 8, 70, 97, 98, 99, *117, 128, 168, 198, 203,
*278, 279, 324, *339, 356, 361, 386, 404, 430, *438, 544, *609, 654,
696, 776, 831, 890, 1024, 1044, *1078, 1251, 1268, 1276, 1431, 1561,
1652, 1655, 1656.

COMMITTEE ASSIGNMENTS – Appropriations; Appropriations
Subcommittee on Education; Commerce, Small Business, and
Entrepreneurship; Education; Education Subcommittee on Pre-School,
Elementary and Secondary Education; Judiciary II; Local Government II;
Public Utilities; Water Resources and Infrastructure.

CONFEREE

 S.B. 799 1371.

ESCORT

 UNIVERSITY OF NORTH CAROLINA-CHAPEL HILL MEN'S
 BASKETBALL TEAM, 2009 NCAA CHAMPIONS 751.

EXCUSED ABSENCES NONE.

EXCUSED VOTE

 S.B. 8041518, 1530.

OATH (January 11, 2009)..... 22.

BLACKWOOD, CURTIS

APPROVAL OF VOTE CHANGE

 H.B. 813 1021.

 H.B. 1009..... 1065.

 H.B. 1135..... 1832.

 H.B. 1161..... 844.

 S.B. 93 100.

 S.B. 981 1381.

BLACKWOOD, CURTIS-Contd.

BILLS INTRODUCED - 4, 35, *37, 40, 44, 45, 46, *47, *48, 49, 65, 70, *73, 74, 75, 79, 83, 84, 97, 98, 99, 125, 126, 159, 163, 168, 169, 183, 190, *194, 198, 199, 217, 223, 228, 229, 232, 237, 252, 255, 256, 257, 269, 270, 285, 288, 294, 298, *299, *324, 335, 338, *339, 344, 345, 350, 351, 356, 361, 386, 392, 396, 397, 413, 420, 423, 427, 430, 431, 432, 437, 439, 440, *445, 470, 471, 473, 482, 490, 491, 492, 497, 498, 504, 509, 513, 516, 518, 525, *537, 544, 571, 584, 609, 634, 635, 644, 645, 647, 648, 651, 654, 660, 686, 687, 696, 697, 707, 711, *724, 730, 734, 776, 784, 787, 795, 798, 808, 831, 842, *849, 890, 891, 922, 928, 935, *950, 1013, 1044, 1076, 1078, 1098, 1116, 1132, *1140, *1141, 1146, 1147, 1148, 1149, *1170, 1255, 1256, 1268, 1276, *1283, 1332, 1334, 1364, *1430, *1431, 1656.

COMMITTEE ASSIGNMENTS – Commerce, Small Business, and Entrepreneurship; Education; Education Subcommittee on Pre-School, Elementary and Secondary Education, **Vice Chair**; Environment and Natural Resources; Finance; Mental Health Reform; Transportation.

ESCORT

SOUTHARD, KATHERINE ELIZABETH,

MISS NORTH CAROLINA 1612.

EXCUSED ABSENCES 743, 754.

OATH 22.

BLADEN COUNTY

S 60 WHITE LAKE CHARTER CONSOLIDATION
(Ch. SL 2009-150)336, 1130, 1283,
1307, 1325, 1341, 1356.

BLUE, DAN (Resigned May 19, 2009)

APPOINTMENT TO SENATE 1081.

APPROVAL OF VOTE CHANGE

H.B 358 551.

BILLS INTRODUCED - 53, 88, *114, 120, *123, 148, *162, 175, 176, *177, 184, 187, 188, 262, *281, 303, *360, 421, *438, *465, 472, *494, 504, *530, 535, *536, 537, 539, 548, *580, 581, *583, 586, 618, 696, *716, 748, *750, 766, *773, *887, *889, 904, *930, 935, *1011, *1037, *1050, *1051, *1052, *1053, *1054, *1056, *1057, *1058, *1059, *1060, 1064, 1079, 1080, 1086, 1130, 1190, *1222, *1223, *1224, *1226, 1240, 1260, *1267, *1268, *1269, *1352, *1362, *1363, *1368, *1369, *1442, 1474, *1476, *1477, *1495, 1505, *1523, 1550, *1651.

COMMITTEE ASSIGNMENTS – Appropriations; Appropriations Subcommittee on Transportation, **Vice Chair**; Election Law and Campaign Finance Reform; Federal Relations and Indian Affairs, **Chair**; Judiciary II, **Chair**; Rules, Calendar, and Operations of the House; Science and Technology.

BLUE, DAN-Contd.

CONFEREE
 S.B. 287 684.
 ESCORT
 GOVERNOR PERDUE 219.
 EXCUSED ABSENCES50, 53, 174, 362, 476, 791.
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 H.B. 2 452.
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 OATH 22.
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 RESIGNATION 1081.

BLUST, JOHN M.

APPROVAL OF VOTE CHANGE
 H.B. 144 375.
 H.B. 358 551.
 H.B. 1110..... 1033.
 BILLS INTRODUCED - 3, *44, *45, *46, *47, *48, *49, *50, *51, 64,
 70, *74, *75, 84, 97, 98, 99, 126, *159, 178, 183, *190, *202, *204,
 *237, 269, 270, 275, 279, 287, 289, 294, 297, 298, *299, 312, 324,
 338, 339, 345, 361, 396, *398, *399, 413, 414, 423, 430, 431, 432,
 438, 445, 470, 473, 497, 498, *518, 524, 544, 555, 625, 634, 635, 645,
 647, 689, 696, 724, *730, *734, 776, *813, 816, 831, 849, 856, *890,
 891, 892, *894, *895, *922, 935, 952, 961, 1044, 1076, 1078, 1131,
 1133, 1146, 1147, 1148, *1149, *1191, *1192, *1193, *1194, 1255,
 1256, 1265, 1268, 1276, *1300, *1301, *1302, *1303, *1304, 1334,
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 *1560, 1561, *1578, *1636, *1652, 1656.
 COMMITTEE ASSIGNMENTS – Finance; Homeland Security,
 Military, and Veterans Affairs, **Vice Chair**; Insurance; Judiciary I;
 Juvenile Justice; University Board of Governors Nominating.
 ESCORT
 UNIVERSITY OF NORTH CAROLINA-CHAPEL HILL MEN'S
 BASKETBALL TEAM, 2009 NCAA CHAMPIONS 751.
 EXCUSED ABSENCES NONE.
 OATH 22.

BOATING AND WATER SAFETY (G.S. 75A)

H 39 REQUIRE BOATING SAFETY EDUCATION
 (Judiciary III)62, 106, 258.
 S 43 REQUIRE BOATING SAFETY EDUCATION
 (Ch. SL 2009-282)890, 1133, 1239, 1275,
 1277, 1289, 1311, 1360, 1404, 1507.

BOLES, JAMES L., JR.

APPROVAL OF VOTE CHANGE

H.B. 455 842.

BILLS INTRODUCED - 98, 99, 125, 126, 203, 275, 324, 361, 430,
***436**, 471, 535, 536, 544, 548, 625, 687, 696, 776, 831, 859, 890, 1131,
1239, 1268, 1364, 1424, 1430, 1431, ***1437**, 1455, ***1486**, 1505, 1517,
1560, 1656.COMMITTEE ASSIGNMENTS – Aging; Appropriations; Appropriations
Subcommittee on Justice and Public Safety; Commerce, Small Business, and
Entrepreneurship; Local Government I, Water Resources and
Infrastructure.

EXCUSED ABSENCES 1583, 1714, 1734, 1773.

OATH 22.

BORDSEN, ALICE L.

APPROVAL OF VOTE CHANGE

H.B. 937 750.

BILLS INTRODUCED - 2, 20, 21, 34, 71, 72, 86, 87, 88, 116, ***138**,
***139**, ***140**, ***141**, ***142**, ***143**, ***144**, ***145**, ***146**, ***147**, 156, 160, 184,
185, 187, 188, 199, 228, 232, 236, ***239**, ***273**, 325, 340, 348, ***357**,
***358**, 386, 387, 388, 389, 390, 442, 453, 468, 470, 472, 485, 490, 491,
504, ***521**, 539, 548, 586, 596, ***600**, ***601**, ***602**, 618, ***656**, 657,
***658**, ***659**, 672, 673, 693, 694, 695, ***704**, ***705**, 726, 733, ***739**,
***740**, ***818**, 823, 889, 935, ***989**, ***1064**, ***1086**, ***1092**, 1151, 1163,
1251, 1258, 1265, 1268, 1277, 1279, 1306, 1317, ***1329**, ***1342**, 1360,
***1414**, ***1415**, ***1416**, ***1417**, 1424, ***1433**, ***1502**, ***1517**, ***1550**,
***1605**, ***1606**, ***1607**, ***1613**, ***1618**.COMMITTEE ASSIGNMENTS – Aging; Appropriations, **Vice Chair**;
Appropriations Subcommittee on Justice and Public Safety, **Chair**;
Education; Education Subcommittee on Community Colleges, **Vice**
Chair; Judiciary II; Juvenile Justice, **Chair**.

CONFEREE

H.B. 1329..... 1841.

S.B. 202 1273.

ESCORT

REPRESENTATIVE DAN INGLE 1251.

UNIVERSITY OF NORTH CAROLINA-CHAPEL HILL MEN'S

BASKETBALL TEAM, 2009 NCAA CHAMPIONS 751.

EXCUSED ABSENCE 353.

MOTION TO RECONSIDER VOTE ON S.B. 825 1859.

OATH 22.

BRAXTON, R. VAN

BILLS INTRODUCED - 34, 70, 71, 72, 127, 149, *156, *172, *195, 196, 198, 199, 201, *271, *272, 345, 361, *369, 403, 457, *458, *576, 594, 618, *627, 737, 738, *752, 756, 776, 781, 797, 831, *920, *921, *964, *973, 1061, *1074, *1085, *1087, *1088, 1132, 1138, *1142, 1163, *1184, 1240, 1245, *1256, 1276, 1282, 1364, 1385, 1395, *1399, 1438, 1517, 1550, 1561.

COMMITTEE ASSIGNMENTS – Agriculture, **Vice Chair**; Commerce, Small Business, and Entrepreneurship; Finance; Homeland Security, Military, and Veterans Affairs; Insurance; Local Government II, **Chair**; Mental Health Reform.

ESCORT

SPEAKER PRO TEMPORE WAINWRIGHT 40.

EXCUSED ABSENCES 1609.

OATH 22.

BRISSON, WILLIAM D.

BILLS INTRODUCED - 54, 55, 58, 70, 71, 72, 116, 120, 125, 126, 149, 201, 275, 293, 340, 348, 356, 361, 386, 387, *457, 458, 539, *576, 586, 589, *590, 618, 656, *672, *673, 697, 698, 707, *718, *752, 775, 776, 808, 831, 856, *925, *1002, 1003, 1063, 1064, *1074, 1080, 1138, 1140, 1151, 1163, 1186, 1187, 1188, 1189, 1240, 1268, 1276, *1410, 1416, 1418, 1438, 1505, 1517, 1550, 1561, 1583, *1589.

COMMITTEE ASSIGNMENTS – Agriculture, **Vice Chair**; Appropriations; Appropriations Subcommittee on Health and Human Services; Mental Health Reform, **Chair**; Transportation; Wildlife Resources.

CONFEREE

S.B. 202 1273.

EXCUSED ABSENCES 600, 773, 1025, 1152, 1335.

OATH 22.

BROWN, LARRY R.

APPROVAL OF VOTE CHANGE

H.B. 1508, CONFERENCE REPORT ON..... 1358.

S.B. 202, CONFERENCE REPORT ON 1781.

BILLS INTRODUCED - 4, 5, 7, 8, 9, 10, 14, 35, 37, 44, 45, 46, 48, 49, 51, 53, 65, 70, 74, 78, 81, 83, 84, 99, 111, 114, 125, *226, *252, 255, 256, 257, 268, 269, 270, *313, *314, 324, 361, 386, 387, 391, 392, *427, 430, 431, *497, *498, 516, 518, 524, 525, 535, 536, 544, 549, 551, 552, 555, 556, 557, *571, 611, 625, *634, *635, 644, *645, *674, 687, 724, 734, 766, 770, 776, 787, 792, *798, 807, 831, 849, 890, 891, 913, 922, 928, 935, 1013, 1024, 1044, 1080, 1098, 1116, 1131, 1132, 1133, 1134, 1154, 1239, 1258, 1268, 1276, 1293, 1302, 1327, 1334, *1364, 1365, 1367, 1373, 1374, *1377, 1431, 1547, 1548, 1549, *1558, 1560, 1561, 1577, 1652, 1656.

BROWN, LARRY R.-Contd.

COMMITTEE ASSIGNMENTS – Alcoholic Beverage Control; Appropriations; Appropriations Subcommittee on General Government; Commerce, Small Business, and Entrepreneurship; Education; Education Subcommittee on Community Colleges; Federal Relations and Indian Affairs; Local Government I, **Vice Chair**.
 EXCUSED ABSENCES50, 53, 71, 76, 78, 91, 115, 139, 174, 207, 282, 362, 1461.
 OATH 22.

BRUBAKER, HAROLD J.

APPOINTED TO CANVASS VOTE FOR UNC BOARD OF GOVERNORS ELECTION 429.
 APPROVAL OF VOTE CHANGE
 H.B. 1132..... 1043.
 H.B. 1236..... 1019.
 BILLS INTRODUCED - *5, *7, *17, *37, *53, *71, *72, *86, *114, 149, *155, 226, 255, 256, 257, *292, 294, 312, *319, *321, 338, 339, 361, 386, 387, 430, *433, 449, 473, 497, 498, *530, 534, 544, 553, 558, *609, 618, 625, 696, *716, 724, 776, *780, *803, 817, *831, *852, 859, 935, *962, 976, *983, *1027, *1033, *1070, *1071, *1072, *1180, *1212, *1213, 1260, 1268, *1338, *1341, 1356, 1364, 1403, *1455, 1550, 1634, 1656.
 COMMITTEE ASSIGNMENTS – Ethics, **Vice Chair**; Financial Institutions, **Vice Chair**; Health; Insurance; Public Utilities, **Vice Chair**; Rules, Calendar, and Operations of the House; University Board of Governors Nominating.
 CONFEREE
 H.B. 1523..... 1497.
 ESCORT
 GOVERNOR PERDUE 219.
 EXCUSED ABSENCE 1526.
 OATH 22.
 SECONDS NOMINATION OF DENISE G. WEEKS
 AS PRINCIPAL CLERK 44.
 VOTE RECORDED
 S.B. 461 1556.

BRUNSWICK COUNTY

H 347 SOUTHPORT ANNEXATION AGREEMENT
 (Rules, Calendar, and Operations of the House)182, 259, 1291.
 S 315 SOUTHPORT ANNEXATION AGREEMENT
 (Rules, Calendar, and Operations of the House)....374, 1091, 1128, 1150, 1159, 1207, 1291.

BRYANT, ANGELA R.

APPOINTED TO

CANVASS VOTE FOR UNC BOARD OF

GOVERNORS ELECTION..... 429.

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APPROVAL OF VOTE CHANGE

S.B. 60 1325.

S.B. 220 1861.

BILLS INTRODUCED - 9, 20, 21, *22, *23, 33, 34, 39, 71, 72, *87, 88,

*100, 114, 119, 120, 123, 131, 135, *136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 151, *157, *161, 169, 175, 176, 177, 184, *185, 187, *188, 199, 207, 208, 212, *218, *223, 262, 264, 281, 282, 283, 284, 303, 319, 328, 333, 340, 348, *349, 354, 372, 373, 380, 386, 387, 388, 400, 419, 420, 421, 425, 438, 439, 442, 447, *455, *459, 470, 472, 477, 478, 479, 480, 482, 496, *527, 535, 536, 548, 571, 576, 577, *578, *579, *580, *581, 586, 600, 601, 606, 607, 618, *619, 621, *650, *656, *671, 691, 693, 694, 707, 766, 804, 817, 818, 823, 826, 832, 897, *898, *904, *905, *906, *971, *984, *1049, 1050, *1064, 1079, 1086, 1129, 1130, 1137, 1138, 1139, 1140, 1240, 1247, 1251, *1260, 1278, *1279, 1287, 1288, 1289, 1290, 1291, 1292, 1295, 1296, *1324, *1328, *1329, *1330, 1352, 1364, 1385, *1393, *1394, *1395, 1397, *1414, *1416, 1442, 1443, *1460, *1461, 1475, *1480, *1481, 1505, 1517, *1529, *1536, 1550, *1647.

COMMITTEE ASSIGNMENTS – Appropriations; Appropriations

Subcommittee on Natural and Economic Resources; Education; Education Subcommittee on Universities; Election Law and Campaign Finance Reform; Energy and Energy Efficiency, **Chair**; Judiciary I; Juvenile Justice; Public Utilities; University Board of Governors Nominating, **Vice Chair**; Ways and Means/Broadband Connectivity.

CONFEREE

H.B. 2741860, 1916.

H.B. 578 (Chair) 1841.

H.B. 908 1871.

H.B. 1329..... 1841.

S.B. 202 1273.

S.B. 960 1770.

ESCORT

UNIVERSITY OF NORTH CAROLINA-CHAPEL HILL MEN'S

BASKETBALL TEAM, 2009 NCAA CHAMPIONS 751.

EXCUSED ABSENCES139, 1110.

OATH 22.

BUCKNER, CHIEF DISTRICT COURT JUDGE JOE

ADMINISTERS OATH TO SPEAKER HACKNEY..... 29.

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- H 915 APPROPRIATIONS ACT OF 2009
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- H 916 APPROPRIATIONS ACT OF 2009
(Finance)..... 441.
- S 202 APPROPRIATIONS ACT OF 2009
(Ch. SL 2009-451)642, 1223, 1226, 1234, 1238,
1240, 1247, 1253, 1257, 1269, 1272,
1754, 1759, 1779, 1786, 1787, 1931.
- H 102 CONTINUING BUDGET AUTHORITY
(Ch. SL 2009-399) 86, 151, 271, 280, 294, 1704,
1718, 1727, 1729, 1730, 1731, 1733, 1739.
- H 1504 CONTINUING BUDGET AUTHORITY
(Ch. SL 2009-296)635, 880, 892, 930, 1525,
1532, 1543, 1557, 1559, 1560, 1569.
- S 311 CONTINUING BUDGET AUTHORITY
(Ch. SL 2009-215)1373, 1384, 1400, 1415, 1427.
- H 836 MODIFY APPROPRIATIONS ACT
(Ch. SL 2009-575) 404, 819, 906, 959,
1890, 1907, 1925, 1953.
- H 45 ZERO-BASED BUDGETING
(Rules, Calendar, and Operations of the House)..... 64, 113.

BUNCOMBE COUNTY

- H 702 AMENDMENTS TO THE SULLIVAN ACT
(Ch. SL 2009-114)343, 716, 833, 871, 1262, 1281.
- H 747 ASHEVILLE AND DALLAS FORCE ACCOUNT
(Ch. SL 2009-76)359, 432, 675, 681,
1220, 1229, 1237, 1262.
- S 556 ASHEVILLE CITY CIVIL SERVICE BOARD
(Ch. SL 2009-401)1073, 1627, 1685,
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- H 1015 ASHEVILLE/ENERGY IMPROVEMENT ASSESSMENTS
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COMMITTEE ASSIGNMENTS – Appropriations; Appropriations Subcommittee on General Government; Education; Education Subcommittee on Community Colleges; Homeland Security, Military, and Veterans Affairs; Transportation; Wildlife Resources, **Vice Chair**.

EXCUSED ABSENCES NONE.

OATH 22.

COATES, LORENE

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COMMITTEE ASSIGNMENTS – Agriculture; Alcoholic Beverage Control; Appropriations; Appropriations Subcommittee on Transportation, **Vice Chair**; Public Utilities, **Chair**; Transportation, **Vice Chair**; Ways and Means/Broadband Connectivity, **Vice Chair**.

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S.B. 202..... 1273.

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COLE, NELSON

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S.B. 80	1745.
S.B. 935	1600.
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COMMITTEE ASSIGNMENTS – Appropriations, Vice Chair ; Appropriations Subcommittee on Transportation, Chair ; Commerce, Small Business, and Entrepreneurship; Insurance; Public Utilities, Vice Chair ; Transportation, Vice Chair ; Wildlife Resources.	
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S.B. 287	684.
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- H 1060 HOMEOWNER AND HOMEBUYER PROTECTION ACT
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- S 1015 HOMEOWNER AND HOMEBUYER PROTECTION ACT
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- H 309 INTERNET TICKET PROTECTION RESALE SUNSET
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- S 99 INTERNET TICKET RESALE AMENDMENTS
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- H 323 PREVENT THE THEFT OF SCRAP METALS
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- S 652 PROHIBIT SALE OF NOVELTY LIGHTERS
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- S 332 ZOO AND ZOO FUNDS MODIFICATIONS
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- H 795 NO COMMUNITY COLLEGE TUITION/NATIONAL
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- H 804 AMEND LAW REGARDING PERSONAL EDUCATION PLANS.....1769, 1781.

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S	660	AUTO INSURANCE/DIMINUTION IN VALUE.....	1704, 1718.
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H	908	ELECTION ADMINISTRATION AMENDMENTS....	1886, 1896.
S	960	ENSURE ACCOUNTABILITY REGARDING STIMULUS FUNDS	1810, 1842.
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S	831	EXTEND CERTAIN DEVELOPMENT APPROVALS	1692, 1698.
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S	658	MODIFY SUPPLEMENTAL RETIREMENT BOARD/FURLOUGHS.....	1607, 1622.
H	991	MONTGOMERY COUNTY DEBT COLLECTION/WATER	1727, 1741.
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- S 287 STATE HEALTH PLAN FUNDS/GOOD
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- H 1099 AMEND ENVIRONMENTAL LAWS 2009
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- S 1011 AMEND TRAP SIZES
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- H 912 ENCOURAGE USE OF MILITARY VETERAN
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COTHAM, TRICIA ANN

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COMMITTEE ASSIGNMENTS – Education, **Vice Chair**; Education
Subcommittee on Pre-School, Elementary and Secondary Education,
Chair; Election Law and Campaign Finance Reform; Finance; Financial
Institutions; Health; Judiciary III; Juvenile Justice, **Vice Chair**.

CONFERE

H.B. 804 1546.

ESCORT

SOUTHARD, KATHERINE ELIZABETH,

MISS NORTH CAROLINA 1612.

UNIVERSITY OF NORTH CAROLINA-CHAPEL HILL MEN'S

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EXCUSED ABSENCES	NONE.
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COMMITTEE ASSIGNMENTS – Appropriations; Appropriations Subcommittee on Transportation; Election Law and Campaign Finance Reform, **Vice Chair**; Ethics; Health; Insurance; Rules, Calendar, and Operations of the House.

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COMMITTEE ASSIGNMENTS – Agriculture; Alcoholic Beverage
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COMMITTEE ASSIGNMENTS – Appropriations; Appropriations Subcommittee on Transportation; Commerce, Small Business, and Entrepreneurship, **Chair**; Education; Education Subcommittee on Universities; Homeland Security, Military, and Veterans Affairs; Insurance, **Vice Chair**; University Board of Governors Nominating, **Chair**.

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COMMITTEE ASSIGNMENTS - Appropriations; Appropriations Subcommittee on Transportation; Education; Education Subcommittee on Community Colleges; Ethics; Financial Institutions; Insurance, **Vice Chair**; Rules, Calendar, and Operations of the House.

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COMMITTEE ASSIGNMENTS - Appropriations; Appropriations Subcommittee on Health and Human Services; Education; Education Subcommittee on Universities, **Vice Chair**; Health; Transportation; University Board of Governors Nominating.

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- COMMITTEE ASSIGNMENTS – Aging; Appropriations, **Vice Chair**;
Appropriations Subcommittee on Health and Human Services, **Chair**;
Financial Institutions; Health, **Vice Chair**; Mental Health Reform,
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FORMER GOVERNOR OF NORTH CAROLINA**

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COMMITTEE ASSIGNMENTS – Agriculture, **Vice Chair**; Finance; Insurance; Judiciary III, **Vice Chair**; Public Utilities, **Vice Chair**; Ways and Means/Broadband Connectivity, **Chair**.

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COMMITTEE ASSIGNMENTS – Aging, **Chair**; Appropriations;
Appropriations Subcommittee on Health and Human Services, **Vice
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COMMITTEE ASSIGNMENTS – Appropriations, **Vice Chair**; Appropriations Subcommittee on General Government, **Chair**; Education, **Vice Chair**; Education Subcommittee on Pre-School, Elementary and Secondary Education; Election Law and Campaign Finance Reform; Energy and Energy Efficiency; Judiciary III; Local Government I.

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COMMITTEE ASSIGNMENTS – Appropriations; Appropriations Subcommittee on General Government; Commerce, Small Business, and Entrepreneurship; Education; Education Subcommittee on Community Colleges; Environment and Natural Resources; Homeland Security, Military, and Veterans Affairs, **Vice Chair**; Local Government II.

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COMMITTEE ASSIGNMENTS – Education; Education Subcommittee on Pre-School, Elementary and Secondary Education; Energy and Energy Efficiency; Finance; Judiciary II; Pensions and Retirement, **Vice Chair**.

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FRYE, PHILLIP

APPROVAL OF VOTE CHANGE

H.B. 589	1617.
S.B. 80	1745.
S.J.R. 1098	776.

BILLS INTRODUCED - 5, 8, 71, 72, 78, 91, 97, 98, 99, 114, 125, 126, ***128**, 149, 150, 154, 155, 157, 159, 160, ***163**, 168, 183, 203, 217, 223, 228, 236, 252, 256, 257, 268, 269, 270, 275, 278, ***279**, 294, ***301**, 312, 319, 324, 325, ***334**, 338, 339, 361, 386, 392, 396, 397, 404, 419, 420, 423, 430, 431, 432, 515, 539, 543, 544, 594, 609, ***664**, 678, 687, ***701**, ***722**, 727, 734, 769, 770, 776, 831, 849, ***861**, 890, 891, 928, 1044, 1069, ***1098**, ***1131**, 1132, 1133, ***1155**, 1198, 1251, 1258, 1268, 1276, 1321, 1327, 1334, 1361, 1364, 1365, 1403, 1423, 1431, 1510, 1511, 1517, 1560, 1561, 1652, ***1655**.

COMMITTEE ASSIGNMENTS – Appropriations; Appropriations Subcommittee on Transportation; Commerce, Small Business, and Entrepreneurship; Federal Relations and Indian Affairs, **Vice Chair**; Local Government I; Transportation.

CONFEREE

S.B. 202	1273.
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EXCUSED ABSENCES NONE.

OATH 22.

FUNDS - see APPROPRIATIONS**FUNERALS**

S	18	AMEND CEMETERY ACT (Ways and Means/Broadband Connectivity)	1071.
H	587	AMEND CEMETERY ACT/ELIMINATE BOND (Ways and Means/Broadband Connectivity)	288.
S	1088	FUNERAL EXPENSES STATE HIGHWAY PATROL (Homeland Security, Military, and Veterans Affairs) ...	1851.
H	1437	IMMUNITY/CIVIL LIABILITY/FUNERAL DIRECTORS (Commerce, Small Business, and Entrepreneurship)	619.
H	216	UPDATE FUNERAL EXPENSE ALLOWANCE (Judiciary II).....	136.
S	159	UPDATE FUNERAL EXPENSE ALLOWANCE/ ESTATES (Ch. SL 2009-288)	411, 1167, 1352, 1381, 1425, 1508.

-G-

GASOLINE AND OIL INSPECTION AND REGULATION (G.S. 119)

- H 1084 REVISE LIQUEFIED PETROLEUM GAS DEALER REQUIREMENTS (Ch. SL 2009-386)..... 501, 823, 933, 959, 1597, 1737.

GASTON COUNTY

- H 747 ASHEVILLE AND DALLAS FORCE ACCOUNT (Ch. SL 2009-76)359, 432, 675, 681, 1220, 1229, 1237, 1262.
- H 280 BELMONT/SATELLITE ANNEXATIONS (Ch. SL 2009-111)160, 525, 703, 724, 736, 738, 1261, 1281.
- H 575 KINGS MOUNTAIN OVERGROWN VEGETATION ORDINANCE (Local Government I) 285.
- H 528 OMNIBUS GASTON COUNTY OCCUPANCY TAX (Finance) 266, 716.
- S 80 VARIOUS MUNICIPAL OCCUPANCY TAXES (Ch. SL 2009-429)1169, 1285, 1707, 1721, 1744, 1826, 1855.

GATES COUNTY

- S 79 GATESVILLE - NO STAGGERED TERMS (Ch. SL 2009-465)316, 1091, 1821, 1839, 1928, 1935.
- S 327 GATESVILLE TERM LENGTHS (Ch. SL 2009-17)294, 718, 748, 755, 773.

GENERAL ASSEMBLY (G.S. 120)

- H 764 2009 APPOINTMENTS BILL (Ch. SL 2009-470)371, 1776, 1815, 1885, 1907, 1928, 1936.
- S 838 AMENDMENTS TO ENVIRONMENTAL LAWS 2009 (Ch. SL 2009-484)1056, 1774, 1822, 1836, 1844, 1921, 1938.
- H 358 CLARIFY CONSECUTIVE TERMS - AGING AND CHILD COMMISSION (Ch. SL 2009-142) 187, 322, 499, 551, 1202, 1320.
- H 104 CLARIFY LEGISLATIVE CONFIDENTIALITY (Judiciary I).....86, 171, 186, 206, 1794, 1916, 1923.
- S 35 EARLY ORGANIZATIONAL SESSION (Rules, Calendar, and Operations of the House)..... 154.

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- H 544 ECONOMIC IMPACT/REGULATORY LEGISLATION
(State Government/State Personnel) 276.
- H 1205 ESTABLISH NORTH CAROLINA COMMISSION
ON CLIMATE CHANGE
(Environment and Natural Resources) 541.
- H 817 ETHICS TECHNICAL CHANGES AND OTHER
CHANGES (Ch. SL 2009-549).....400, 650, 909, 956,
1008, 1807, 1823, 1852,
1865, 1870, 1895, 1927, 1950.
- H 708 FURLOUGH OF STATE EMPLOYEES
(State Government/State Personnel) 344.
- H 1591 GENERAL ASSEMBLY MEMBERS/FULL-TIME
LEGISLATIVE ASSISTANTS
(State Government/State Personnel) 854.
- H 1171 LAW STUDENT EXTERNS AT GENERAL ASSEMBLY
(Ch. SL 2009-129)534, 706, 788, 800,
1205, 1222, 1225, 1319.
- S 136 LEGISLATIVE ETHICS COMMITTEE TERM
CHANGES/ETHICS TRAINING
(Ch. SL 2009-10) 184, 301, 317, 320, 396.
- H 1012 MAKE BETTER USE OF ECONOMIC INCENTIVES
(Commerce, Small Business, and Entrepreneurship)..... 471.
- H 786 OFFICE OF PROSECUTION SERVICES
(Appropriations)..... 384, 560.
- H 221 OVERSIGHT OF LICENSING BOARDS
(Ch. SL 2009-125)137, 196, 477, 519,
1219, 1229, 1236, 1319.
- H 1621 PENDER/NEW HANOVER HOUSE DISTRICTS
(Ch. SL 2009-78)883, 901, 926, 938, 1237, 1263.
- H 353 PEOPLE FIRST
(Health) 183, 263.
- S 208 PEOPLE FIRST
(Ch. SL 2009-264)642, 1286, 1385,
1398, 1435, 1505.
- H 642 RETIREMENT TECHNICAL CORRECTIONS
(Ch. SL 2009-66)312, 762, 879, 914, 1154, 1214.
- S 15 SESSION LIMITS
(State Government/State Personnel) 154.
- H 204 SPEAKER PRO TEMPORE AND DEPUTY PRESIDENT
PRO TEMPORE SALARIES
(Rules, Calendar, and Operations of the House)..... 131.

GENERAL STATUTES, CONCERNING

NORTH CAROLINA (G.S. 164)

- H 274 CLARIFYING CHANGES TO STATE LAW
(Ch. SL 2009-550) 159, 270, 303, 326, 1860,
1878, 1916, 1917, 1924, 1950.
- H 1202 EXPAND MEMBERSHIP/GENERAL STATUTES
COMMISSION (Appropriations) 540, 804.
- S 220 GENERAL STATUTES COMMISSION TECHNICAL
CORRECTIONS (Ch. SL 2009-570)..... 1059, 1806,
1859, 1860, 1919, 1953.
- S 870 MAKE GENERAL STATUTES GENDER NEUTRAL
(Ch. SL 2009-273) 1057, 1114, 1447,
1458, 1461, 1506.
- H 786 OFFICE OF PROSECUTION SERVICES
(Appropriations)..... 384, 560.
- S 920 PROBATION REFORM
(Ch. SL 2009-372)1077, 1608, 1652,
1666, 1690, 1715, 1735.

GIBSON, PRYOR

APPROVAL OF VOTE CHANGE

H.B. 1196..... 937.

BILLS INTRODUCED - 34, 114, 198, 199, 237, *239, *244, *245,
*246, *247, *248, *249, *250, *251, 275, *309, 325, 356, 449, 534,
535, 548, 553, *558, *565, *566, *567, *568, *569, *570, 590, 618,
*663, *667, *709, *713, 749, *759, *760, *761, *762, *763, *787,
*802, 847, *869, 892, 897, 939, *976, *977, *978, *979, *980, *981,
*982, *1070, *1071, *1072, *1099, *1101, 1118, *1172, *1207,
*1208, 1210, *1221, *1227, *1228, *1229, *1230, *1231, *1232,
*1233, *1234, *1235, *1236, 1240, 1250, 1251, 1329, *1335, *1336,
*1337, *1338, *1356, 1357, *1367, 1371, *1374, 1385, 1390, *1408,
*1409, 1414, 1424, *1426, *1427, *1507, *1514, *1515, *1516,
*1539, *1540, *1541, 1550, *1555, *1559, *1574, *1575, *1576,
1583, *1594, 1596, *1610, *1611.

COMMITTEE ASSIGNMENTS – Alcoholic Beverage Control, **Vice Chair**; Environment and Natural Resources; Finance, **Chair**; Financial Institutions; Insurance; Local Government II; Water Resources and Infrastructure, **Vice Chair**.

CONFEREE

- H.B. 991 1719.
- H.B. 1099..... 1852.
- H.B. 1409..... 1454.
- S.B. 202 (Chair)..... 1273.

GIBSON, PRYOR-Contd.

ESCORT

SCOTTISH PARLIAMENT DELEGATION	520.
SOUTHARD, KATHERINE ELIZABETH, MISS NORTH CAROLINA	1612.
EXCUSED ABSENCES	456, 551, 600, 669, 1565, 1583, 1635.
EXCUSED VOTE	
H.B. 116	913.
H.B. 135	496.
H.B. 136	872, 912.
H.B. 1180.....	1018.
H.B. 1485.....	1063.
S.B. 357	1398.
S.B. 448	1276.
S.B. 889	1277.
MOTION TO SUSPEND RULES ON S.B. 838.....	1844.
OATH	22.

GILL, ROSA U.**(Replaced Representative Dan Blue June 18, 2009)**

APPOINTMENT OF	1300.
APPROVAL OF VOTE CHANGE	
H.B. 881	1493.
S.B. 1067	1818.
COMMITTEE ASSIGNMENTS – Appropriations; Appropriations Subcommittee on Transportation; Education; Education Subcommittee on Pre-School, Elementary and Secondary Education; Election Law and Campaign Finance Reform; Judiciary II; State Government/State Personnel.	
EXCUSED ABSENCES	1656, 1714, 1799, 1872.
OATH	1301.

GILLESPIE, MITCH

APPROVAL OF VOTE CHANGE

S.B. 80	1721.
BILLS INTRODUCED - * 36 , 70, 91, 126, 163, * 168 , * 183 , 203, 268, 294, 319, 361, 386, 396, 397, 404, 430, 431, 432, 498, 504, * 514 , 544, 678, 687, 776, 831, 845, 846, 847, 890, 891, 892, 895, 1012, 1014, 1024, 1038, 1044, 1069, 1070, 1071, 1072, 1080, 1098, 1131, 1132, 1230, 1232, 1240, 1268, * 1337 , 1364, 1420, 1430, 1431, 1490, 1548, 1560, 1583, 1590, 1652, 1655, 1656.	
COMMITTEE ASSIGNMENTS – Appropriations; Appropriations Subcommittee on Transportation; Commerce, Small Business, and Entrepreneurship; Environment and Natural Resources, Vice Chair ; Federal Relations and Indian Affairs; Water Resources and Infrastructure; Ways and Means/Broadband Connectivity.	
CONFEREE	
H.B. 1099.....	1852.

GILLESPIE, MITCH-Contd.

ESCORT

SCOTTISH PARLIAMENT DELEGATION 520.

EXCUSED ABSENCES NONE.

EXCUSED VOTE

S.B. 448 1276.

OATH 22.

GLAZIER, RICK

APPOINTED TO JOINT LEGISLATIVE

COMMITTEE ON ETHICS (Chair) 58.

APPROVAL OF VOTE CHANGE

S.B 1011 1212.

BILLS INTRODUCED - *2, *6, 15, 20, 21, 22, 23, 24, 33, 34, *42, *43, *54, *55, *56, *57, *58, 71, 72, *76, *79, 87, 88, *92, *100, *104, 116, *120, *123, 130, 133, 137, 138, 139, 140, 141, 142, 144, 145, 147, 148, *149, 150, 151, 156, *160, *161, *162, *164, 169, *173, 174, 176, 177, 179, 180, 184, 187, 188, *192, 196, *198, *199, *207, 208, *209, *211, *217, *218, *222, 224, 228, 229, *231, *232, 236, 240, *241, *242, 259, *261, 262, *281, *282, 296, 303, *307, *308, *309, *311, 319, 329, 340, *345, *348, 349, 354, *362, 371, 372, *373, *374, *375, 376, 377, 378, 379, 380, 381, 382, 386, 388, 389, 390, 407, 408, *419, *420, *428, 438, 439, 440, 441, *442, 457, 458, 460, 468, 470, 472, 477, 478, 479, 480, 482, 493, 501, 504, 506, *508, *509, *510, *521, 527, 535, *536, 537, *539, *548, *582, *583, *584, *585, *586, *589, 594, 599, 607, *610, *614, 618, 626, *640, *654, *655, 686, 692, 693, 694, 695, 696, 697, *698, *703, 704, 705, *707, *708, 712, 717, 733, 737, 738, 739, 740, 741, 744, 748, *750, 761, 763, 766, *770, *773, 774, 779, 782, *793, 795, 804, *805, *806, 809, *812, *813, *815, *817, *823, 871, 872, 873, 875, 876, 885, *887, 896, 897, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 930, *937, 939, 940, *944, *952, 957, *960, *961, 971, 976, *988, 1014, 1020, *1029, 1032, *1034, *1035, *1036, *1037, *1038, *1039, 1046, 1048, *1050, 1052, 1054, 1056, 1058, 1059, 1060, 1067, 1071, 1075, 1078, 1079, 1080, *1085, 1114, *1116, 1129, 1134, *1135, 1136, 1138, 1143, 1144, 1151, 1160, *1168, *1169, *1171, 1172, 1177, 1178, 1179, 1186, 1188, 1189, *1190, *1198, 1200, *1201, *1205, *1206, *1223, 1225, 1248, 1251, 1257, 1258, 1260, 1262, *1271, *1272, 1273, 1276, 1277, 1284, 1287, 1288, 1289, 1292, *1299, 1306, 1309, *1317, *1326, 1331, 1342, 1351, 1354, 1364, *1366, *1371, *1372, *1373, 1374, 1375, 1390, 1393, 1394, 1395, *1396, 1401, 1403, 1407, *1412, *1413, *1414, 1416, *1417, 1418, *1442, *1446, *1449, 1461, 1462, 1466, 1467, 1468, 1469, *1470, 1471, 1472, *1474, *1476, 1477, *1484, *1493, *1499, 1505, *1509, 1550, *1552, *1605, *1606, *1607, *1609, *1620, *1626, *1643.

GLAZIER, RICK-Contd.

COMMITTEE ASSIGNMENTS – Appropriations, **Vice Chair**;
Appropriations Subcommittee on Education, **Chair**; Education;
Education Subcommittee on Pre-School, Elementary and Secondary
Education; Financial Institutions; Health; Homeland Security, Military,
and Veterans Affairs; Judiciary II, **Vice Chair**; Mental Health Reform;
Rules, Calendar, and Operations of the House, **Vice Chair**.

CONFEREE

- H.B. 1523 (Chair) 1497.
- S.B. 202 1273.
- S.B. 799 1371.

EXCUSED ABSENCES155, 353, 1635, 1734,
1756, 1773, 1799, 1872.

EXCUSED VOTE

- ELECTION, UNIVERSITY BOARD OF GOVERNORS..... 429.
- OATH 22.

GOFORTH, BRUCE

APPOINTED TO SELECT COMMITTEE ON

- ECONOMIC RECOVERY 375.

APPROVAL OF VOTE CHANGE

- H.B. 456 1686.
- H.B. 964 928.
- H.B. 1087..... 1038.
- H.B. 1267..... 1046.

BILLS INTRODUCED - 2, 6, 9, 13, *14, 21, 33, 39, 67, 68, 69, *71,
*72, 79, 83, 88, *91, 114, 116, 120, 128, 148, *163, 171, 173, *176,
185, *209, *210, *211, *212, 229, 236, 241, 275, *330, *331, *332,
*334, 340, 345, 348, *415, 416, *428, *462, *463, *497, *498, *499,
*500, *501, *502, *504, *505, *511, *524, *525, 535, 539, *554,
*571, *572, 586, 593, 594, 596, 618, 634, 635, *645, 656, 657, 672,
673, 696, *702, 708, *735, 742, *747, *847, 856, *1015, *1016, 1017,
*1022, *1023, *1031, *1033, *1035, *1062, 1079, 1080, 1116, 1137,
1138, *1159, *1160, *1161, *1162, 1163, *1164, *1165, *1166, 1172,
*1183, 1210, 1227, 1240, 1251, 1265, 1268, *1270, *1276, *1313,
*1314, *1317, 1353, 1356, 1364, *1366, *1386, 1388, 1397, *1405,
1418, 1435, 1436, 1474, 1485, *1490, *1494, 1505, *1508, 1517,
1550, 1583, *1640, 1655.

COMMITTEE ASSIGNMENTS – Appropriations, **Vice Chair**;
Appropriations Subcommittee on Capital, **Chair**; Commerce, Small
Business, and Entrepreneurship, **Vice Chair**; Health; Insurance, **Chair**;
Public Utilities; Water Resources and Infrastructure.

GOFORTH, BRUCE-Contd.

CONFEREE

H.B. 1508.....	1278.
S.B. 202	1273.
S.B. 831	1682.
S.B. 960	1770.

DEMOCRATIC WHIP	101.
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ESCORT

GOVERNOR PERDUE	219.
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EXCUSED ABSENCES	1417, 1487, 1635.
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EXCUSED VOTE

H.B. 852	1376.
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OATH	22.
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GOLDEN L.E.A.F., INC.

H 516 INCREASE REVENUES WITHOUT RAISING TAXES (Rules, Calendar, and Operations of the House).....	254.
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GOLF CART REGULATIONS

H 1157 ALLOW MUNICIPALITIES TO REGULATE GOLF CARTS (Local Government II)	531.
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H 121 REGULATION OF GOLF CARTS BY LOCAL GOVERNMENTS (Ch. SL 2009-459)	92, 158, 302, 327, 350, 1606, 1705, 1720, 1733, 1932.
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H 320 REGULATION OF GOLF CARTS BY LOCAL GOVERNMENTS (Finance)	171, 260.
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S 650 REGULATION OF GOLF CARTS BY LOCAL GOVERNMENTS (Local Government II)	736.
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H 165 REGULATION OF GOLF CARTS IN BETHEL (Finance)	120, 156.
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H 77 REGULATION OF GOLF CARTS IN CAMDEN COUNTY (Finance)	72, 109, 158.
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H 474 REGULATION OF GOLF CARTS IN DENTON (Finance)	233, 525.
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H 11 REGULATION OF GOLF CARTS IN EARL/GROVER (Finance)	54, 103, 157.
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H 276 REGULATION OF GOLF CARTS IN HENDERSONVILLE (Finance)	160, 260.
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H 31 REGULATION OF GOLF CARTS IN HOLLY RIDGE (Finance)	60, 105, 157.
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H 117 REGULATION OF GOLF CARTS IN MORGANTON (Finance)	89, 158.
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H 127 REGULATION OF GOLF CARTS IN PIKEVILLE (Finance)	93, 158.
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GOLF CART REGULATIONS-Contd.

- H 113 REGULATION OF GOLF CARTS IN SWANSBORO
(Finance)..... 88, 158.
- H 234 REGULATION OF GOLF CARTS IN TROUTMAN
(Finance)..... 142, 197.
- H 152 REGULATION OF GOLF CARTS IN WINTERVILLE
(Finance)..... 116, 159.

GOOD FUNDS SETTLEMENT ACT (G.S. 45A)

- S 764 REAL ESTATE/SETTLEMENT
AGENT EMBEZZLEMENT
(Ch. SL 2009-348)1056, 1286, 1470,
1480, 1565, 1661.

GOODWIN, MELANIE WADE

APPROVAL OF VOTE CHANGE

- H.B. 275 874.

- BILLS INTRODUCED - 2, 9, 15, *22, *23, 34, 71, 72, *80, 88, 116,
*120, 169, 173, 175, 176, 177, 180, 184, 185, *221, *238, 303, *307,
310, *327, 348, 358, *447, *468, 477, 478, 479, 480, 482, 490, 491,
492, 493, *506, *510, 537, 548, 586, 594, 614, 618, 657, *667, *668,
*669, *670, 691, 692, 693, 694, 696, *704, *705, *726, *739, *740,
794, 795, 804, 816, 823, 843, 845, *860, *861, *907, *908, *923,
*961, *987, *991, 1079, 1080, *1081, *1086, *1106, *1107, *1110,
*1111, *1112, *1113, *1145, 1260, 1268, *1270, *1271, *1272,
*1277, *1281, 1282, 1306, 1329, 1364, *1398, 1414, 1416, *1418,
1442, *1449, *1455, 1493, 1517.

COMMITTEE ASSIGNMENTS – Appropriations; Appropriations
Subcommittee on Justice and Public Safety; Education; Education
Subcommittee on Community Colleges; Election Law and Campaign
Finance Reform, **Chair**; Judiciary I, **Vice Chair**; Juvenile Justice;
Transportation.

CONFEREE

- H.B. 991 (Chair) 1719.
- S.B. 202 1273.
- S.B. 708 1632.

ESCORT

- UNIVERSITY OF NORTH CAROLINA-CHAPEL HILL MEN'S
BASKETBALL TEAM, 2009 NCAA CHAMPIONS 751.

EXCUSED ABSENCES 1756, 1773, 1799, 1872, 1892.

OATH 22.

GRADY, W. ROBERT

BILLS INTRODUCED - 5, 6, 26, *30, *31, 37, 53, *63, 70, 97, 113, 114, 183, 237, 278, 303, 325, 361, 386, 396, 423, *425, 426, 430, 515, 539, 544, *585, 594, 609, 696, 727, 734, 737, 738, 776, 787, 831, 890, *893, 935, 1251, 1268, 1318, *1409, 1656.

COMMITTEE ASSIGNMENTS - Alcoholic Beverage Control; Appropriations; Appropriations Subcommittee on Capital, **Vice Chair**; Financial Institutions; Health; Public Utilities; University Board of Governors Nominating.

CONFEREE

H.B. 1409..... 1454.
H.B. 1508..... 1278.
S.B. 202 1273.
S.B. 660 1682.

ESCORT

UNIVERSITY OF NORTH CAROLINA-CHAPEL HILL MEN'S BASKETBALL TEAM, 2009 NCAA CHAMPIONS 751.

EXCUSED ABSENCES1799, 1872.

OATH 22.

GRAHAM COUNTY

H 958 INCORPORATE FONTANA DAM (Finance).....450, 1314.

H 385 PUBLIC SCHOOL ACTIVITY BUS USE/ STECOAH VALLEY CENTER (Ch. SL 2009-324)203, 462, 1041, 1063, 1519, 1543, 1572, 1624, 1637, 1657.

H 483 SCHOOL CALENDAR FLEXIBILITY/SOME LOCAL EDUCATION AGENCIES (Local Government II) 235.

GRANVILLE COUNTY

H 970 GRANVILLE COUNTY HUNTING (Ch. SL 2009-45)463, 711, 829, 872, 1144, 1155.

H 969 GRANVILLE/REGISTERED LAND (Ch. SL 2009-118)463, 703, 956, 992, 1295, 1318.

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SCOTTISH PARLIAMENT DELEGATION..... 521.

SOUTHARD, KATHERINE ELIZABETH, MISS NORTH CAROLINA..... 1612.

UNIVERSITY OF NORTH CAROLINA-CHAPEL HILL MEN'S BASKETBALL TEAM, 2009 NCAA CHAMPIONS..... 757.

GUICE, W. DAVID

APPROVAL OF VOTE CHANGE

H.B. 43 185.
 S.B. 1008 1397.

BILLS INTRODUCED - 72, 83, 84, ***97**, 98, 99, 126, 128, 132, 134,
 135, 151, 168, 183, ***206**, 256, 269, 275, 279, 294, 312, 324, 361,
 ***383**, 386, ***405**, ***406**, 430, 431, 432, 473, 497, 498, 518, 544, ***547**,
 ***557**, 590, 594, 609, ***682**, 696, 697, 776, 786, 816, 817, 831, 836,
 849, ***858**, ***859**, 875, 876, 890, 891, 892, ***926**, 935, 1024, 1044,
 1078, 1131, 1132, 1140, 1147, 1251, 1252, 1255, 1257, 1268, 1276,
 1279, 1364, 1403, 1418, 1438, 1455, ***1456**, 1560, 1655, 1656.

COMMITTEE ASSIGNMENTS – Agriculture; Appropriations;
 Appropriations Subcommittee on Justice and Public Safety; Judiciary III;
 Juvenile Justice; Local Government II.

EXCUSED ABSENCES NONE.

OATH (January 23, 2009)..... 22.

GUILFORD COUNTY

S 68 ALCOHOLIC BEVERAGE CONTROL
 STORES/SCHOOL/GUILFORD
 (Ch. SL 2009-295)1058, 1298, 1465,
 1477, 1541, 1569.

H 1010 GREENSBORO CITY ATTORNEY APPOINTMENT
 (Senate).....471, 769, 775.

H 541 GREENSBORO MOTOR VEHICLE LEVY
 (Senate).....275, 308, 458, 493, 517.

H 519 GREENSBORO/ENERGY-RELATED
 DEVELOPMENT INCENTIVES
 (Energy and Energy Efficiency)..... 255, 308.

H 64 GREENSBORO/RESTORE ZONING PROTEST RIGHTS
 (Ch. SL 2009-4)68, 108, 122, 133,
 171, 185, 191, 207, 223.

H 326 HIGH POINT ELECTRONIC NOTICE
 (Local Government II) 177.

H 688 JAMESTOWN/SATELLITE ANNEXATIONS
 (Ch. SL 2009-323)339, 761, 896, 951,
 991, 1028, 1609, 1637.

S 495 OAK RIDGE EXTRATERRITORIAL JURISDICTION
 (Ch. SL 2009-251)1055, 1179, 1352,
 1374, 1396, 1436, 1449.

S 540 PLEASANT GARDEN/VOTERS ELECT MAYOR
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 1376, 1379, 1388.

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COMMITTEE ASSIGNMENTS – Appropriations; Appropriations Subcommittee on Transportation; Energy and Energy Efficiency; Public Utilities; Science and Technology, **Vice Chair**; Ways and Means/Broadband Connectivity; Wildlife Resources.

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COMMITTEE ASSIGNMENTS – Appropriations, Chair ; Environment and Natural Resources; Judiciary III; Juvenile Justice, Vice Chair ; Science and Technology; University Board of Governors Nominating, Vice Chair ; Ways and Means/Broadband Connectivity.	
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COMMITTEE ASSIGNMENTS – Education; Education Subcommittee on Universities; Finance; Financial Institutions, **Vice Chair**; Homeland Security, Military, and Veterans Affairs, **Chair**; Judiciary I; Science and Technology.

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- H 764 2009 APPOINTMENTS BILL
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- H 179 ACCESSIBLE ELECTRONIC INFORMATION ACT/
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- S 114 EXEMPT CHURCHES AND CLUBS LIMITED USE/
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- H 697 REMOVE RESTRICTION/LAW ENFORCEMENT
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COMMITTEE ASSIGNMENTS – Appropriations; Appropriations Subcommittee on Transportation, Vice Chair ; Commerce, Small Business, and Entrepreneurship; Health; Science and Technology, Chair ; State Government/State Personnel, Vice Chair ; Transportation.	
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COMMITTEE ASSIGNMENTS – Appropriations, **Vice Chair**; Appropriations Subcommittee on Natural and Economic Resources, **Chair**; Election Law and Campaign Finance Reform; Energy and Energy Efficiency, **Vice Chair**; Environment and Natural Resources, **Vice Chair**; Judiciary I; Marine Resources and Aquaculture; Public Utilities.

CONFEREE

S.B. 202 1273.

ESCORT

UNIVERSITY OF NORTH CAROLINA-CHAPEL HILL MEN'S

BASKETBALL TEAM, 2009 NCAA CHAMPIONS 751.

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- S 765 CLARIFY PATIENT DATA/MEDICAL CARE DATA ACT
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- H 1187 DEPARTMENT OF HEALTH AND HUMAN SERVICES
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- H 1622 HOME CARE LICENSE FEE/NEW LICENSE
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- H 752 LOBBYING LATE FEES
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- H 275 SEX OFFENDERS CAN'T BE EMERGENCY
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- H 456 TECHNICAL AND ORGANIZATIONAL CHANGES/
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- S 887 AMEND ELECTRONICS RECYCLING LAW
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- H 1002 AMEND PUBLIC HEALTH-RELATED LAWS
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- S 1018 BAN CERTAIN SINGLE-USE BAGS
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- H 1388 BROWNFIELDS PROPERTY NOTIFICATIONS
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- H 1126 DEPARTMENT OF HEALTH AND HUMAN SERVICES
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- H 1083 EXTEND STATE VETERINARIAN'S ANIMAL
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- H 374 IMPROVE UPPER NEUSE BASIN WATER QUALITY
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COMMITTEE ASSIGNMENTS – Agriculture, **Chair**; Finance, **Vice
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COMMITTEE ASSIGNMENTS – Appropriations; Appropriations Subcommittee on Education; Education; Education Subcommittee on Universities; Homeland Security, Military, and Veterans Affairs; Transportation, **Vice Chair**; Ways and Means/Broadband Connectivity.

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COMMITTEE ASSIGNMENTS – Appropriations; Appropriations Subcommittee on Capital; Finance, **Vice Chair**; Financial Institutions, **Chair**; Insurance; Pender/New Hanover Redistricting; Public Utilities; Rules, Calendar, and Operations of the House.

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COMMITTEE ASSIGNMENTS – Agriculture; Appropriations;
 Appropriations Subcommittee on Education; Commerce, Small
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 on Pre-School, Elementary and Secondary Education; Pensions and
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COMMITTEE ASSIGNMENTS – Ethics, **Chair**; Finance, **Vice Chair**;
 Health; Insurance; Public Utilities; Rules, Calendar, and Operations of
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COMMITTEE ASSIGNMENTS – Appropriations; Appropriations Subcommittee on Justice and Public Safety; Education; Education Subcommittee on Community Colleges; Judiciary II; Juvenile Justice; Mental Health Reform; Pensions and Retirement, **Vice Chair**.

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H.B. 473 1514.

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(Replaced Representative Bonner Stiller June 18, 2009)

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COMMITTEE ASSIGNMENTS – Appropriations; Appropriations
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Transportation; Wildlife Resources.

EXCUSED ABSENCES NONE.

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INGLE, DAN W.

(Replaced Representative Cary Allred June 12, 2009)

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BILL INTRODUCED - 1656.

COMMITTEE ASSIGNMENTS – Agriculture; Appropriations; Appropriations Subcommittee on Capital; Judiciary I; Transportation; Wildlife Resources.

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COMMITTEE ASSIGNMENTS – Appropriations, **Vice Chair**; Appropriations Subcommittee on Health and Human Services, **Chair**; Education; Education Subcommittee on Universities, **Vice Chair**; Environment and Natural Resources; Health, **Chair**; Judiciary I; Mental Health Reform; Rules, Calendar, and Operations of the House; University Board of Governors Nominating.

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COMMITTEE ASSIGNMENTS – Aging; Alcoholic Beverage Control; Appropriations; Appropriations Subcommittee on Justice and Public Safety; Education; Education Subcommittee on Pre-School, Elementary and Secondary Education; Judiciary II; Local Government I; State Government/State Personnel, **Vice Chair**.

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COMMITTEE ASSIGNMENTS – Appropriations; Appropriations Subcommittee on Natural and Economic Resources, **Vice Chair**; Election Law and Campaign Finance Reform; Environment and Natural Resources, **Vice Chair**; Ethics; Marine Resources and Aquaculture; Pender/New Hanover Redistricting; Rules, Calendar, and Operations of the House; Water Resources and Infrastructure.

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- H 1404 NATUROPATHIC DOCTORS LICENSING ACT
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- H 1134 OPEN GOVERNMENT ACT
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- H 716 REGULATION OF APPRAISAL
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- S 829 REGULATION OF APPRAISAL
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- H 266 USE OF DEADLY FORCE BY LAW ENFORCEMENT
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- H 1537 VIDEO GAMING ENTERTAINMENT ACT
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- H 405 WESTERN JUSTICE ACADEMY FIRING RANGE
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- H 406 WESTERN JUSTICE ACADEMY/WILDLIFE
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- BILLS INTRODUCED - 5, 8, 35, 45, 53, *62, 83, 84, 97, 98, 99, 114,
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- COMMITTEE ASSIGNMENTS – Appropriations; Appropriations
Subcommittee on Justice and Public Safety; Health, **Vice Chair**;
Juvenile Justice; Mental Health Reform; State Government/State
Personnel.
- CONFEREES
H.B. 406 1278.
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- EXCUSED ABSENCES NONE.
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- S 984 ACCESS TO JUVENILE RECORDS/VIOLENT
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- S 726 AMEND HOUSE ARREST LAWS/ADULT/JUVENILE
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- H 1403 COLLECT DNA SAMPLE ON ARREST
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- H 1449 JUVENILE CODE REVISIONS
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- S 1082 JUVENILE RECORDS/PROBATION RISK ASSESSMENT
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- H 1414 THE YOUTH ACCOUNTABILITY ACT
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- BILLS INTRODUCED - 35, 44, 45, 70, 81, 83, *97, *98, *99, 114,
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COMMITTEE ASSIGNMENTS – Appropriations; Appropriations Subcommittee on Capital; Environment and Natural Resources; Homeland Security, Military, and Veterans Affairs, **Vice Chair**; State Government/State Personnel; Transportation.

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- S 643 AMEND DRUG EXAM REGULATION
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- H 1169 ENACT WORKER ADJUSTMENT AND RETRAINING
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- H 22 ENHANCE YOUTH EMPLOYMENT PROTECTIONS
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- H 557 FUTURE VOLUNTEER FIREFIGHTERS ACT
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- H 10 GARNISH WAGES TO SATISFY A JUDGMENT
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- H 390 POULTRY WORKER PROTECTION
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- H 1651 PUBLIC SAFETY EMPLOYER-EMPLOYEE
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- S 617 STALKING LAW CONFORMING CHANGES
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- S 661 ALLOCATE WATER COST/LANDLORD-TENANT
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- S 953 PROTECT TENANTS IN FORECLOSED PROPERTY
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- H 630 SUMMARY EJECTMENT/TRIALS
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1503, 1517, 1550, 1560, 1589, 1656.

COMMITTEE ASSIGNMENTS – Agriculture; Appropriations;
Appropriations Subcommittee on Natural and Economic Resources;
Education; Education Subcommittee on Community Colleges; Local
Government II, **Vice Chair**; Mental Health Reform.

EXCUSED ABSENCE 1583.

OATH 22.

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COMMITTEE ASSIGNMENTS – Agriculture, **Vice Chair**; Alcoholic
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Finance; Homeland Security, Military, and Veterans Affairs;
Insurance; Judiciary III.

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S 960 ENSURE ACCOUNTABILITY REGARDING STIMULUS
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- H 1136 EXECUTIVE BRANCH REVOLVING DOOR
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- H 1171 LAW STUDENT EXTERNS AT GENERAL ASSEMBLY
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- S 97 CRITICAL INFRASTRUCTURE ASSESSMENT
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COMMITTEE ASSIGNMENTS – Appropriations, **Vice Chair**; Appropriations Subcommittee on Justice and Public Safety, **Chair**; Education, **Vice Chair**; Education Subcommittee on Community Colleges, **Chair**; Judiciary II, **Vice Chair**; Local Government I; Marine Resources and Aquaculture; Rules, Calendar, and Operations of the House; Wildlife Resources.

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S.B. 202 1273.
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UNIVERSITY OF NORTH CAROLINA-CHAPEL HILL

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COMMITTEE ASSIGNMENTS – Alcoholic Beverage Control, **Vice Chair**; Appropriations; Appropriations Subcommittee on Education, **Vice Chair**; Education, **Chair**; Ethics; Local Government II; Public Utilities; Wildlife Resources.

CONFEREE

H.B. 804 1546.
H.B. 817 1823.
S.B. 202 1273.

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COMMITTEE ASSIGNMENTS – Election Law and Campaign Finance Reform, **Vice Chair**; Energy and Energy Efficiency; Environment and Natural Resources; Finance, **Senior Chair**; Rules, Calendar, and Operations of the House, **Vice Chair**.

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 COMMITTEE ASSIGNMENTS – Appropriations; Appropriations
 Subcommittee on Transportation; Judiciary III; Local Government I,
Vice Chair; State Government/State Personnel; Transportation.
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 S.B. 202 1273.
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COMMITTEE ASSIGNMENTS – Appropriations, **Vice Chair**; Appropriations Subcommittee on Transportation, **Chair**; Election Law and Campaign Finance Reform; Environment and Natural Resources; Ethics; Federal Relations and Indian Affairs, **Vice Chair**; Homeland Security, Military, and Veterans Affairs, **Vice Chair**; Judiciary I; Pender/New Hanover Redistricting, **Chair**; Transportation.

CONFEREE

H.B. 67 1579.
H.B. 2741860, 1916.
H.B. 908 1871.
H.B. 1099..... 1852.
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COMMITTEE ASSIGNMENTS – Environment and Natural Resources; Finance, **Vice Chair**; Financial Institutions; Health; Marine Resources and Aquaculture; Pender/New Hanover Redistricting; Public Utilities; Rules, Calendar, and Operations of the House; Transportation, **Vice Chair**.

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COMMITTEE ASSIGNMENTS – Aging; Agriculture; Education;

Education Subcommittee on Community Colleges; Energy and Energy

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MCELRAFT, PAT-Contd.

COMMITTEE ASSIGNMENTS – Appropriations; Appropriations Subcommittee on Transportation; Education; Education Subcommittee on Community Colleges; Environment and Natural Resources; Juvenile Justice; Local Government II; Marine Resources and Aquaculture, **Vice Chair.**

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COMMITTEE ASSIGNMENTS – Commerce, Small Business, and Entrepreneurship; Finance; Mental Health Reform; Pensions and Retirement, **Vice Chair**; Transportation.

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S.B. 658 1459.

S.B. 863 1333.

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COMMITTEE ASSIGNMENTS – Appropriations, **Vice Chair**; Appropriations Subcommittee on Education, **Chair**; Education; Education Subcommittee on Community Colleges, **Vice Chair**; Health; Homeland Security, Military, and Veterans Affairs; Mental Health Reform; Pensions and Retirement; Rules, Calendar, and Operations of the House; Wildlife Resources.

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COMMITTEE ASSIGNMENTS – Appropriations, **Senior Chair**;
Education; Education Subcommittee on Universities; Election Law and
Campaign Finance Reform, **Vice Chair**; Judiciary III; Rules, Calendar,
and Operations of the House; University Board of Governors Nominating.

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- COMMITTEE ASSIGNMENTS – Aging; Agriculture; Appropriations; Appropriations Subcommittee on Justice and Public Safety; Judiciary I; Juvenile Justice, **Chair**; State Government/State Personnel, **Vice Chair**.

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COMMITTEE ASSIGNMENTS - Appropriations; Appropriations Subcommittee on Justice and Public Safety; Judiciary II; Public Utilities; Transportation; University Board of Governors Nominating, Vice Chair.

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Appropriations Subcommittee on Capital, **Chair**; Commerce, Small
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GENERAL ASSEMBLY MEMBERS

- BLUE, DAN (Senate) 1080.
- GILL, ROSA U. 1300.
- ILER, FRANK 1302.
- INGLE, DAN W. 1250.
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COMMITTEE ASSIGNMENTS – Aging, **Vice Chair**; Appropriations, **Vice Chair**; Appropriations Subcommittee on Natural and Economic Resources, **Chair**; Commerce, Small Business, and Entrepreneurship; Federal Relations and Indian Affairs, **Vice Chair**; Insurance; Juvenile Justice.

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COMMITTEE ASSIGNMENTS – Appropriations; Appropriations Subcommittee on Justice and Public Safety; Judiciary III; Juvenile Justice; Mental Health Reform; State Government/State Personnel; Transportation.

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COMMITTEE ASSIGNMENTS – Appropriations, **Vice Chair**;
Appropriations Subcommittee on Education, **Chair**; Commerce, Small
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- H 1517 HONOR THE UNC-CHAPEL HILL MEN'S BASKETBALL
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on Universities; Ethics; Finance; Financial Institutions; Judiciary II;
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COMMITTEE ASSIGNMENTS – Appropriations; Appropriations
 Subcommittee on Capital; Education; Education Subcommittee on
 Universities; Election Law and Campaign Finance Reform, **Vice
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COMMITTEE ASSIGNMENTS – Aging; Appropriations; Appropriations Subcommittee on Natural and Economic Resources; Election Law and Campaign Finance Reform; Energy and Energy Efficiency; Homeland Security, Military, and Veterans Affairs; State Government/State Personnel.

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COMMITTEE ASSIGNMENTS – Aging, **Vice Chair**; Appropriations;
Appropriations Subcommittee on Natural and Economic Resources;
Commerce, Small Business, and Entrepreneurship; Education; Education
Subcommittee on Universities; Energy and Energy Efficiency, **Vice
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COMMITTEE ASSIGNMENTS – Ethics; Finance; Financial Institutions;

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COMMITTEE ASSIGNMENTS – Appropriations; Appropriations
Subcommittee on Justice and Public Safety, **Vice Chair**; Financial
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H.B. 473 1514.
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COMMITTEE ASSIGNMENTS – Education; Education Subcommittee
on Pre-School, Elementary and Secondary Education; Election Law
and Campaign Finance Reform; Finance; Judiciary I, **Vice Chair**;
Local Government II, **Vice Chair**; Pender/New Hanover Redistricting.

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- H 1196 STATE NATURE AND HISTORIC PRESERVE
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- H 779 EDUCATIONAL GOVERNANCE FRAMEWORK
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STEEN, FRED F., II

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1403, 1431, 1438, 1455, *1485, 1549, 1560, 1569, 1583, *1627, 1652,
1656.

COMMITTEE ASSIGNMENTS – Agriculture; Alcoholic Beverage
Control; Appropriations; Appropriations Subcommittee on General
Government, **Vice Chair**; Commerce, Small Business, and
Entrepreneurship; Local Government I; Rules, Calendar, and
Operations of the House; Transportation; Wildlife Resources, **Vice Chair**.

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S.B. 202 1273.

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STEVENS, SARAH

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H.B. 951 656.

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1655, 1656.

STEVENS, SARAH-Contd.

COMMITTEE ASSIGNMENTS – Appropriations; Appropriations Subcommittee on Justice and Public Safety; Judiciary I; Juvenile Justice; Science and Technology; Ways and Means/Broadband Connectivity.

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OATH 22.

STEWART, RANDY

APPROVAL OF VOTE CHANGE

H.B. 203 555.

S.B. 202, AMENDMENT NO. 40 OF..... 1255.

BILLS INTRODUCED - 114, 240, 328, 356, 413, 425, *459, *535, 536, 548, 549, 586, 611, 618, 621, 632, 634, 645, 654, 663, 697, 733, 749, 814, 816, 831, 843, 859, 896, *897, 918, 939, 951, 957, 1020, 1055, 1075, *1225, 1240, 1247, 1249, 1250, 1251, 1265, *1295, *1296, *1297, *1298, 1329, 1356, 1364, 1373, *1375, 1390, 1397, 1414, 1418, 1438, *1458, *1459, 1489, 1490, 1505, 1517, 1583, 1596.

COMMITTEE ASSIGNMENTS – Appropriations; Appropriations Subcommittee on Health and Human Services; Commerce, Small Business, and Entrepreneurship, **Vice Chair**; Education; Education Subcommittee on Universities; Health; Local Government II; University Board of Governors Nominating.

CONFEREE

S.B. 202 1273.

S.B. 643 1717.

ESCORT

UNIVERSITY OF NORTH CAROLINA-CHAPEL HILL MEN'S

BASKETBALL TEAM, 2009 NCAA CHAMPIONS 751.

EXCUSED ABSENCES669, 681, 1235, 1250, 1448.

OATH 22.

STILLER, BONNER L. (Resigned June 15, 2009)

BILLS INTRODUCED - 6, 26, 105, 106, *107, 111, 114, 116, 125, 126, 265, 275, *347, 361, *423, 430, 544, *591, 742, 776, 787, *813, *829, 831, 893, 918, 935, 1044, 1198, 1251, 1265, 1268, 1318, *1332, *1333, *1334, 1364, *1376, 1397, 1485, 1627, 1638.

COMMITTEE ASSIGNMENTS – Appropriations; Appropriations Subcommittee on Transportation; Education; Education Subcommittee on Community Colleges; Environment and Natural Resources; Judiciary I, **Vice Chair**; Marine Resources and Aquaculture, **Vice Chair**; Pender/New Hanover Redistricting; Transportation; Wildlife Resources.

STILLER, BONNER L.-Contd.

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H 709	ADDRESS EROSION CONTROL ISSUES (Ch. SL 2009-479)	344, 943, 1001, 1877, 1906, 1924, 1937.

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- H 1405 AFTER-SCHOOL CHILD CARE PROGRAMS/STUDY
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- S 6 ALCOHOLIC BEVERAGE CONTROL RULES/PRIVATE
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- H 1394 ALTERNATIVE SCHOOLS/LEGISLATIVE STUDY
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- S 18 AMEND CEMETERY ACT
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- H 1360 AMEND HABITUAL OFFENDER LAW
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- S 584 AMEND PRIVATE PROTECTIVE SERVICES ACT
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- H 632 CAPITALIZE NATIONAL GUARD/GENERAL
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1433, 1442, 1461, 1507.
- H 1462 CEMENT PLANT MORATORIUM AND STUDY
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1517, 1530, 1680, 1735.
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- H 1386 CHILDHOOD VACCINES/PHASE-OUT
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- H 1416 CHILDREN OF INCARCERATED PARENTS STUDY
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- H 1275 CIVIL CUSTODY GUARDIAN PROGRAM STUDY (Rules, Calendar, and Operations of the House)575, 894, 1499.
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- S 1022 COMPARATIVE EFFECTIVENESS TASK FORCE (Rules, Calendar, and Operations of the House)....968, 1386.
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- COMMITTEE ASSIGNMENTS – Alcoholic Beverage Control;
Appropriations; Appropriations Subcommittee on Justice and Public
Safety, **Vice Chair**; Federal Relations and Indian Affairs, **Chair**;
Homeland Security, Military, and Veterans Affairs; Judiciary III,
Chair; Pender/New Hanover Redistricting; State Government/State
Personnel; Transportation.
- CONFEREE
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COMMITTEE ASSIGNMENTS – Agriculture; Appropriations;	
Appropriations Subcommittee on Education, Vice Chair ; Commerce,	
Small Business, and Entrepreneurship; Education; Education	
Subcommittee on Universities; Energy and Energy Efficiency;	
Environment and Natural Resources, Vice Chair ; Water Resources and	
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COMMITTEE ASSIGNMENTS – Education; Education Subcommittee on Universities; Finance; Financial Institutions; Judiciary III; Local Government I; Rules, Calendar, and Operations of the House; Science and Technology; Ways and Means/Broadband Connectivity, **Vice Chair**.

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COMMITTEE ASSIGNMENTS – Agriculture; Appropriations, **Chair**; Education; Education Subcommittee on Community Colleges; Energy and Energy Efficiency, **Vice Chair**; Ethics; Pensions and Retirement; Science and Technology, **Vice Chair**; Ways and Means/Broadband Connectivity.

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COMMITTEE ASSIGNMENTS – Agriculture; Appropriations;
Appropriations Subcommittee on General Government, **Vice Chair**;
Environment and Natural Resources; Local Government II, **Vice
Chair**; Pensions and Retirement, **Chair**; Public Utilities, **Vice Chair**.

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COMMITTEE ASSIGNMENTS – Agriculture; Appropriations, **Vice Chair**; Appropriations Subcommittee on General Government, **Chair**; Election Law and Campaign Finance Reform; Environment and Natural Resources, **Vice Chair**; Homeland Security, Military, and Veterans Affairs; Judiciary III; Marine Resources and Aquaculture; Water Resources and Infrastructure.

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COMMITTEE ASSIGNMENTS – Appropriations; Appropriations Subcommittee on Capital; Finance, **Chair**; Financial Institutions; Health; Insurance; Marine Resources and Aquaculture, **Vice Chair**; Pender/New Hanover Redistricting.

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COMMITTEE ASSIGNMENTS – Agriculture; Appropriations, **Vice Chair**; Appropriations Subcommittee on Natural and Economic Resources, **Chair**; Commerce, Small Business, and Entrepreneurship; Education; Education Subcommittee on Pre-School, Elementary and Secondary Education, **Vice Chair**; Local Government II; University Board of Governors Nominating; Water Resources and Infrastructure.

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COMMITTEE ASSIGNMENTS – Alcoholic Beverage Control, **Chair**; Appropriations; Appropriations Subcommittee on Justice and Public Safety, **Vice Chair**; Education; Education Subcommittee on Community Colleges; Homeland Security, Military, and Veterans Affairs; Judiciary III, **Vice Chair**; Water Resources and Infrastructure.

CONFEREE

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COMMITTEE ASSIGNMENTS – Aging, **Vice Chair**; Finance, **Chair**; Health; Judiciary II, **Vice Chair**; Juvenile Justice; Rules, Calendar, and Operations of the House.

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COMMITTEE ASSIGNMENTS – Appropriations; Appropriations Subcommittee on Natural and Economic Resources; Environment and Natural Resources; Federal Relations and Indian Affairs; Judiciary I; Wildlife Resources, **Vice Chair**.

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COMMITTEE ASSIGNMENTS – Appropriations; Appropriations Subcommittee on General Government; Education; Education Subcommittee on Pre-School, Elementary and Secondary Education; Energy and Energy Efficiency; Juvenile Justice, Vice Chair ; Transportation.	
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COMMITTEE ASSIGNMENTS – Appropriations; Appropriations Subcommittee on Education; Education; Education Subcommittee on Pre-School, Elementary and Secondary Education, **Vice Chair**; Judiciary III; Local Government II; Mental Health Reform; State Government/State Personnel.

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COMMITTEE ASSIGNMENTS – Appropriations; Appropriations Subcommittee on Natural and Economic Resources, **Vice Chair**; Commerce, Small Business, and Entrepreneurship, **Vice Chair**; Education; Education Subcommittee on Community Colleges; Health; State Government/State Personnel, **Chair**; Transportation; Ways and Means/Broadband Connectivity.

CONFEREE

S.B. 202 1273.

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WILKINS, W. A. (WINKIE)-Contd.

ESCORT
 UNIVERSITY OF NORTH CAROLINA-CHAPEL HILL MEN'S
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 COMMITTEE ASSIGNMENTS – Agriculture, **Vice Chair**;
 Appropriations; Appropriations Subcommittee on Transportation;
 Financial Institutions, **Vice Chair**; Marine Resources and Aquaculture,
Vice Chair; Transportation, **Vice Chair**; University Board of
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 H 1390 WILLS/BEQUESTS TO DRAFTING ATTORNEY
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 1052, 1053, 1261, 1390.

WILSON COUNTY

H 564 WILSON COUNTY OCCUPANCY TAX MODIFICATION
 (Ch. SL 2009-297)280, 308, 1094,
 1102, 1119, 1569, 1587.

WILSON COUNTY-Contd.

H 994 WILSON HOUSING AUTHORITY-AGING IN PLACE
(Ch. SL 2009-220).....468, 832, 1004, 1037, 1378, 1428.

WOMBLE, LARRY

APPOINTED TO CANVASS VOTE FOR UNC BOARD OF
GOVERNORS ELECTION..... 429.

APPROVAL OF VOTE CHANGE
S.B. 68 1477.

S.B. 882 1618.

BILLS INTRODUCED - *20, *21, 33, *34, 39, 71, 72, 88, 120, *137,
148, 156, 160, 161, 162, 173, 175, 177, 180, 184, 185, *186, 187, 188,
199, *226, *227, 262, 264, *267, 285, *291, 338, 340, 359, 362, 373,
378, 380, 387, 389, 421, 425, 441, 442, 446, 455, 470, *472, 477, 478,
479, 480, 501, 504, 512, 522, 527, 537, 540, 548, 577, 578, 579, 580,
581, 584, 585, 586, 590, 601, 611, 614, 618, 651, 654, 655, 658, 659,
*665, *674, *691, 696, 707, *766, 774, 775, 792, 793, 804, 818, 823,
*832, *833, 842, 845, 860, *863, *864, 935, *1006, 1033, 1038,
*1049, 1051, 1052, 1053, 1054, 1058, 1059, 1060, 1064, 1071, 1075,
1079, *1129, *1130, 1140, *1154, *1197, 1222, 1223, 1240, *1242,
1243, 1248, 1260, 1261, *1262, *1264, 1268, 1270, 1291, *1292,
1306, 1325, 1364, 1365, 1373, 1390, 1414, 1455, *1464, *1505,
*1508, 1550, *1558, *1577.

COMMITTEE ASSIGNMENTS – Appropriations, **Vice Chair**;
Appropriations Subcommittee on Capital, **Chair**; Education, **Vice
Chair**; Education Subcommittee on Universities, **Chair**; Environment
and Natural Resources; Finance, **Vice Chair**; Local Government I;
State Government/State Personnel; University Board of Governors
Nominating.

CONFEREE
H.B. 291 1770.

H.B. 1508..... 1278.

S.B. 202 1273.

EXCUSED ABSENCES174, 1435, 1734.

OATH 22.

WORKERS' COMPENSATION ACT (G.S. 97)

H 1465 BUSINESS RECOVERY ACT
(Transportation) 626.

H 1161 REVISE INSURANCE FINANCIAL CONDITIONS
(Ch. SL 2009-172)531, 685, 826, 844, 1260, 1389.

S 893 WORKERS' COMPENSATION SELF-INSURANCE
SECURITY ASSOCIATION
(Ch. SL 2009-242)1076, 1175, 1351,
1375, 1378, 1430.

WORKERS' COMPENSATION ACT-Contd.

- H 805 WORKERS' COMPENSATION/
CALCULATION OF INCOME
(Commerce, Small Business, and Entrepreneurship)..... 389.
- H 843 WORKERS' COMPENSATION/MEDICAL
DIAGNOSTIC TESTING
(Commerce, Small Business, and Entrepreneurship)..... 405.
- H 1022 WORKERS' COMPENSATION/TEMPORARY TOTAL
DISABILITY LIMIT (Judiciary II) 474, 916.

WRAY, MICHAEL H.

APPROVAL OF VOTE CHANGE

H.B. 275 874.

H.B. 1058, AMENDMENT NO. 2 OF 1027.

BILLS INTRODUCED - 2, 5, 7, 14, 20, 21, 22, 34, ***39**, 71, 72, 78, 88,
114, 119, 123, 128, ***131**, 132, 134, 135, 136, 137, 138, 139, 140, 141,
144, 145, 146, 149, 150, 151, 173, 176, 177, 179, 180, 185, 196, 198,
199, ***208**, 209, 212, 216, 217, 228, 229, 232, 233, 236, 237, 240, 241,
260, ***263**, 272, 275, 278, 279, 282, 285, 303, 304, 305, 306, 310, 321,
323, 325, 328, 329, 340, 349, 356, 359, 361, 371, 372, 373, 375, 376,
377, 378, 379, 380, 381, 382, 387, 389, 392, 400, 408, 420, 425, 438,
440, 455, 457, 458, 462, 463, 468, 470, 471, 472, 473, 477, 478, 479,
480, 482, 485, 487, 489, ***491**, ***492**, ***493**, 494, 501, 509, 511, 512,
521, 527, 548, 586, 618, 639, 647, 648, 654, 655, 656, 658, 659, 671,
672, 677, 684, 695, 707, 712, 750, 752, 756, 766, 793, 814, 818, 826,
827, 842, 845, 846, 847, 851, 855, 856, 858, 860, 864, ***865**, ***866**,
***867**, 869, 872, 873, 875, 876, 878, 879, 880, 881, 882, 883, 884, 890,
892, ***898**, 905, 906, 910, 911, 912, 926, 930, 939, 940, 945, 951, 976,
977, 978, ***984**, 1004, 1005, 1009, 1012, 1014, 1020, 1033, 1034,
1083, 1102, 1104, 1114, 1116, 1117, 1119, ***1123**, 1129, 1130, 1132,
1133, 1137, 1139, 1140, 1142, 1152, 1153, ***1159**, ***1160**, ***1161**,
***1162**, ***1163**, ***1164**, ***1165**, ***1166**, 1167, 1168, 1169, 1173, 1176,
1177, ***1183**, 1206, 1207, 1208, 1210, 1222, 1223, 1224, 1226, 1227,
***1229**, 1232, 1234, 1236, 1239, ***1240**, ***1241**, 1242, 1243, 1244,
1245, 1248, 1249, 1250, 1251, 1255, 1258, 1261, 1262, 1263, 1264,
1265, 1266, 1268, 1276, 1278, 1279, 1287, 1292, 1295, 1306, ***1313**,
***1314**, 1317, 1324, 1352, 1356, 1357, 1363, 1364, 1371, 1372, 1373,
1379, 1386, 1388, ***1393**, ***1395**, 1407, 1409, 1414, 1424, 1435, 1436,
1438, 1442, 1448, 1450, 1466, 1467, 1468, 1469, 1470, 1472, 1474,
1480, 1490, 1497, 1503, 1505, 1515, 1516, 1517, 1524, 1527, 1529,
1534, 1535, 1536, 1538, 1539, 1550, 1561, 1562, 1564, 1573, 1580,
1581, 1582, 1583, 1584, 1596, 1598, 1601, 1628, 1631.

COMMITTEE ASSIGNMENTS – Agriculture; Appropriations;
Appropriations Subcommittee on Natural and Economic Resources, **Vice
Chair**; Commerce, Small Business, and Entrepreneurship; Insurance,
Chair; Transportation; Wildlife Resources, **Vice Chair**.

WRAY, MICHAEL H.-Contd.

CONFEREE

S.B. 202 1273.

S.B. 660 1682.

EXCUSED ABSENCES61, 337, 791, 1609.

OATH 22.

-Y-

YADKIN COUNTY

H 675 YADKIN COMMISSION RECALL
(Election Law and Campaign Finance Reform)..... 333.

YANCEY COUNTY

H 633 YANCEY COMMISSIONERS ELECTION
(Ch. SL 2009-71)311, 769, 861, 911,
1193, 1206, 1213, 1226.

YONGUE, DOUGLAS Y.

APPROVAL OF VOTE CHANGE

H.B. 116, AMENDMENT NO. 2 OF 913.

H.B. 642 915.

S.B. 202, AMENDMENT NO. 44 OF 1254.

S.B. 287, AMENDMENT NO. 4 OF 648.

BILLS INTRODUCED - 2, 6, 39, 71, 72, *76, *92, 114, 148, *228,
*229, *241, *242, *261, *308, *311, 356, 361, *386, *387, 536, 537,
548, *584, 586, *596, 618, *626, *651, *707, *744, *779, *793, 804,
831, *856, *916, 935, *948, *1026, 1032, *1035, *1038, 1078, 1140,
1163, 1176, 1225, 1260, *1306, 1364, *1371, *1372, *1373, 1455,
*1466, *1467, *1468, *1469, *1470, *1471, *1472, *1473, 1493,
*1535, 1550, *1562, 1583, *1608, *1657.

COMMITTEE ASSIGNMENTS – Appropriations, **Chair**; Education;
Education Subcommittee on Universities; Ethics, **Vice Chair**; Federal
Relations and Indian Affairs; Rules, Calendar, and Operations of the
House; State Government/State Personnel.

CONFEREE

H.B. 102 1718.

S.B. 202 (Chair)..... 1273.

ESCORT

SCOTTISH PARLIAMENT DELEGATION 520.

EXCUSED ABSENCES NONE.

OATH 22.

-Z-

ZOO

- S 307 REGULATE OWNERSHIP AND USE OF CERTAIN
REPTILES (Ch. SL 2009-344).....1072, 1175, 1452, 1467,
1496, 1517, 1565, 1660.
- H 321 ZOO AND ZOO FUNDS MODIFICATIONS
(State Government/State Personnel) 176.
- S 332 ZOO AND ZOO FUNDS MODIFICATIONS
(Ch. SL 2009-329) 392, 1090, 1180, 1199,
1421, 1444, 1455, 1501, 1658.

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2009 SESSION**

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4	H 64	42	H 550	80	H 135
5	H 164	43	H 551	81	H 201
6	S 5	44	H 676	82	H 360
7	S 37	45	H 970	83	H 439
8	S 127	46	H 65	84	H 461
9	H 112	47	H 220	85	H 960
10	S 136	48	H 800	86	H 1039
11	H 94	49	H 85	87	H 1108
12	S 89	50	H 25	88	H 1168
13	H 494	51	S 633	89	H 1118
14	H 628	52	S 381	90	H 1027
15	H 105	53	H 758	91	H 1037
16	S 287	54	S 575	92	H 1175
17	S 327	55	S 433	93	H 1327
18	H 63	56	S 750	94	H 1109
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21	H 557	59	H 42	97	H 867
22	S 499	60	H 223	98	S 703
23	S 214	61	H 218	99	H 1198
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26	H 917	64	H 1315	102	H 1104
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31	H 260	69	H 927	107	H 43
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34	H 227	72	H 833	110	H 225
35	H 573	73	H 538	111	H 280
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119	H 391	160	H 394	201	S 448
120	S 1011	161	H 498	202	S 889
121	H 1094	162	H 924	203	H 1190
122	H 686	163	S 1018	204	H 787
123	H 1031	164	S 453	205	H 722
124	S 141	165	S 503	206	H 735
125	H 221	166	S 543	207	H 698
126	H 659	167	S 540	208	H 543
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129	H 1171	170	H 896	211	S 560
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132	H 490	173	H 1164	214	S 1008
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136	S 484	177	H 723	218	H 1093
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149	H 464	190	H 1087	231	S 763
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241	H 1079	282	S 43	323	H 688
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243	H 749	284	S 634	325	S 285
244	S 1030	285	H 1112	326	S 962
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247	S 412	288	S 159	329	S 332
248	S 1009	289	S 694	330	H 187
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250	S 437	291	H 401	332	H 881
251	S 495	292	H 403	333	H 1105
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253	H 870	294	S 215	335	S 817
254	S 981	295	S 68	336	S 65
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256	S 29	297	H 564	338	S 913
257	S 570	298	H 772	339	S 1069
258	H 566	299	S 799	340	H 243
259	H 650	300	H 885	341	S 56
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267	S 483	308	H 852	349	S 1076
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270	H 1438	311	H 1449	352	S 877
271	H 886	312	S 1021	353	H 334
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273	S 870	314	H 1299	355	S 1017
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367	H 746	408	S 969	449	H 406
368	H 765	409	H 1005	450	H 1172
369	H 1185	410	H 1078	451	S 202
370	H 622	411	S 513	452	S 851
371	S 53	412	S 1078	453	S 1028
372	S 920	413	S 909	454	S 405
373	S 804	414	S 38	455	H 1103
374	H 1523	415	S 713	456	H 67
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377	H 1595	418	S 687	459	H 121
378	S 658	419	S 514	460	H 1098
379	H 1256	420	S 882	461	S 69
380	H 1255	421	S 44	462	H 456
381	H 1228	422	S 367	463	S 1091
382	H 1183	423	H 1296	464	S 461
383	H 1159	424	H 1433	465	S 79
384	H 1314	425	S 1062	466	S 535
385	S 618	426	S 251	467	S 553
386	H 1084	427	S 475	468	H 465
387	H 506	428	S 40	469	H 921
388	S 465	429	S 80	470	H 764
389	H 1464	430	S 346	471	H 596
390	S 1004	431	S 359	472	H 1305
391	H 996	432	H 109	473	S 252
392	S 863	433	S 107	474	S 425
393	S 935	434	H 819	475	S 960
394	H 1516	435	S 802	476	S 1006
395	H 311	436	S 698	477	H 752
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398	H 1077	439	S 600	480	H 1236
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505	H 1500	537	S 253	569	H 1570
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5	S 146	16	S 376	27	H 364
6	S 90	17	S 1099	28	S 1108
7	H 53	18	H 365	29	H 1657
8	H 233	19	H 383	30	H 1652
9	H 303	20	S 1103	31	H 1517
10	H 485	21	H 1538	32	S 1100
11	H 637	22	S 1101	33	S 1109