

JOURNAL

OF THE

House of Representatives

OF THE

2011

GENERAL ASSEMBLY

OF THE

STATE OF NORTH CAROLINA

SESSIONS 2011

VOLUME I

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**OFFICERS AND MEMBERS
OF THE
HOUSE OF REPRESENTATIVES
SESSIONS 2011**

Thom Tillis, *Speaker* Cornelius, Mecklenburg County
 Dale R. Folwell, *Speaker Pro Tempore* Winston-Salem, Forsyth County
 Denise G. Weeks, *Principal Clerk*..... Raleigh, Wake County
 Clyde Cook, Jr., *Sergeant-at-Arms* Garner, Wake County

REPRESENTATIVES

- 1st District: Camden, Currituck, Pasquotank, and Tyrrell.
 Bill Owens (D)..... Pasquotank.....Elizabeth City
- 2nd District: Chowan, Dare, Hyde, and Washington.
 Timothy L. Spear (D)WashingtonCreswell
- 3rd District: Craven (Part) and Pamlico.
 Norman W. Sanderson (R)..... Pamlico Arapahoe
- 4th District: Duplin and Onslow (Part).
 Jimmy Dixon (R) Duplin Mt. Olive
- 5th District: Bertie, Gates, Hertford, and Perquimans.
 Annie W. Mobley (D)..... Hertford Ahoskie
- 6th District: Beaufort and Pitt (Part).
 Bill Cook (R) Beaufort Chocowinity
- 7th District: Halifax (Part) and Nash (Part).
 Angela R. Bryant (D)..... Nash Rocky Mount
- 8th District: Martin and Pitt (Part).
 Edith D. Warren (D) Pitt..... Farmville
- 9th District: Pitt (Part).
 Marian N. McLawhorn (D)..... Pitt..... Grifton

- 10th District: Greene, Lenoir (Part), and Wayne (Part).
Stephen A. LaRoque (R)..... Lenoir..... Kinston
- 11th District: Wayne (Part).
Efton M. Sager (R) Wayne..... Goldsboro
- 12th District: Craven (Part) and Lenoir (Part).
William L. Wainwright (D) Craven..... Havelock
- 13th District: Carteret and Jones.
Pat McElraft (R) Carteret Emerald Isle
- 14th District: Onslow (Part).
George G. Cleveland (R) Onslow..... Jacksonville
- 15th District: Onslow (Part).
Phil R. Shepard (R)..... Onslow..... Jacksonville
- 16th District: New Hanover (Part) and Pender (Part).
Carolyn H. Justice (R) Pender..... Hampstead
- 17th District: Brunswick (Part).
Frank Iler (R) Brunswick..... Oak Island
- 18th District: New Hanover (Part).
Susi H. Hamilton (D)..... New Hanover..... Wilmington
- 19th District: New Hanover (Part).
Daniel F. McComas (R)..... New Hanover..... Wilmington
- 20th District: Brunswick (Part) and Columbus.
Dewey L. Hill (D)..... Columbus..... Lake Waccamaw
- 21st District: Sampson (Part) and Wayne (Part).
Larry M. Bell (D)..... Sampson..... Clinton
- 22nd District: Bladen and Cumberland (Part).
William D. Brisson (D)..... Bladen..... Dublin
- 23rd District: Edgecombe (Part) and Wilson (Part).
Joe P. Tolson (D)..... Edgecombe..... Pinetops
- 24th District: Edgecombe (Part) and Wilson (Part).
Jean Farmer-Butterfield (D)..... Wilson..... Wilson

- 25th District: Nash (Part).
 Jeff Collins (R)Nash..... Rocky Mount
- 26th District: Johnston (Part).
 N. Leo Daughtry (R) JohnstonSmithfield
- 27th District: Northampton, Vance (Part), and Warren.
 Michael H. Wray (D) Northampton Gaston
- 28th District: Johnston (Part) and Sampson (Part).
 James H. Langdon, Jr. (R) Johnston Angier
- 29th District: Durham (Part).
 Larry D. Hall (D) Durham Durham
- 30th District: Durham (Part).
 Paul Luebke (D) Durham Durham
- 31st District: Durham (Part).
 Henry M. Michaux, Jr. (D) Durham Durham
- 32nd District: Granville and Vance (Part).
 James W. Crawford, Jr. (D) Granville Oxford
- 33rd District: Wake (Part).
 Rosa U. Gill (D) Wake Raleigh
- 34th District: Wake (Part).
 Grier Martin (D) Wake Raleigh
- 35th District: Wake (Part).
 Jennifer Weiss (D) Wake Cary
- 36th District: Wake (Part).
 Nelson Dollar (R) Wake Cary
- 37th District: Wake (Part).
 Paul Stam (R) Wake Apex
- 38th District: Wake (Part).
 Deborah K. Ross (D) Wake Raleigh

- 39th District: Wake (Part).
Darren G. Jackson (D) Wake Raleigh
- 40th District: Wake (Part).
Marilyn Avila (R) Wake Raleigh
- 41st District: Wake (Part).
Tom Murry (R) Wake Morrisville
- 42nd District: Cumberland (Part).
Marvin W. Lucas (D) Cumberland Spring Lake
- 43rd District: Cumberland (Part).
Elmer Floyd (D) Cumberland Fayetteville
- 44th District: Cumberland (Part).
Diane Parfitt (D) Cumberland Fayetteville
- 45th District: Cumberland (Part).
Rick Glazier (D) Cumberland Fayetteville
- 46th District: Hoke (Part), Robeson (Part), and Scotland (Part).
G. L. Pridgen (R) Robeson Lumberton
- 47th District: Robeson (Part).
Charles Graham (D) Robeson Lumberton
- 48th District: Hoke (Part), Robeson (Part), and Scotland (Part).
Garland E. Pierce (D) Scotland Wagram
- 49th District: Franklin, Halifax (Part), and Nash (Part).
Glen Bradley (R) Franklin Youngsville
- 50th District: Caswell and Orange (Part).
Bill Faison (D) Orange Cedar Grove
- 51st District: Harnett (Part) and Lee.
Mike C. Stone (R) Lee Sanford
- 52nd District: Moore (Part).
James L. Boles, Jr. (R) Moore Southern Pines

- 53rd District: Harnett (Part).
David R. Lewis (R)..... HarnettDunn
- 54th District: Chatham, Moore (Part), and Orange (Part).
Joe Hackney (D)..... Orange Chapel Hill
- 55th District: Durham (Part) and Person.
W. A. (Winkie) Wilkins (D) Person Roxboro
- 56th District: Orange (Part).
Verla Insko (D)..... Orange Chapel Hill
- 57th District: Guilford (Part).
Pricey Harrison (D)..... Guilford..... Greensboro
- 58th District: Guilford (Part).
Alma Adams (D)..... Guilford Greensboro
- 59th District: Guilford (Part).
Maggie Jeffus (D)..... Guilford Greensboro
- 60th District: Guilford (Part).
Marcus Brandon (D)..... Guilford High Point
- 61st District: Guilford (Part).
John Faircloth (R)..... Guilford High Point
- 62nd District: Guilford (Part).
John M. Blust (R) Guilford Greensboro
- 63rd District: Alamance (Part).
Alice L. Bordsen (D) Alamance Mebane
- 64th District: Alamance (Part).
Dan W. Ingle (R) Alamance Burlington
- 65th District: Rockingham (Part).
* Bert Jones (U)..... Rockingham..... Reidsville
(Changed to Republican Party 8/25/11)
- 66th District: Montgomery (Part) and Richmond.
Ken Goodman (D) Richmond..... Rockingham
- 67th District: Montgomery (Part), Stanly, and Union (Part).
Justin P. Burr (R)..... Stanly Albemarle

- 68th District: Union (Part).
D. Craig Horn (R)..... Union Weddington
- 69th District: Anson and Union (Part).
** Pryor Gibson (D)..... Anson..... Wadesboro
(Frank McGuirt - Appointed 3/7/2011)
- 70th District: Randolph (Part).
Pat B. Hurley (R)..... Randolph..... Asheboro
- 71st District: Forsyth (Part).
Larry Womble (D)..... Forsyth..... Winston-Salem
- 72nd District: Forsyth (Part).
Earline W. Parmon (D)..... Forsyth..... Winston-Salem
- 73rd District: Davidson (Part) and Forsyth (Part).
Larry R. Brown (R)..... Forsyth..... Kernersville
- 74th District: Forsyth (Part).
Dale R. Folwell (R)..... Forsyth..... Winston-Salem
- 75th District: Forsyth (Part).
Wm. C. "Bill" McGee (R) Forsyth..... Clemmons
- 76th District: Rowan (Part).
Fred F. Steen, II (R)..... Rowan..... Landis
- 77th District: Rowan (Part).
Harry Warren (R)..... Rowan..... Salisbury
- 78th District: Randolph (Part).
Harold J. Brubaker (R)..... Randolph..... Asheboro
- 79th District: Davie and Iredell (Part).
Julia C. Howard (R)..... Davie..... Mocksville
- 80th District: Davidson (Part).
Jerry C. Dockham (R)..... Davidson..... Denton
- 81st District: Davidson (Part).
Rayne Brown (R)..... Davidson..... Lexington
- 82nd District: Cabarrus (Part).
*** Jeff Barnhart (R)..... Cabarrus..... Concord
(Larry Pittman - Appointed 10/10/11)

- 83rd District: Cabarrus (Part).
Linda P. Johnson (R) Cabarrus Kannapolis
- 84th District: Avery, Caldwell (Part), Mitchell, and Yancey (Part).
Phillip Frye (R) Mitchell Spruce Pine
- 85th District: Burke (Part) and McDowell.
Mitch Gillespie (R) McDowell Marion
- 86th District: Burke (Part).
Hugh Blackwell (R) Burke Valdese
- 87th District: Caldwell (Part).
Edgar V. Starnes (R) Caldwell Hickory
- 88th District: Alexander and Catawba (Part).
Mark W. Hollo (R) Alexander Taylorsville
- 89th District: Catawba (Part) and Iredell (Part).
Mitchell S. Setzer (R) Catawba Catawba
- 90th District: Alleghany and Surry (Part).
Sarah Stevens (R) Surry Mount Airy
- 91st District: Rockingham (Part) and Stokes.
Bryan R. Holloway (R) Stokes King
- 92nd District: Iredell (Part), Surry (Part), and Yadkin.
Darrell G. McCormick (R) Yadkin Yadkinville
- 93rd District: Ashe and Watauga.
Jonathan C. Jordan (R) Ashe West Jefferson
- 94th District: Wilkes.
Shirley B. Randleman (R) Wilkes Wilkesboro
- 95th District: Iredell (Part).
Grey Mills (R) Iredell Mooresville
- 96th District: Catawba (Part).
Mark K. Hilton (R) Catawba Conover
- 97th District: Lincoln.
**** Johnathan Rhyne, Jr. (R) Lincoln Lincolnton
(Jason Saine - Appointed 8/24/11)

- 98th District: Mecklenburg (Part).
Thom Tillis (R) Mecklenburg Cornelius
- 99th District: Mecklenburg (Part).
Rodney W. Moore (D) Mecklenburg Charlotte
- 100th District: Mecklenburg (Part).
Tricia Ann Cotham (D) Mecklenburg Matthews
- 101st District: Mecklenburg (Part).
Beverly M. Earle (D) Mecklenburg Charlotte
- 102nd District: Mecklenburg (Part).
Becky Carney (D) Mecklenburg Charlotte
- 103rd District: Mecklenburg (Part).
William Brawley (R) Mecklenburg Matthews
- 104th District: Mecklenburg (Part).
Ruth Samuelson (R) Mecklenburg Charlotte
- 105th District: Mecklenburg (Part).
Ric Killian (R) Mecklenburg Charlotte
- 106th District: Mecklenburg (Part).
Martha B. Alexander (D) Mecklenburg Charlotte
- 107th District: Mecklenburg (Part).
Kelly M. Alexander, Jr. (D) Mecklenburg Charlotte
- 108th District: Gaston (Part).
John A. Torbett (R) Gaston Stanley
- 109th District: Gaston (Part).
William A. Current, Sr. (R) Gaston Gastonia
- 110th District: Cleveland (Part) and Gaston (Part).
Kelly E. Hastings (R) Gaston Cherryville
- 111th District: Cleveland (Part).
Tim Moore (R) Cleveland Kings Mountain

- 112th District: Cleveland (Part) and Rutherford.
Mike Hager (R)..... Rutherford..... Rutherfordton
- 113th District: Henderson (Part), Polk, and Transylvania.
W. David Guice (R)..... TransylvaniaBrevard
- 114th District: Buncombe (Part).
Susan C. Fisher (D)..... Buncombe Asheville
- 115th District: Buncombe (Part).
Patsy Keever (D)..... Buncombe Asheville
- 116th District: Buncombe (Part).
Tim D. Moffitt (R)..... Buncombe Asheville
- 117th District: Henderson (Part).
Chuck McGrady (R) Henderson Hendersonville
- 118th District: Haywood (Part), Madison, and Yancey (Part).
Ray Rapp (D)..... Madison Mars Hill
- 119th District: Haywood (Part), Jackson, Macon (Part), and Swain.
R. Phillip Haire (D)..... Jackson..... Sylva
- 120th District: Cherokee, Clay, Graham, and Macon (Part).
Roger West (R)..... Cherokee Marble

*Rep. Bert Jones changed to the Republican party 8/25/11

**Rep. Pryor Gibson resigned 3/3/11

***Rep. Jeff Barnhart resigned 9/30/11

****Rep. Johnathan Rhyne, Jr. resigned 8/15/11

HOUSE JOURNAL

SESSION 2011

FIRST DAY

HOUSE OF REPRESENTATIVES
Wednesday, January 26, 2011

This day, in accordance with the Constitution of the State of North Carolina and G.S. 120-11.1, which fixes the date for the meeting of the General Assembly of North Carolina, the Members of the House of Representatives assemble in the House Chamber of the State Legislative Building in the City of Raleigh at 12:00 Noon and are called to order by the Honorable Denise G. Weeks, Principal Clerk of the 2009 House of Representatives.

The following prayer is offered by The Honorable James G. Martin, former Governor:

"Thank You. It's good to be back. Since I told a reporter I will disclose, as required by law, that I am here as a lobbyist unregistered before the Kingdom of Heaven.

"Gracious, eternal and all provident God, Creator of the Universe and everything in it, Sustainer of Life:

"We thank You and praise You for the many blessings You have brought to enrich our lives, the blessings of families and friends, the communities of faith from which we come, the bounty and beauty of nature all around us, the majesty of this State which has called us to serve and the glory of this one Nation under God and its blessings of liberty for all. We remember and pray for those all we love who are absent, whose lives have been an inspiration and example for ours. Look now upon these, Your servants, guide their minds and prepare their hearts for the difficult decisions and responsibilities that await them that they might serve Your people well and nobly. We make our prayers each in his own way - for many of us in the name of Jesus. Amen."

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The Honorable Pat McCrory leads the Body in the Pledge of Allegiance.

The National Anthem is sung by Matthew Shortridge of Union County.

There are no excused absences for today.

The following children, who are relatives of the Members, serve as Honorary Pages for today: Samantha Alexander, Isley Bell, Kylan Bell, Tommy Blackwell, Glenn Boles, Autumn Brisson, Anna-Grace Brooks, Faith Brooks, Jarret Burr, Savannah Byrd, Ian Dollar, Julia Eatman, Breck Faison, Chasie Faison, Courtney Faison, Ean Faison, Stone Faison, Anna Folwell, Stephen Folwell, Krystal Foster, Victoria George, Emma Gibson, Ry Gibson, Kalli Gilmore, Charles Graham, Jr., Madison Graham, Margaret Griffin, Mark Griffin, Rebecca Jane Gullette, Brianna Hager, Parker Hamilton, Sophie Hastings, Abram Hilton, Caitlin Hilton, Hattie Hilton, Matthew Holcomb, Ethan Hollifield, Rebekah Hollifield, Scott Hollo, Thomas Insko, Logan Jackson, Bayle Jernigan, Caroline Jones, David Jones, Brain Landreth, Amy Langdon, Sara Martin, Jessica McAdaragh, Olivia McCormick, Ethan McGee, Alan McLawhorn, Sam McLawhorn, Taishu McLawhorn, Elliot Meek, Alexandria Mills, Grant Mills, Grey Mills, Alex Moffitt, Jesse Moffitt, Luke Moffitt, McRae Moore, Tyler Moore, Wilson Moore, Cate Mullins, Ella Gail Murry, Gretchen Allene Murry, Alexis Christina Oliver, Darrien Oliver, Kimberly Parlier, Ari Piggott, Fernando Pinilla, James Prather, Julianna Prather, Basheer Abdul Rahman, Addison Reich, Christopher Riley, Hannah Riley, Jesse Roberts, Laura Shelton, Mary Shelton, Asa Shields, Crawford Shields, Manyshi Smith, Shamone Smith, Aidan Stam, Luke Stancil, Mary Catherine Starnes, Connor Stone, Gabrielle Stone, Lake Summers, Samantha Summers, Amanda Thomas, Samantha Thomas, Cole Tolson, Jacqueline Vaughan-Jones, Julia Vaughan-Jones, Alexandra Warren, Morgan Warren, Clarence Webb, III, and Anna Weiss.

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

THE 2011 NORTH CAROLINA HOUSE OF REPRESENTATIVES

I, Elaine F. Marshall, Secretary of State of the State of North Carolina, do hereby certify that the State Board of Elections met Tuesday, the 23rd day of November, A.D., 2010, in accordance with Chapter 163 of the General Statutes of North Carolina, at which time the Board did open, canvass and judicially determine the returns of votes cast in the election held on Tuesday, November 2nd, 2010, and certified to me the persons duly elected as members of the House of Representatives from the various

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Representative Districts comprising of more than one county, and all others have been certified to me in the abstracts by the State Board of Elections as having the highest number of votes cast in the election for the House of Representatives from districts composed of one county only, for the General Assembly of 2011, to wit:

DISTRICT	NAME
First	W. C. (Bill) Owens, Jr.
Second	Timothy L. (Tim) Spear
Third	Norman Sanderson
Fourth	Jimmy Dixon
Fifth	Annie W. Mobley
Sixth	Bill Cook
Seventh	Angela R. Bryant
Eighth	Edith D. Warren
Ninth	Marian N. McLawhorn
Tenth	Stephen LaRoque
Eleventh	Efton M. Sager
Twelfth	William L. Wainwright
Thirteenth	Patricia (Pat) McElraft
Fourteenth	George G. Cleveland
Fifteenth	Phillip Shepard
Sixteenth	Carolyn Justice
Seventeenth	Frank Iler
Eighteenth	Susi Hamilton

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Nineteenth	Danny McComas
Twentieth	Dewey L. Hill
Twenty-first	Larry M. Bell
Twenty-second	William Brisson
Twenty-third	Joe Tolson
Twenty-fourth	Jean Farmer-Butterfield
Twenty-fifth	Jeffrey L. (Jeff) Collins
Twenty-sixth	Leo Daughtry
Twenty-seventh	Michael H. Wray
Twenty-eighth	James H. (J.H.) Langdon, Jr.
Twenty-ninth	Larry D. Hall
Thirtieth	Paul Luebke
Thirty-first	H.M. (Mickey) Michaux
Thirty-second	Jim Crawford
Thirty-third	Rosa U. Gill
Thirty-fourth	Grier Martin
Thirty-fifth	Jennifer Weiss
Thirty-sixth	Nelson Dollar
Thirty-seventh	Paul Stam
Thirty-eighth	Deborah K. Ross
Thirty-ninth	Darren Jackson
Fortieth	Marilyn Avila

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Forty-first	Tom Murry
Forty-second	Marvin W. Lucas
Forty-third	Elmer Floyd
Forty-fourth	Diane Parfitt
Forty-fifth	Rick Glazier
Forty-sixth	Gaston (G. L.) Pridgen
Forty-seventh	Charles Graham
Forty-eighth	Garland E. Pierce
Forty-ninth	Glen Bradley
Fiftieth	Bill Faison
Fifty-first	Michael (Mike) Stone
Fifty-second	Jamie Boles
Fifty-third	David Lewis
Fifty-fourth	Joe Hackney
Fifty-fifth	W. A. (Winkie) Wilkins
Fifty-sixth	Verla Insko
Fifty-seventh	Mary Price (Pricey) Harrison
Fifty-eighth	Alma Adams
Fifty-ninth	Maggie Jeffus
Sixtieth	Marcus Brandon
Sixty-first	John Faircloth
Sixty-second	John M. Blust

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Sixty-third	Alice Bordsen
Sixty-fourth	Dan W. Ingle
Sixty-fifth	Bert Jones
Sixty-sixth	Ken Goodman
Sixty-seventh	Justin P. Burr
Sixty-eighth	Craig Horn
Sixty-ninth	Pryor Gibson
Seventieth	Pat B. Hurley
Seventy-first	Larry Womble
Seventy-second	Earline W. Parmon
Seventy-third	Larry R. Brown
Seventy-fourth	Dale R. Folwell
Seventy-fifth	Wm. C. (Bill) McGee
Seventy-sixth	Fred Steen, II
Seventy-seventh	Harry Warren
Seventy-eighth	Harold J. Brubaker
Seventy-ninth	Julia Craven Howard
Eightieth	Jerry C. Dockham
Eighty-first	Rayne Brown
Eighty-second	Jeff Barnhart
Eighty-third	Linda P. Johnson
Eighty-fourth	Phillip Frye

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Eighty-fifth	Mitch Gillespie
Eighty-sixth	Hugh Blackwell
Eighty-seventh	Edgar V. Starnes
Eighty-eighth	Mark W. Hollo
Eighty-ninth	Mitchell Smith Setzer
Ninetieth	Sarah Stevens
Ninety-first	Bryan Holloway
Ninety-second	Darrell McCormick
Ninety-third	Jonathan C. Jordan
Ninety-fourth	Shirley Blackburn Randleman
Ninety-fifth	Grey Mills
Ninety-sixth	Mark K. Hilton
Ninety-seventh	Johnathan Rhyne
Ninety-eighth	Thom Tillis
Ninety-ninth	Rodney W. Moore
One hundredth	Tricia Cotham
One hundred-first	Beverly Miller Earle
One hundred-second	Becky Carney
One hundred-third	Bill Brawley
One hundred-fourth	Ruth Samuelson
One hundred-fifth	Ric Killian
One hundred-sixth	Martha Alexander

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One hundred-seventh	Kelly Alexander
One hundred-eighth	John Torbett
One hundred-ninth	William A. Current
One hundred-tenth	Kelly E. Hastings
One hundred-eleventh	Tim Moore
One hundred-twelfth	Mike Hager
One hundred-thirteenth	W. David Guice
One hundred-fourteenth	Susan C. Fisher
One hundred-fifteenth	Patsy Keever
One hundred-sixteenth	Tim Moffitt
One hundred-seventeenth	Chuck McGrady
One hundred-eighteenth	Ray Rapp
One hundred-nineteenth	Phil Haire
One hundred-twentieth	Roger West

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

DONE IN OFFICE at Raleigh, this 13th day of December, 2010.

S/Elaine F. Marshall
Secretary of State

The roll is called and one hundred twenty Members-elect are present. The Members-elect present, take and subscribe to the following oath of office, which is administered by Justice Mark Martin, Associate Justice, North Carolina Supreme Court.

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**OATH FOR MEMBERS OF THE
2011 HOUSE OF REPRESENTATIVES**

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

"I do swear 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."

The foregoing oath was administered to Representative Kelly E. Hastings by Matthew A. Hambidge, Cleveland County Magistrate on January 1, 2011; Representative Chuck McGrady by Kim Gasperson-Justice, Henderson County Clerk of Supreme Court on January 1, 2011; Representative John A. Torbett by Judge John K. Greenlee, District Court 27A on January 1, 2011; Representative Rayne Brown by Judge Ann Marie Calabria, North Carolina Court of Appeals on January 2, 2011; Representative James W. Dixon by Justice Paul M. Newby, Associate Justice of the North Carolina Supreme Court on January 3, 2011; Representative Norman W. Sanderson by Justice Paul M. Newby, Associate Justice of the North Carolina Supreme Court on January 3, 2011; Representative William Brawley by Judge Matt Osman, District Court 26 on January 5, 2011; Representative Dan W. Ingle by Justice Robert H. Edmunds, Jr., Associate Justice of the North Carolina Supreme Court on January 6, 2011; Representative Bert Jones by Justice Paul M. Newby, Associate Justice of the North Carolina Supreme Court on January 6, 2011; Representative Phillip Shepard by Representative Thom Tillis on January 6, 2011; Representative John Faircloth by Justice Paul M. Newby, Associate Justice of the North Carolina Supreme Court on January 8, 2011; Representative Mark W. Hollo by Justice Paul M. Newby, Associate Justice of the North Carolina Supreme Court on January 8, 2011; Representative Jonathan Jordan by Justice Paul M. Newby, Associate Justice of the North Carolina Supreme Court on January 8, 2011; Representative Tim D. Moffitt by Justice Paul M. Newby, Associate Justice of the North Carolina Supreme Court on January 8, 2011; Representative Glen Bradley by Judge Ann Marie Calabria, North Carolina Court of Appeals on January 10, 2011; Representative Jeff Collins by Judge Ann Marie Calabria, North Carolina Court of Appeals on January 10, 2011; Representative G. L. Pridgen by Judge Robert F. Floyd, Senior Resident Court Judge on January 10, 2011;

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Representative Tom Murry by Judge Ann Marie Calabria, North Carolina Court of Appeals on January 11, 2011; Representative Bill Cook by Judge Ann Marie Calabria, North Carolina Court of Appeals on January 12, 2011; Representative D. Craig Horn by Judge Sanford L. Steelman, Jr., North Carolina Court of Appeals on January 12, 2011; Representative Mike Hager by Ralynn Spencer, Rutherford County Clerk of Court on January 19, 2011; Representative Mike C. Stone by Justice Paul M. Newby, Associate Justice of the North Carolina Supreme Court on January 21, 2011; Representative Marilyn Avila by Judge Ann Marie Calabria, North Carolina Court of Appeals on January 22, 2011; and Representative Charles Graham by Jessica Scott, Notary on January 22, 2011.

ELECTION OF SPEAKER

The Principal Clerk announces that the first order of business is the election of a Speaker and explains the voting procedure to be used in the absence of adopted rules. The Clerk declares that nominations are in order.

The Chair recognizes Representative Brubaker who places the name of Representative Thom Tillis in nomination as the Republican Nominee for the Speaker of the House of Representatives.

"Fellow Members of the House, Distinguished Guests, Ladies and Gentlemen:

"Today I have the distinct honor of placing into nomination for Speaker of the House, an individual who was born to be a leader. Webster defines leadership as the quality of character and personality giving a person the ability to gain the confidence to lead others. Our next Speaker's leadership skills have been recognized throughout his career. In high school he was elected student body President. In the business world he became a partner in one of the world's largest accounting and management consulting firms in almost record time. And in the world of public service, his leadership and consensus building skills have allowed him to rise from serving on his own local town council to serving as Minority Whip, to now serving as the next Speaker of the North Carolina House of Representatives.

"Our next Speaker has the right character, ability, and experience to lead this Chamber. His management consulting career has provided him with a deep understanding of fiscal management, policy making and transformation of complex organizations. He has spent his career leading teams of people to achieve difficult tasks that many others thought could not be accomplished. His business-like approach to solving our State's problems helped him receive the number one pro-business ranking by the

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North Carolina Free Enterprise Foundation. These strengths will serve him well as Speaker, as we all work together to right-size our State budget and promote common sense solutions that create jobs and put people back to work.

"During my time in this House, I have seen many leaders come and go. Our next Speaker has risen to his position of leadership faster than any other Member with whom I have served these last thirty-plus years. And there is a reason. He has the right leadership qualities at the right time in our State's history to help put North Carolina back on track.

"Ladies and Gentlemen, it is my honor and privilege to place in nomination for Speaker of the North Carolina House of Representatives, the gentleman from Mecklenburg, the Honorable Thom Tillis."

The nomination is seconded by Representative Howard.

"Madam Clerk, Members of the 149th Legislature, distinguished guests, family, and friends:

"I thank you for the opportunity to speak with you. Over the past four years Thom Tillis gave a glimpse of his wisdom and leadership. He respectfully listens to all sides of the argument, smiles and simply asks, 'What is the right thing to do here?'

"The needs of this House, the rights of North Carolina citizens, and the promise for the future rest in the hands of the new leadership that is represented by Thom Tillis. Recently I had a conversation about what really constitutes leadership. Is it merely a learned trait or one that comes naturally? In truth it is both, but I believe that the core of leadership comes from the heart. It is about character, integrity, and commitment. It is about the courage to do the right thing simply because it is the right thing to do.

"Thom Tillis exemplifies this type of leadership. He is unquestionably prepared to bring these values to this Chamber, ensuring that the House of Representatives services the interest of all North Carolinians.

"Madam Clerk and Members, it is my great honor and privilege to respectfully second the nomination of the next Speaker of the North Carolina House of Representatives, the name of a fine leader and a great friend for our great State, The Honorable Thom Tillis. Thank you and God bless our magnificent State, and each and every one of you."

The nomination is also seconded by Representative Stam.

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"Madame Clerk and Members of the House:

"With pleasure I second the nomination of Thom Tillis to be Speaker of this House. We have worked together for four years with pleasure and cooperation. You know, a very wise man said one time, every lawmaker who is wise is like the owner of a house who brings out of his storeroom new treasures as well as old. Thom is very familiar with and cognizant of, the traditions of the House, the traditions of our State; but he's willing to think anew. You'll find out I believe, in the use of technology and the way we contract for it. You'll find it in our most important task - budgeting. I think you'll find it in the procedures of our committees, of this House, and the way we do business. You will not want to vote for Representative Tillis for your Speaker if you want to maintain the status quo. If you want to set a new course for a leaner, more just government, to take us into the rest of the 21st century, focusing on our core missions, then he's the guy. In closing, as he leads this whole House, he and the rest of us, would be wise to remember this charge to the government leaders from a thousand years ago, King Edward, where he said, 'I again and again command all those set over the state, that they show themselves just to all, as it is written in the [judicial] book, and that no fear deter them from declaring the [common] law boldly and freely.'* With pleasure, I second the nomination of The Honorable Thom Tillis to be Speaker of the House."

*Dome Book of Liber Judicialis of King Alfred 871-901 AD

The Chair recognizes Representative Insko who places in nomination the name of Representative Joe Hackney as the Democratic Nominee for the Speaker of the House of Representatives.

"Madam Chair, honored guests, ladies and gentlemen of the House:

"It is both my honor and my pleasure to nominate the Honorable Joe Hackney for Speaker of the North Carolina House of Representatives for this the 149th Session of the North Carolina General Assembly.

"We all know Joe Hackney for his distinguished 30-year career as an accomplished lawmaker. He is highly regarded across this State for his leadership, and, as a past President of the National Conference of State Legislatures, he has a national reputation as a patient, dedicated statesman.

"But, the attributes that leave the most lasting impression with us is his unequivocal respect and honor for this institution.

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"Joe models for all of us what a rare privilege it is to serve the people of this great State in this historic House of the people.

"During the past four years, as the State faced its most difficult time since the Great Depression, Joe led this House as Speaker with integrity and fairness, and we all saw him diffuse tense moments with quick, brilliant strokes of humor.

"Under his leadership as Speaker, we maintained our status with 'Site Selection Magazine' as the Number 1 state to do business; several other leading indicators placed us at Numbers 2, 3, and 4. We saw our early childhood More at Four program recognized as a model for the Nation, along with our award winning Smart Start program. Our elementary students were among those who made the greatest educational gains in the Nation. Our community college system stepped up to retrain the unemployed and our university system won the race for the federal grants for cutting edge research. Speaker Hackney also ensured that we met the needs of the many new Medicaid and food stamp enrollees without making cuts to Medicaid or our mental health system.

"While he was Speaker, Joe Hackney did more than just hold us together. He led us to work together to focus on the needs of our people and to move this State forward. And I invite you to join me today in voting for him to serve us again as Speaker of the North Carolina House.

"Thank you."

The nomination is seconded by Representative Hall.

"Madame Clerk, Members of this great Body:

"It's with privilege and honor that I stand before you to nominate Joe Hackney as our Speaker again for this North Carolina House of Representatives. You know, they say with privilege comes responsibility. And some people might view the office of Speaker as a privilege, and not understand the responsibility to the State of North Carolina that comes with it. Joe Hackney has clearly demonstrated that throughout his two terms as Speaker.

"Translating promises and intentions into reality and sustaining it is also something a leader must be able to do and do effectively. And he again has demonstrated that during his previous two terms as Speaker, there is a responsibility to the people of North Carolina. This is the people's house - it does not belong to any one of us, but it belongs to the people of North Carolina.

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"During his past two terms he has carried that responsibility that I spoke of, with distinction. He set the groundwork for our economic recovery that has already been referenced. He provided for education and ensuring that our institutions remain the best in America, not just the best value, but the best in America.

"He helped restore fairness and transparency to this House in which so many of you are privileged now to serve. He allowed for full discussion of ideas, and full discussion of opinions on this floor, all to the betterment of North Carolina. And so again, I ask that you support the nomination of Joe Hackney for Speaker of this House again so that we can continue to go forward for the best interest of North Carolina.

"Thank you."

The nomination is also seconded by Representative Ross.

"Thank you, Madam Clerk, honored guests, friends, and all Members of the House.

"It's with great pride and a huge honor to second the nomination of the gentleman from Orange, Joe Hackney, for Speaker of the House.

"We've heard from some of the other nominating speeches what it takes to be a leader and what it takes to be a leader during these times. I'm here to tell you that it takes something different to be a leader in a public Body, an elected Body, than in any other situation, particularly in the kind of robust democracy we live in.

"So what are the main qualities of leadership in that context?"

"Integrity. There is absolutely no question that Joe Hackney is of the highest integrity of any Member in this Body. As a matter of fact, one of my colleagues on the other side of the aisle said to me last Session, 'He never does anything for himself. It's always for the State and for the people.'

"Civility. Joe Hackney treats every Member and every person who comes to this institution with dignity and respect. He knows what it's like to be in the minority - he was in the minority. He knows what it's like to be in the majority - he's been Speaker. He understands that each of us comes here to represent the same number of people. Those are our real bosses and each of us has a duty to do the best job for them and he respects the job that each of us does.

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"Intelligence. We deal with legislation that covers every topic under the sun. Very few people can look at a new issue and either have the background or know the questions to ask. Joe Hackney, not only delegates these responsibilities to people who are good at this, but he considers it his responsibility to understand every piece of legislation that passes this Body, it's his responsibility as the leader.

"And finally, respect for the institution. We've been around for a long time and there is nobody who has exemplified the kind of leadership that this State has needed and made this institution a better place every year he served as Speaker. Nobody has done that better than Joe Hackney.

"Finally, he is a problem solver in difficult times. We've seen him do it before and he certainly can do it again. And he fundamentally understands what has made this State great; so we made changes, and we always need to make changes. You have to understand what needs to be preserved and Joe Hackney knows that and I close with this – not only does Joe Hackney represent and respect every single Member of this institution, he represents and respects every citizen of this great State and treats them all equally. For all of these reasons, it is my honor and privilege to second the nomination of Joe Hackney for Speaker of the House."

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

The following Members vote for Representative Tillis: Representatives Avila, Barnhart, Blackwell, Blust, Boles, Bradley, Brawley, L. Brown, R. Brown, Brubaker, Burr, Cleveland, Collins, Cook, Crawford, Current, Daughtry, Dixon, Dockham, Dollar, Earle, Faircloth, Floyd, Folwell, Frye, Gillespie, Guice, Hager, Hastings, Hill, Hilton, Hollo, Holloway, Horn, Howard, Hurley, Iler, Ingle, Johnson, Jones, Jordan, Justice, Killian, Langdon, LaRoque, Lewis, McComas, McCormick, McElraft, McGee, McGrady, Mills, Moffitt, T. Moore, Murry, Owens, Pridgen, Randleman, Rhyne, Sager, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Tillis, Torbett, H. Warren, and West - 74.

The following Members vote for Representative Hackney: Representatives Adams, K. Alexander, M. Alexander, Bell, Bordsen, Brandon, Brisson, Bryant, Carney, Cotham, Faison, Farmer-Butterfield, Fisher, Gibson, Gill, Glazier, Goodman, Graham, Hackney, Haire, Hall, Hamilton, Harrison, Insko, Jackson, Jeffus, Keever, Lucas, Luebke, Martin, McLawhorn, Michaux, Mobley, R. Moore, Parfitt, Parmon, Pierce, Rapp, Ross, Tolson, Wainwright, E. Warren, Weiss, Wilkins, Womble, and Wray - 46.

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Representative Tillis, having received a majority vote, is declared Speaker of the 2011 House of Representatives.

The Speaker, escorted to the Chair by Representatives Brubaker, Howard, Stam, Samuelson, Killian, Brawley, Daughtry, Burr, Starnes, Dockham, and McComas, takes and subscribes to the following oath of office administered by Justice Robert H. Edmunds, Jr., Associate Justice, North Carolina Supreme Court.

**OATH FOR SPEAKER OF THE
2011 HOUSE OF REPRESENTATIVES**

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

The Speaker, Mr. Thom Tillis, approaches the dais and makes the following remarks.

"Fellow Members, I am honored to have the confidence of so many of you to lead this august Body.

"Madame Principal Clerk, Governor Martin, Justices Martin, Edmunds, Newby, and Jackson, Mayor Pat McCrory, House Members present and past, honored guests, colleagues and friends, thank you for joining us on this historic occasion. We are honored by your presence.

"To my beautiful wife, Susan, thank you for your unconditional love and support. To my children Lindsay and Ryan, thank you for making your dad so proud. To my mother Margie, and my mother-in-law Jeanette and to my sisters Terry and Ann and my brothers Rick and Ron, thank you for your love and support and for being here to share this moment. To all of my guests here today, and for everyone who has supported me, thank you.

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"I am grateful for the opportunity to serve as the Speaker of the House at this juncture in North Carolina history. Rarely are we faced with challenges like the ones ahead of us. We will be forced to make difficult decisions, and we will find numerous opportunities to improve our State. North Carolina is a wonderful place, and I envision an even better North Carolina, where jobs are easier to find, where government functions more efficiently, and where families have an even greater ability to grow and prosper.

"We must acknowledge the monumental task ahead of us. We are confronted with a budget deficit that threatens our ability to fund critical services, and we are spending beyond our means. We must lower the heightened expectations as to what government should do for us, and we must raise the expectations for what we must do for ourselves.

"More details will be provided later, but let me assure you: we will keep the promises we made to the voters. We will cut spending to a level that is in line with our revenues. We will sunset the income and sales tax increases that were imposed on working families and small businesses in the prior Session. We will pass term limits for the Speaker of the House and Speaker Pro Tem and we will complete our 100 day agenda.

"Our State is facing a fiscal crisis and we must act swiftly. However, you should know that those of us who serve in this Body are united in the belief that North Carolina on its worst day is a condition that millions of people across the world would consider a dream.

"Think about it. We have a University system that is the envy of the United States. Being accepted into the UNC system is a dream-come-true for thousands of high school students in North Carolina, across the United States and foreign lands. We have a Community College System that is doing yeoman's work in preparing men and women of all ages to compete in an increasingly competitive job market. We have a Kindergarten through 12th Grade education system with hardworking teachers and staff who are preparing students to be doctors, teachers, nurses, small business owners, scientists, CEOs, civic leaders and in thousands of other productive roles. We have teachers in charter public schools, private schools, and home schools, who have dedicated themselves to educating our children and to providing choices that are vital to producing the best educated and the most prepared workforce in the world.

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"University Chancellors, Community College Presidents, School Superintendents and education advocacy organizations are engaged and stand ready to help solve the budget problems. We look forward to working with all of them with the shared goal of managing our fiscal challenges and improving classroom outcomes.

"After Education, Health and Human Services is the largest part of the State budget. We must be smarter and more efficient in our delivery of healthcare and we must eliminate fraud, waste and abuse that drives up healthcare costs for everyone.

"We will also face challenges in funding Justice and Public Safety, Transportation, Natural and Economic and Resources, and General Government.

"We must provide funds to arrest, detain, and incarcerate violent offenders and to rehabilitate those who deserve a second chance. We must provide flexibility to allow for more efficient operations with the primary goal of protecting our law-abiding citizens and providing swift justice.

"We must review our current processes for prioritizing the funding of our infrastructure for roads, rail, and other modes of transportation and we must find new ways to fund improvements to our aging infrastructure.

"We must ensure that all regulations in place today and any we enact in the future are fair to all parties and friendly to job creators.

"Finally, we must relentlessly pursue opportunities to reduce the cost of general government operations through privatization, public/private partnerships and other contemporary options for 'rightsizing' our State and local governments.

"We will leave the debate regarding our legislative agenda for another time. For now, I will only say that my goal is to advance this agenda and to complete our work sooner rather than later. I hope we complete our work and get out of town far sooner than we have in recent times...sometime around July 4th is a reasonable target and an achievable goal.

"For the first time in more than 140 years, the House and Senate will now transition to Republican control. So what will this transition mean to North Carolina?

"I believe it will mean leadership that favors limited government, free markets, and Federalism. Leadership that understands that the 'TEA' in TEA Party stands for 'Taxed Enough Already.'

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"Leadership that is committed to reducing the scope of government to a point that ensures the safety of our citizens, the education of our children, a solid infrastructure, and little else.

"Since receiving the caucus nomination for Speaker on November 20th, I continue to be amazed with the duties of the job. I would like to offer my thanks to Speaker Hackney and his staff for their help in completing a smooth transition. Seemingly simple tasks like seat assignments and office assignments, and not so simple tasks like committee assignments and chairmanships demand hours of work with Members and staff. However, we have been decisive and we are prepared to govern sooner than anyone can recall. House Members are in their permanent seats and offices, committee chairmanships have been announced, and tomorrow we will roll out committee assignments. We will keep up the rapid pace, and we will continue to do all we can to make this transition go smoothly.

"But for now, I hope you will take a moment with me to take in the sights of this historic day: the dignitaries in the Chamber and the citizens who have come to be part of this moment; the Republican Women's Caucus adorned with red roses; the Republican men in a rare moment of coordinated ties and shirts - folks that IS history in the making. These men and women are a diverse group of fiercely independent, dedicated public servants and they are my friends. The Members from the minority party are also our friends, despite our ideological differences. I know the outcome of the elections was not what they wished for, but I am confident we will find common ground on many issues.

"Personally, I am soaking up this moment, including simple things like this gavel. I decided this historic Session should have a gavel that was more than something ordered from a catalog. With the help of volunteers and donors, we've created something special from the heart of North Carolina's official tree - a longleaf pine.

"The wood used to make this gavel came from a tree that lived in the Colonial forest of North Carolina. It was a sapling around 1700 and it lived for more than 100 years. It was alive in the forest during the Revolutionary War and the birth of our great Nation. It was felled around 1830 and was used to build a home that was 'visited' by General Sherman's Union soldiers in the last days of the Civil War, but it was spared from destruction. Some 300 years later, I hold in my hand a gavel made by volunteers using the wood from that historic tree.

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"This gavel is beautiful but is not perfect. It has cracks that are the result of centuries of wear and nicks caused by a wood turner's tool. It reminds me of our great democracy -at once beautiful and imperfect.

"After seeing this gavel created this weekend and learning the wood's story, I felt it deserved a name. I was reminded of a man who was born in 1929, the year marking the beginning of the Great Depression. This man's father died when he was a baby and his single mother could not afford to provide for him, so she was forced to send him to foster homes and orphanages. He was put to work at a very young age. He had no father figure and he had few traditional family experiences. He married the love of his life and he volunteered to serve our country in the Army. He went to night school to get a better job to provide for his family of six children. He was a hard worker and he was a strong father figure. He was a man of few words but when he spoke, people listened. He was civil towards others but those who made the mistake of thinking his civility was a sign of weakness regretted it. He gave his children a lot of freedom but when they abused it he would bring out the belt to remind them of who was in charge. On his deathbed, he made sure that the love of his life received an anniversary ring - a final expression of his undying love and his commitment to the institution of marriage.

"This man personified all that is good in the American spirit. Like the gavel and like our democracy, he was not perfect. He had his defects but he was an extraordinary person and someone I think is worthy of having this historic gavel named after him. Therefore, I have named this gavel Ray - short for Thomas Raymond Tillis, my father.

"I will do my best to honor my father's legacy and those who have trusted me to lead this Body. With the help of this gavel, I will promote policies that reward hard work, celebrate independence and self-reliance, encourage family values, and promote civil discourse.

"We will encounter obstacles along the way, and I will work to remove those obstacles and I will do everything I can to bring honor to this great institution.

"I am honored to serve as your Speaker and I thank you for your support.

"God Bless You and God Bless North Carolina."

The Speaker assumes the duties of the Chair.

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ADOPTION OF TEMPORARY RULES

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

The Speaker directs the Clerk to number the resolution and places **H.R. 1**, A HOUSE RESOLUTION ADOPTING THE TEMPORARY RULES OF THE HOUSE OF REPRESENTATIVES FOR THE 2011 REGULAR SESSION, before the Body.

The resolution is adopted, by electronic vote (110-8), and ordered printed.

ELECTION OF SPEAKER PRO TEMPORE

The Speaker states that nominations are in order for Speaker Pro Tempore.

The Chair recognizes Representative Langdon who places in nomination the name of Representative Folwell as the Republican Nominee for Speaker Pro Tempore.

"Ladies and Gentlemen of the North Carolina House:

"I rise to nominate my friend, Representative Dale Folwell for the position of Speaker Pro Tempore of the North Carolina House of Representatives. Dale and I were Members of the same freshman class in 2005. So I have known him since that time and have worked with him on a number of important legislative issues. Dale Folwell has been a hard working Representative and has worked hard to pass legislation that was good for North Carolina and he has been successful. I am supporting Dale Folwell because he is a proven leader, who is focused, persistent, and hard working for the people of North Carolina. Please join me in voting for Representative Dale Folwell for Speaker Pro Tempore of the North Carolina House."

Representative McGee seconds the nomination.

"Mr. Speaker, Members and guests:

"When Representative Folwell asked if I would second his nomination, I was told all that was needed would be for me to stand and say, 'I second the nomination of Representative Folwell to be Speaker Pro Tem.'

"I talked with the Speaker, and he said I could take all the time I wanted.

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"It was an honor to me to be asked by Representative Folwell to second his nomination, and again I rise to second the nomination of my esteemed colleague and fellow Forsyth Delegation Member, The Honorable Dale Robbins Folwell for Speaker Pro Tem of this Session of the North Carolina House of Representatives. And I proudly do so.

"Representative Folwell and I have some similarities from our past. He was probably told by his boss as I was told by my boss, 'When the sale is made - ask for the order and quit talking.'

"At this time the sale has been made, and I would ask for the order in this manner: When your name is called, 'Folwell' will be the answer and the order will be executed."

The Chair recognizes Representative Adams who places in nomination the name of Representative Wainwright as the Democratic Nominee for Speaker Pro Tempore.

"Mr. Speaker, ladies and gentlemen of the House, citizens and friends:

"Good Afternoon.

"I am pleased to place in nomination for Speaker Pro Tempore of the North Carolina House, the Honorable William L. Wainwright.

"Representative Wainwright has served as a Member of this distinguished Body for 11 terms representing Craven and Lenoir counties with distinction and commitment.

"William Wainwright is a man of God - an ordained minister - a Presiding Elder - who is bold in his conviction about serving God and doing right by all of God's people. Around these halls we fondly regard him as our bishop and we seek his advice and counsel.

"He's a man of purpose, principles and actions. His leadership ability has earned him a reputation as a dependable, hard-working, and seriously committed Legislator, known and highly respected in his district and throughout the State.

"Representative Wainwright was first elected by this Body as Speaker Pro Tempore during the 2007-08 Session and re-elected in the 2009-10, by this Honorable Body - not only because of his knowledge, skills and ability, but because of his commitment and caring compassion and meticulous attention to detail and what should matter.

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"In his role as Speaker Pro Tempore and other leadership roles which he has held, he has demonstrated that he is a true servant and leader - he can be counted on to talk the talk and not afraid to walk the walk.

"Representative Wainwright's compassionate demeanor has undergirded him as a caring champion for the least of these, courageous enough to take on critical issues. As a Member of this Body he has served and chaired numerous committees including Chair of the Finance Committee. He has earned a respectable reputation as a no-nonsense, tough, thorough, precise, versatile negotiator; one who will, when he gets behind an issue, remain there to bring about positive and effective results.

"Ladies and gentlemen of the House, Mr. Speaker. Representative William Wainwright will bring the kind of leadership and style, gentle poise, calming spirit, and demeanor suited for the position of Speaker Pro Tempore.

"I am pleased to recognize him and commend him to this Body today as our Speaker Pro Tempore for the North Carolina House for the 2011-2012 Legislative Session and I humbly solicit your support. Thank you, Mr. Speaker and thank you, Members of the House."

Representative Faison seconds the nomination of Representative Wainwright.

"Mr. Speaker, ladies and gentlemen of the House and honored family members and guests:

"I come before you today to second the nomination of my great friend and someone I refer to as my leader, The Honorable William L. Wainwright.

"You know there are a lot of new Members amongst us and we all have a lot to learn when we first come here. I think one of the first things we all do is look to see who are the Members who are asking the critical questions, who seem to understand the legislation that is coming before us. The folks who are trying to get to the heart of the matter - to cut through the fluff and get down to the bone of what it is we are looking at and what it really does. And when I came here the one I found doing that was William L. Wainwright.

"In every committee meeting in which I attended he was there. He was asking the tough questions and wasn't accepting the fluffy answers. He was getting down to the real answers of what that legislation really did and what its impact was on people. He brought that same skill and insight to serving as our Speaker Pro Tem. In committee meetings, not only did he get to the heart of the matter, but if he chaired the meeting he was respectful of all

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Members. He allowed everyone an opportunity to speak and he was even-handed and smooth. You know I think something our present Speaker is bringing this Body is also the ability to smoothly handle matters. I think that it is also a trait that William Wainwright has shown over the last two Sessions and it is my honor to second his nomination and commend him to the Body as Speaker Pro Tempore of this Session."

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

The following Members vote for Representative Folwell: Speaker Tillis; Representatives Avila, Barnhart, Blackwell, Blust, Boles, Bradley, Brawley, L. Brown, R. Brown, Brubaker, Burr, Cleveland, Collins, Cook, Current, Daughtry, Dixon, Dockham, Dollar, Faircloth, Folwell, Frye, Gillespie, Guice, Hager, Hastings, Hilton, Hollo, Holloway, Horn, Howard, Hurley, Iler, Ingle, Johnson, Jones, Jordan, Justice, Killian, Langdon, LaRoque, Lewis, McComas, McCormick, McElraft, McGee, McGrady, Mills, Moffitt, T. Moore, Murry, Pridgen, Randleman, Rhyne, Sager, Samuelson, Sanderson, Setzer, Shepard, Stam, Starnes, Steen, Stevens, Stone, Torbett, H. Warren, and West - 68.

The following Members vote for Representative Wainwright: Representatives Adams, K. Alexander, M. Alexander, Bell, Bordsen, Brandon, Brisson, Bryant, Carney, Cotham, Crawford, Earle, Faison, Farmer-Butterfield, Fisher, Floyd, Gibson, Gill, Glazier, Goodman, Graham, Hackney, Haire, Hall, Hamilton, Harrison, Hill, Insko, Jackson, Jeffus, Keever, Lucas, Luebke, Martin, McLawhorn, Michaux, Mobley, R. Moore, Owens, Parfitt, Parmon, Pierce, Rapp, Ross, Spear, Tolson, Wainwright, E. Warren, Weiss, Wilkins, Womble, and Wray - 52.

Representative Folwell, having received a majority vote, is declared Speaker Pro Tempore.

The Speaker Pro Tempore, escorted to the Well of the House by Representatives Langdon, Dollar, Current, Justice, Cleveland, L. Brown, McGee, Hollo, Holloway, Parmon, and Womble, takes and subscribes to the following oath of office administered by Justice Paul M. Newby, Associate Justice, North Carolina Supreme Court.

**OATH FOR SPEAKER PRO TEMPORE OF THE
2011 HOUSE OF REPRESENTATIVES**

"I, DALE R. FOLWELL, 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

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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, DALE R. FOLWELL, do swear that I will well and truly execute the duties of the office of Speaker Pro Tempore of the North Carolina House of Representatives according to the best of my skill and ability, according to law; so help me, God."

Speaker Pro Tempore Folwell makes the following remarks.

"Mr. Speaker and Members of the House:

"I am known for a lot of things but preparing a speech is not one of them, as my assistants will tell you in my office. But I do know that nothing that I've ever done in my life has been accomplished alone. Jesus is the center of my joy. To my mother - freedom that she has given me to learn the joy of achieving; to my wife, Synthia; my daughter, Anna; my son, Dalton; and our son, Stephen; and my father - in the name of Marvin Gaye, 'You're all I've ever needed to get by;' to the Forsyth county voters and our delegation who has helped me through this process over the last six years to be a successful Legislator. I also want to thank Representative Wainwright and his staff. Representative Wainwright came to me yesterday and said that his bishop was coming in for the ceremonies, and he asked if his bishop, who was going to be arriving a little bit late, could use the Speaker Pro Tem parking space, and I said, 'As long as the bishop blesses my election.' And Speaker Wainwright said, 'We can't go quite that far.' But thank you and your staff.

"I've had the pleasure over the last six weeks to travel around with Justice Newby and some of our other justices, and I am so honored that you are here to give me the swearing-in. I am reminded that not only are you so well-versed in the scripture, no pun intended, but among a lot of other things that he called me as we were driving these hundreds of miles across North Carolina, I think he determined that I probably had CDD, and that's constitutional deficit disorder. So he gave me one of Judge Orr's constitutions, and he immediately opened to page 35, which says, Section 35 of the North Carolina Constitution 'a frequent recurrence to fundamental principles is absolutely necessary to preserve the blessings of liberty.' That's so important, and as I go forward as your Speaker Pro Tem, I am reminded of what I told an elementary school class just last week. Somebody said, 'What does the Pro Tem do?' I said, 'Well, generally he waits for the Speaker to go to the bathroom.' And this one student said, 'Well you're sort of invisible, aren't

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you?' And I started thinking about the word invisible. And I started thinking about how we're going to advocate for the invisible of this State. How we're going to advocate for a third of North Carolina's high schoolers who never graduate, how each class that doesn't graduate will cost themselves and the State of North Carolina two billion dollars in lost productivity. We're often reminded of the great natural resources of North Carolina, but never forget the number one natural resource of this State is brains and we can't afford to waste them.

"Advocating for the victims of this State who sometimes see the criminals get better treatment than the victims. They are the invisible. Advocating for the invisible, the family values. There used to be a Member of the Senate whose name was Anne Bagnal from Forsyth County. And she told me before she died, as Representative Esposito will remember, that good government starts at home. It's really hard for good governments to start at home when in 17 counties this morning, the biggest payroll in those counties is the unemployment check. We know how, when one of a family members does not have a job, the stress that puts on a family. And we need to advocate for that.

"We need to advocate for government efficiency, to get more out of less. Everybody knows when they have interaction with government, regardless of what level it is that we can do a better job of getting more out of less. We also need to advocate for our State employees, who are probably asking themselves 'how can the largest purchaser of something in North Carolina not do it better and cheaper on my behalf than anyone else can?'

"We also need to advocate for the invisible, the things we think about - like light switches. I've told my children every time they see a light switch, I want them to think about the gulf, I want them to think about a coal miner, those that are rescued and those that are entombed. But I want you to think about this, as large as our deficit is right now, this State sends about 14 billion dollars out of North Carolina for energy of some form. I think we have enough brains to fix that problem. We also need to advocate for those people who are invisible, who seem to be punished for doing the right things in North Carolina, while those that do the wrong things are rewarded.

"To the freshman class, I want to say a few things. If you're as lucky, half as lucky with your freshman class as I was with mine, you're going to look down the road, two and four years from now, and feel like you have been a successful Legislator. I had my freshman class escort me up because, but for them, I probably would not be standing here. And there's many leaders among your class, too. But I also admonish you to embrace

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who you are. If you are a conservative, embrace conservatism. But it also means that you need to meet people where they are. The root word of conservative is to conserve, to get more out of less. That could mean things related to budget, or it could mean whether you fill up your plastic water bottle at a water fountain instead of getting another one. So embrace who you are.

"Number two, be sure to go back to the voters of your district and talk about the elapsed time. Talk about what has happened that has led to the largest budget deficit in North Carolina's history, and educate them on the elapsed time. Talk to your citizens like adults. And legislate in a way that promotes the citizens and gives them an opportunity to build equity in whatever they're doing.

"And the last thing, for you freshman, is to focus on justice. We often talk about charity, but if you do what's just, in the beginning, there's not as much need for charity in the end. And lastly, always, always, always, you freshman, push the power away from this Chamber, push the power away from yourselves, away from this town, away from your title as Representative, which is a noun, back to the verb of representing the people of your district, and those people who hired you.

"Mr. Speaker, congratulations. A few years ago you were one in nine million. And then, a couple of years later, you were one of a hundred and twenty of nine million. And today, as Speaker of the House, you are one of 51 of 300 million. I really congratulate you as you go forward. You have the awesome responsibility and opportunity to advocate for the invisible. And for your leadership, you can do more to help these people, than anyone else in a whole lifetime. I pledge, Mr. Speaker, with my backbone, my heart, and my mind, that we will honor the State Seal that you and I walk across every day. That State seal translated says 'to be rather than to seem.' There's a song out there that's a big hit right now, and it's sung by a lady by the name of Miranda Lambert, and it's called 'The House that Built Me.' And at the end of that song it talks about several things, and in light of the history of your gavel 'Ray', which is also my father's name, in the history of that gavel, I pledge to you, that nail by nail, and board by board, we will put North Carolina back to where it was when I was growing up, when we all sang the little jingle, 'I like calling North Carolina Home.'

"Thank you for this honor. God bless you and God bless the citizens of North Carolina."

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ELECTION OF PRINCIPAL CLERK

The Speaker announces that nominations are in order for Principal Clerk of the House of Representatives.

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

"Thank you, Mr. Speaker.

"Ms. Weeks or Denise, as we call her, is no stranger to anyone in this Chamber. She has the absolute intelligence, the grace, the poise, and the experience to do a fantastic job as our Clerk.

"We don't realize a lot of times how lucky we are to have Denise as our Clerk. She has been recognized nationally. She was the president in 1999 of the American Society of Legislative Clerks and Secretaries. That's no small task. She has been recognized by her peers around the country as doing a fantastic job.

"If you think about it, Mr. Speaker, before you had the gavel there, she was in charge and she did a great job and I've seen back when I first came - I've seen a divided Chamber. We've had Democratic Chambers - Republican Chambers and she has always been a very fair person and very knowledgeable and an absolute wonder to deal with. So it is an honor today - as a matter of fact - a privilege to be able to nominate Denise to serve as our Clerk and I urge your support. "

Representative Owens seconds the nomination.

"Thank you very much Mr. Speaker and Ladies and Gentleman of the House:

"It's certainly an honor for me to second the nomination of Denise Weeks as our Clerk. Nobody can say she hasn't done a wonderful job. As a matter of fact, I don't know anybody in North Carolina that could have done a better job. She's hard working; she's dedicated; she's put a tremendous staff together, and I can tell you she's here day and night to get the job done and I've seen her here past midnight many times.

"Mr. Speaker, you and the Rules Chair, I can assure you, you will depend on her during this Session more than anyone else. I remember when

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Speaker Hackney asked me to be Rules Chair and I said, 'Mr. Speaker, I don't know the rules,' and he said, 'Do you know how to walk up front and ask Denise?' and I said, 'Yeah, yes sir, yes sir I do,' and I found that to be true for all four years.

"Now I see she started working for us back in the early 1980s. She must have been in elementary school because I know she couldn't be that old. But on a serious side - nobody, nobody works harder and keeps this Body functioning and does it across the aisles than Denise Weeks. Mr. Speaker, it's my honor to second the nomination of Denise Weeks as Principal Clerk of the North Carolina House."

On motion of Representative T. Moore, the nominations are closed and Ms. Weeks is elected by acclamation.

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

**OATH FOR PRINCIPAL CLERK OF THE
2011 HOUSE OF REPRESENTATIVES**

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

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

APPOINTMENT OF SERGEANT-AT-ARMS

Pursuant to Rule 45(c), the Speaker appoints Clyde Cook, Jr. as Sergeant-at-Arms for the 2011 House of Representatives.

The Speaker administers the following oath of office to the Sergeant-at-Arms.

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**OATH FOR SERGEANT-AT-ARMS OF THE
2011 HOUSE OF REPRESENTATIVES**

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

On motion of Representative Samuelson and without objection, the courtesies of the floor are extended to the following members of Speaker Tillis's family: Susan Tillis, Lindsay Tillis, Ryan Tillis, Margie Tillis, Jeanette Campbell, Ron Tillis, Rick Tillis, Ann Trammel, Terry Pullias, Ken Pullias and David Hixson and to other family, friends and guests of the Speaker.

The Speaker extends courtesies of the floor to the family and guests of the Speaker Pro Tempore, Representative Folwell.

The Speaker also extends courtesies of the floor and the gallery to the many friends and family members who have joined us today.

CAUCUS LEADERS ANNOUNCED

Representative Stam is recognized and he reports that the Republican Caucus has been held and that he has been elected as the Majority Leader. Representative Samuelson has been elected as Majority Whip and Representatives McElraft and Jordan have been elected Deputy Majority Whips. Representative Hager has been elected Republican Freshman Leader and Representative Avila as Joint Caucus Leader.

Representative Hackney is recognized and he reports that the Democratic Caucus has been held and that he has been elected Minority Leader. Representative Wainwright has been elected as Deputy Minority Leader. Representatives Glazier, Hall, Rapp, Ross, and Wray have been elected as Minority Whips.

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SPECIAL MESSAGE TO THE SENATE

The Speaker orders a Special Message be sent to the Senate informing that Honorable Body that the House of Representatives is organized and ready to proceed with public business for the Regular Session of the 2011 General Assembly.

**THE RECEIVING OF PETITIONS, MEMORIALS AND
PAPERS ADDRESSED TO THE GENERAL ASSEMBLY OR TO
THE HOUSE****STATE OF NORTH CAROLINA
OFFICE OF THE GOVERNOR**

20301 Mail Service Center • Raleigh, NC 27699-0301

Beverly Eaves Perdue
Governor

January 26, 2011

Ms. Denise Weeks
Principal Clerk
North Carolina House of Representatives
Legislative Building
Raleigh, NC 27603-5925

Dear Ms. Weeks:

This is written to comply with Sections 1 and 2 of Executive Order Number 107.

This shall serve as my official designation of Room 1039 within the Administration Building as the "Office of the Governor's Legislative Counsel" as referenced in Section 1.

I hereby designate the following employees of the Governor's Office as the officials to whom delivery of bills can be made under the provisions of Section 2 of the Executive Order:

- a. Andy Willis;
- b. Courtney Crowder;
- c. Monica Yelverton; and
- d. Forrest Gilliam

Sincerely,
S/ Bev Perdue

January 26, 2011

On motion of Representative LaRoque, seconded by Representative Folwell, the House adjourns at 1:59 p.m., in memory of former Representative John Weatherly, to reconvene January 27 at 10:00 a.m.

SECOND DAY

HOUSE OF REPRESENTATIVES
Thursday, January 27, 2011

The House meets at 10:00 a.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by Representative Tricia Ann Cotham:

"Gracious and Loving God:

"We come before You today in thanks for a great Opening Day yesterday.

"God, we ask You to bless every Member of this Chamber and we ask You to especially be with our new Members and our new Speaker, and all of our families.

"Wrap Your loving arms around us, guide us, and comfort us as we begin our duties. We have tough decisions ahead of us and we will need Your grace, Your wisdom, and Your comfort.

"We thank You for calling us to be Your servant and never let us forget that we are here to serve You and all of the great people across our beloved State.

"In Your precious name we pray. Amen. "

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

There are no excused absences for today.

INTRODUCTION OF BILLS AND RESOLUTIONS

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

January 27, 2011

By Representatives Stam, Barnhart, Hollo, and Murry (Primary Sponsors); Avila, Blust, Boles, Bradley, Brawley, L. Brown, R. Brown, Brubaker, Burr, Cleveland, Collins, Cook, Current, Daughtry, Dixon, Dockham, Dollar, Faircloth, Folwell, Frye, Gillespie, Guice, Hager, Hastings, Hilton, Holloway, Horn, Howard, Hurley, Iler, Ingle, Johnson, Jones, Jordan, Justice, Killian, Langdon, LaRoque, Lewis, McComas, McCormick, McElraft, McGee, McGrady, Mills, Moffitt, T. Moore, Pridgen, Randleman, Sager, Samuelson, Sanderson, Setzer, Shepard, Steen, Stevens, Stone, Torbett, and H. Warren:

H.B. 2, A BILL TO BE ENTITLED AN ACT TO PROTECT THE FREEDOM TO CHOOSE HEALTH CARE AND HEALTH INSURANCE, is referred to the Committee on Judiciary and, if favorable, to the Committee on Finance.

By Representatives Stam, Ingle, and Faircloth (Primary Sponsors); Cleveland, Dollar, Guice, Hilton, Iler, Jones, and Sanderson:

H.B. 3, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ADOPTION OF THE GOOD FAITH EXCEPTION TO THE EXCLUSIONARY RULE INTO STATE LAW, is referred to Judiciary Subcommittee B.

By Representatives Ross, Weiss, and Jackson (Primary Sponsors); Gill, Harrison, Luebke, and Martin:

H.B. 4, A BILL TO BE ENTITLED AN ACT TO DISAPPROVE THE CLOSURE OF DOROTHEA DIX HOSPITAL, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative LaRoque:

H.B. 5, A BILL TO BE ENTITLED AN ACT TO EXERCISE THE POWER OF THE GENERAL ASSEMBLY UNDER SECTION 2 OF ARTICLE VI OF THE NORTH CAROLINA CONSTITUTION TO FIX THE BOUNDARIES OF CITIES AND GIVE SUCH POWERS TO CITIES AS IT DEEMS ADVISABLE, BY WITHDRAWING THE DELEGATION OF AUTHORITY TO THE CITY OF KINSTON TO MAKE A CERTAIN ANNEXATION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Starnes, Howard, Barnhart, and Steen (Primary Sponsors); Blust, Burr, Cleveland, Dockham, Dollar, Folwell, Frye, Guice, Hilton, Hurley, Iler, Jones, McGee, Moffitt, T. Moore, Randleman, and Torbett:

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H.B. 6, A BILL TO BE ENTITLED AN ACT TO ALLOW THE STATUTORY DUTIES OF THE HOUSE COMMITTEE ON PENSIONS AND RETIREMENT TO BE CARRIED OUT BY THE HOUSE COMMITTEE ON STATE PERSONNEL, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Ingle, Cleveland, and McCormick (Primary Sponsors); Barnhart, Blust, Bradley, Brawley, L. Brown, Brubaker, Burr, Daughtry, Dixon, Dollar, Folwell, Frye, Guice, Hager, Hastings, Hilton, Hollo, Horn, Howard, Hurley, Iler, Johnson, Jones, Jordan, Langdon, Lewis, McElraft, McGee, Mills, T. Moore, Pridgen, Randleman, Sager, Sanderson, Shepard, Stam, Starnes, Steen, Stevens, Torbett, H. Warren, and West:

H.B. 7, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CONSTITUENT INSTITUTIONS OF THE NORTH CAROLINA COMMUNITY COLLEGE SYSTEM MAY OPT OUT OF PARTICIPATION IN THE WILLIAM D. FORD FEDERAL DIRECT LOAN PROGRAM, is referred to the Committee on Education and, if favorable, to the Committee on Finance.

By Representatives Stam, Lewis, and McGrady (Primary Sponsors); Avila, Barnhart, Blackwell, Blust, Boles, Bradley, Brisson, L. Brown, R. Brown, Brubaker, Cleveland, Collins, Cook, Dixon, Dockham, Dollar, Faircloth, Folwell, Frye, Gillespie, Goodman, Guice, Hager, Hamilton, Hastings, Hilton, Hollo, Holloway, Horn, Howard, Hurley, Iler, Ingle, Johnson, Jones, Jordan, Justice, Langdon, LaRoque, McComas, McCormick, McElraft, McGee, Mills, Moffitt, T. Moore, Murry, Pridgen, Randleman, Rhyne, Sager, Samuelson, Sanderson, Setzer, Shepard, Steen, Stevens, Stone, Torbett, H. Warren, and West:

H.B. 8, 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, is referred to the Committee on Judiciary.

By Representatives Dollar, LaRoque, L. Brown, and R. Brown (Primary Sponsors); Avila, Cleveland, Collins, Dixon, Folwell, Guice, Hager, Hastings, Hilton, Hollo, Holloway, Horn, Hurley, Iler, Ingle, Jones, Jordan, Justice, Langdon, McComas, McElraft, Moffitt, T. Moore, Pridgen, Sager, Shepard, Steen, Stevens, Stone, and H. Warren:

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H.B. 9, A BILL TO BE ENTITLED AN ACT TO ADOPT A MORATORIUM ON INVOLUNTARY ANNEXATIONS, is referred to the Committee on Judiciary.

SPECIAL MESSAGE FROM THE SENATE

**2011 GENERAL ASSEMBLY
FIRST SESSION 2011**

Senate Chamber
January 26, 2011

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives informing that Honorable Body that the Senate is organized and is now ready to proceed with the public business of the State. For your further information, the following officers have been elected for the 2011 Session:

Senator Philip Berger	President <i>Pro Tempore</i>
Senator James Forrester	Deputy President <i>Pro Tempore</i>
Ms. Janet Pruitt	Principal Clerk
Mr. Lee Settle	Reading Clerk
Mr. Philip King	Sergeant-at-Arms

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

Senator Harry Brown	Majority Leader
Senator Jerry Tillman	Majority Whip
Senator Fletcher Hartsell	Majority Caucus Secretary
Senator Jean Preston	Caucus Liaison
Senator Martin Nesbitt	Democratic Leader
Senator Linda Garrou	Deputy Democratic Leader
Senator Floyd McKissick	Deputy Democratic Leader
Senator Don Vaughan	Deputy Democratic Leader
Senator Josh Stein	Democratic Whip
Senator Eleanor Kinnaird	Democratic Caucus Secretary
Senator Charlie Dannelly	Democratic Caucus Chair

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

January 27, 2011

COMMITTEE ASSIGNMENTS

The Speaker makes the following committee assignments:

AGRICULTURE: Representatives Langdon and Sager, Chairs; Representatives Bradley, Dixon, Hill, and Lewis, Vice Chairs; Representatives K. Alexander, Bell, Blust, Bordsen, Brandon, Brisson, Bryant, Cleveland, Cook, Daughtry, Frye, Graham, Guice, Haire, Holloway, Horn, Ingle, Jones, Jordan, Keever, Luebke, McCormick, McGrady, Mobley, Pridgen, Sanderson, Spear, Tolson, Torbett, E. Warren, Weiss, and West.

APPROPRIATIONS: Representative Brubaker, Senior Chair; Representatives Barnhart, Gillespie, and Johnson; Chairs.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION: Representatives Blackwell, Hilton, and Holloway, Chairs; Representatives Pridgen and Sanderson, Vice Chairs; Representatives Avila, Bell, Blust, L. Brown, Gill, Jeffus, Johnson, Lucas, McLawhorn, Michaux, Parmon, and Stam.

APPROPRIATIONS SUBCOMMITTEE ON GENERAL GOVERNMENT: Representative Cleveland, Chair; Representative Floyd, Vice Chair; Representatives Bradley, Fisher, Folwell, Glazier, Graham, Haire, Harrison, Hastings, Mills, Samuelson, and Torbett.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES: Representatives Burr and Dollar, Chairs; Representatives Brisson, Hollo, and Murry, Vice Chairs; Representatives Barnhart, Current, Earle, Farmer-Butterfield, Hurley, Insko, Jones, and Parfitt.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY: Representatives Guice and Randleman, Chairs; Representatives Boles, Daughtry, Faircloth, Ingle, Spear, and Stevens, Vice Chairs; Representatives Adams, M. Alexander, R. Brown, Goodman, Horn, Jackson, Keever, and Mobley.

APPROPRIATIONS SUBCOMMITTEE ON NATURAL AND ECONOMIC RESOURCES: Representatives Justice and West, Chairs; Representatives LaRoque and Sager, Vice Chairs; Representatives Bordsen, Bryant, Cook, Dixon, Gillespie, Langdon, McElraft, R. Moore, Owens, Pierce, Wilkins, and Wray.

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APPROPRIATIONS SUBCOMMITTEE ON TRANSPOR-

TATION: Representatives Frye and Killian, Chairs; Representatives Crawford and Iler, Vice Chairs; Representatives Dockham, Hamilton, Martin, McGrady, Rapp, Shepard, Steen, Tolson, and E. Warren.

BANKING: Representative Rhyne, Chair; Representatives Brubaker, Dockham, Hastings, and McComas, Vice Chairs; Representatives Adams, K. Alexander, Blackwell, Brawley, Carney, Fisher, Gibson, Glazier, Hager, Haire, Hall, Hilton, Holloway, Jackson, McCormick, R. Moore, Shepard, Steen, and Stone.

COMMERCE AND JOB DEVELOPMENT: Representative McComas, Chair; Representatives Brawley, Horn, Justice, Shepard, Steen, and Stone, Vice Chairs; Representatives Adams, K. Alexander, Avila, Bell, Boles, Bradley, Brandon, L. Brown, Brubaker, Carney, Collins, Cook, Current, Dockham, Dollar, Farmer-Butterfield, Floyd, Folwell, Frye, Gibson, Goodman, Graham, Hager, Hamilton, Hastings, Hill, Holloway, Jeffus, Johnson, LaRoque, Lewis, Lucas, McCormick, McLawhorn, Moffitt, R. Moore, Murry, Owens, Parfitt, Pierce, Rapp, Sager, Samuelson, Sanderson, Setzer, Spear, Starnes, Tolson, Torbett, Wainwright, E. Warren, H. Warren, West, Wilkins, Womble, and Wray.

COMMERCE AND JOB DEVELOPMENT SUBCOMMITTEE ON ALCOHOLIC BEVERAGE CONTROL:

Representative Boles, Chair; Representatives Bell, L. Brown, Cook, Current, Gibson, Hamilton, Justice, Lewis, Lucas, McLawhorn, Moffitt, Rapp, Samuelson, Spear, Starnes, Steen, E. Warren, and West.

COMMERCE AND JOB DEVELOPMENT SUBCOMMITTEE ON BUSINESS AND LABOR:

Representative McCormick, Chair; Representatives K. Alexander, Brubaker, Carney, Collins, Dockham, Dollar, Floyd, Folwell, Goodman, Graham, Hager, Hill, LaRoque, R. Moore, Owens, Pierce, Sager, Setzer, Shepard, Stone, Wainwright, H. Warren, and Wilkins.

COMMERCE AND JOB DEVELOPMENT SUBCOMMITTEE ON SCIENCE AND TECHNOLOGY:

Representative Avila, Chair; Representatives Adams, Bradley, Brandon, Brawley, Farmer-Butterfield, Frye, Hastings, Horn, Jeffus, Johnson, Murry, Parfitt, Sanderson, Tolson, Torbett, Womble, and Wray.

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EDUCATION: Representative Holloway, Chair; Representatives M. Alexander, Avila, Cotham, Hilton, Johnson, Langdon, and Lucas, Vice Chairs; Representatives Bell, Blackwell, Blust, Bryant, Carney, Cleveland, Daughtry, Dixon, Dockham, Faison, Fisher, Gill, Gillespie, Glazier, Goodman, Hager, Hall, Horn, Iler, Jeffus, Jones, Jordan, Killian, Luebke, McGee, McLawhorn, Michaux, Parmon, Pridgen, Rapp, Rhyne, Ross, Sager, Shepard, Stam, Stevens, Tolson, Torbett, H. Warren, and Wilkins.

ELECTIONS: Representative Lewis, Chair; Representatives Burr, Current, Jones, and Jordan, Vice Chairs; Representatives M. Alexander, Blust, L. Brown, R. Brown, Cotham, Dixon, Faircloth, Fisher, Floyd, Harrison, Iler, Insko, Justice, Killian, Martin, McLawhorn, Michaux, Mills, Mobley, T. Moore, Ross, Sager, Stam, Starnes, E. Warren, and Weiss.

ENVIRONMENT: Representatives McElraft, Samuelson, and West, Chairs; Representatives Gillespie and McGrady, Vice Chairs; Representatives K. Alexander, Brawley, Cook, Dixon, Gibson, Gillespie, Haire, Harrison, Hastings, Hill, Iler, Insko, Keever, LaRoque, Martin, McCormick, T. Moore, Owens, Sanderson, Spear, Starnes, Stone, and Womble.

ETHICS: Representatives Hackney and Howard, Chairs; Representatives Adams, Avila, Barnhart, Current, Farmer-Butterfield, Justice, Lucas, Michaux, Parmon, Rhyne, Ross, and Setzer.

FINANCE: Representative Howard, Senior Chair; Representatives Folwell, Setzer, and Starnes, Chairs; Representatives Lewis, McComas, and Wainwright, Vice Chairs; Representatives K. Alexander, Brandon, Brawley, Carney, Collins, Cotham, Faison, Gibson, Hackney, Hager, Hall, Hill, Jordan, Luebke, McCormick, McGee, Moffitt, T. Moore, Rhyne, Ross, Samuelson, Stam, Stone, H. Warren, Weiss, and Womble.

GOVERNMENT: Representatives L. Brown and Ingle, Chairs; Representatives Boles, Langdon, and H. Warren, Vice Chairs; Representatives Adams, M. Alexander, Barnhart, Bordsen, Brandon, R. Brown, Burr, Cleveland, Collins, Cotham, Fisher, Floyd, Folwell, Frye, Gill, Goodman, Guice, Hackney, Hurley, Jones, Justice, Keever, Luebke, McGee, Mills, Mobley, Moffitt, R. Moore, Parfitt, Parmon, Samuelson, and Setzer.

HEALTH AND HUMAN SERVICES: Representatives Current, Dollar, and Hollo, Chairs; Representatives Barnhart, R. Brown, Earle, and McElraft, Vice Chairs; Representatives Brisson, Brubaker, Burr, Cotham, Crawford, Faircloth, Farmer-Butterfield, Howard, Hurley, Insko, Jackson, Lewis, Murry, Pierce, Randleman, Steen, Wainwright, Weiss, and Wray.

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HEALTH AND HUMAN SERVICES SUBCOMMITTEE ON MENTAL HEALTH: Representative Hurley, Chair; Representatives Burr and Cotham, Vice Chairs.

INSURANCE: Representative Dockham, Chair; Representatives Collins, McElraft, and Setzer, Vice Chairs; Representatives Blust, L. Brown, Brubaker, Bryant, Burr, Crawford, Faison, Floyd, Folwell, Gibson, Glazier, Graham, Hamilton, Howard, Hurley, Insko, Jackson, Johnson, Mills, Murry, Pierce, Shepard, Steen, Stevens, Wainwright, H. Warren, and Wray.

JUDICIARY: Representative Daughtry, Chair; Representatives Burr, Guice, Mills, T. Moore, Randleman, and Rhyne, Vice Chairs; Representatives M. Alexander, Blackwell, Blust, Bordsen, Bradley, R. Brown, Bryant, Crawford, Dixon, Faircloth, Faison, Glazier, Graham, Hackney, Haire, Hall, Harrison, Hilton, Howard, Ingle, Jackson, Jones, Jordan, Killian, Martin, McGrady, Michaux, Mobley, Pridgen, Ross, Stam, Stevens, and Weiss.

JUDICIARY SUBCOMMITTEE A: Representative Blust, Chair; Representatives M. Alexander, Blackwell, Crawford, Daughtry, Dixon, Faison, Hall, Jackson, Jordan, Killian, Mills, Randleman, and Ross.

JUDICIARY SUBCOMMITTEE B: Representatives Stam and Stevens, Chairs; Representatives Bordsen, Bryant, Burr, Faircloth, Glazier, Guice, Haire, Hilton, Ingle, Martin, McGrady, and Michaux.

JUDICIARY SUBCOMMITTEE C: Representatives T. Moore and Rhyne, Chairs; Representatives Bradley, R. Brown, Graham, Hackney, Harrison, Howard, Jones, Mobley, Pridgen, and Weiss.

MILITARY AND HOMELAND SECURITY: Representatives Cleveland and Killian, Chairs; Representatives Blust, Martin, and Torbett, Vice Chairs; Representatives Barnhart, Bell, Bradley, Earle, Floyd, Goodman, Hollo, Horn, Parfitt, Rapp, Sager, Sanderson, and Wainwright.

PUBLIC UTILITIES: Representative Steen, Chair; Representatives Brubaker, Cook, and Hager, Vice Chairs; Representatives K. Alexander, Blackwell, Brawley, Brisson, Collins, Dockham, Earle, Gill, Harrison, Hastings, Hilton, Hollo, Howard, Jeffus, Johnson, LaRoque, Lucas, Luebke, McComas, McLawhorn, T. Moore, Owens, Pierce, Pridgen, Samuelson, Setzer, Tolson, H. Warren, E. Warren, West, Womble, and Wray.

January 27, 2011

RULES, CALENDAR, AND OPERATIONS OF THE HOUSE:

Representatives LaRoque and T. Moore, Chairs; Representatives Owens and Rhyne, Vice Chairs; Representatives M. Alexander, R. Brown, Crawford, Daughtry, Faison, Farmer-Butterfield, Folwell, Gillespie, Hackney, Hill, Hilton, Jeffus, Johnson, Luebke, McComas, Parmon, Samuelson, Stam, and Stone.

STATE PERSONNEL: Representative McGee, Chair; Representatives Dollar, Folwell, Hurley, Starnes, and Wilkins, Vice Chairs; Representatives Avila, Bell, Boles, Bordsen, Cotham, Floyd, Guice, Keever, Langdon, Mobley, Moffitt, Pierce, Randleman, Stevens, and Womble.

TRANSPORTATION: Representatives Iler and Mills, Chairs; Representatives Carney, Frye, and McGee, Vice Chairs; Representatives Avila, Barnhart, Boles, Brandon, Brisson, Cleveland, Crawford, Current, Daughtry, Dollar, Faircloth, Gill, Gillespie, Goodman, Graham, Hall, Hamilton, Ingle, Killian, Martin, McComas, McElraft, McGrady, Moffitt, R. Moore, Murry, Parfitt, Randleman, Rapp, Spear, Stone, and Wilkins.

On motion of Representative LaRoque, seconded by Representative Hackney, the House adjourns at 10:45 a.m. to reconvene Monday, January 31, 2011, at 7:00 p.m.

THIRD DAY

HOUSE OF REPRESENTATIVES
Monday, January 31, 2011

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 Marilyn Avila:

"Our Gracious Heavenly Father:

"As we come here tonight we honor You as our Creator God. We thank You first for the many blessings that You have showered upon us: first and foremost this great land that we live in, and the freedoms that we enjoy, for the State of North Carolina that we have been asked to lead. We ask now that You would give us the knowledge of the issues that face us. We ask

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that You would give us the wisdom to apply the knowledge as we make the laws for this land. We praise You and thank You for the many blessings that You have poured down upon us - the safety that each of us had in coming here tonight. And we just ask Your power and glory to shine over our families that we've left behind and that You would strengthen each one of us as we work here today, through this week. In Your Name, and Your Holy Word we ask it. Amen."

Representative Cleveland leads the Body in the Pledge of Allegiance.

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

Leaves of absence are granted Representatives McElraft, Mills, and Setzer for today.

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

**STATE OF NORTH CAROLINA
OFFICE OF THE GOVERNOR**
20301 Mail Service Center•Raleigh, NC 27699-0301

Beverly Eaves Perdue
Governor

January 31, 2011

The Honorable Phil Berger
The Honorable Thom Tillis
NC General Assembly
Raleigh, NC 27601

Dear President Pro-Tem Berger and Speaker Tillis:

Pursuant to G. S. § 53-92, I write to submit to you the name of Mr. Joseph A. Smith, Jr. for reappointment and reconfirmation as Commissioner of the North Carolina Banking Commission effective April 1, 2011. Mr. Smith has served as Commissioner of Banks since June 1, 2002.

Sincerely,
S/ Bev Perdue

January 31, 2011

The Speaker refers the letter to the Committee on Banking.

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representatives Guice, Fisher, Hastings, and Weiss:

H.J.R. 10, A JOINT RESOLUTION HONORING THE FOUNDERS OF TRANSYLVANIA COUNTY ON THE OCCASION OF THE COUNTY'S ONE HUNDRED FIFTIETH ANNIVERSARY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Cleveland, L. Brown, Current, Faircloth, Folwell, Frye, Guice, Hager, Horn, Iler, Ingle, Jones, Jordan, Langdon, McGee, Randleman, Sanderson, Setzer, Torbett, and H. Warren:

H.B. 11, A BILL TO BE ENTITLED AN ACT PROHIBITING ILLEGAL ALIENS FROM ATTENDING NORTH CAROLINA COMMUNITY COLLEGES AND UNIVERSITIES, is referred to the Committee on Education and, if favorable, to the Committee on Appropriations.

By Representatives Cleveland, Horn, and McElraft (Primary Sponsors); Brawley, L. Brown, Cook, Current, Dixon, Dockham, Dollar, Faircloth, Glazier, Graham, Guice, Hilton, Hurley, Iler, Ingle, Jones, Justice, Killian, Langdon, Martin, McGee, Parfitt, Pridgen, Randleman, Sager, Sanderson, Shepard, Stevens, Torbett, and H. Warren:

H.B. 12, A BILL TO BE ENTITLED AN ACT TO ADD SYNTHETIC CANNABINOIDS TO THE LIST OF CONTROLLED SUBSTANCES, WHICH MAKES THE UNLAWFUL POSSESSION, MANUFACTURE, OR SALE OR DELIVERY OF SYNTHETIC CANNABINOIDS CRIMINAL OFFENSES AND TO CREATE THE CRIMINAL OFFENSE OF TRAFFICKING IN SYNTHETIC CANNABINOIDS, is referred to the Committee on Health and Human Services and, if favorable, to Judiciary Subcommittee B and, if favorable, to the Committee on Appropriations.

By Representatives Cleveland, L. Brown, and Ingle (Primary Sponsors); Dixon, Faircloth, Glazier, Graham, Guice, Hilton, Horn, Hurley, Iler, Jones, Langdon, McElraft, McGee, Parfitt, Randleman, Sager, Shepard, Stevens, Torbett, and H. Warren:

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H.B. 13, A BILL TO BE ENTITLED AN ACT TO ADD MEPHEDRONE TO THE LIST OF CONTROLLED SUBSTANCES WHICH MAKES THE UNLAWFUL POSSESSION, MANUFACTURE, SALE, OR DELIVERY OF MEPHEDRONE A CRIMINAL OFFENSE, is referred to the Committee on Health and Human Services and, if favorable, to Judiciary Subcommittee B and, if favorable, to the Committee on Appropriations.

By Representatives Cleveland and Shepard (Primary Sponsors); Graham, Iler, Martin, McGee, and Torbett:

H.B. 14, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR SIGNAGE DIRECTING TRAFFIC TO THE VIETNAM VETERANS MEMORIAL, THE BEIRUT MEMORIAL, AND THE COASTAL CAROLINA STATE VETERANS CEMETERY, is referred to the Committee on Military and Homeland Security and, if favorable, to the Appropriations Subcommittee on Transportation.

By Representative McElraft:

H.B. 15, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF BEAUFORT TO USE PROCEEDS FROM PARKING METERS FOR THE ACQUISITION, DEVELOPMENT, AND OPERATION OF ON-STREET AND OFF-STREET PARKING FACILITIES, is referred to the Committee on Government.

By Representatives Parfitt, Lucas, Glazier, and Bordsen (Primary Sponsors); M. Alexander, Brandon, Carney, Fisher, Graham, Hamilton, Keever, Luebke, and R. Moore:

H.B. 16, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CHILDREN'S ADVOCACY CENTERS, is referred to the Appropriations Subcommittee on Health and Human Services.

By Representatives Sager and LaRoque (Primary Sponsors); and Bell:

H.B. 17, A BILL TO BE ENTITLED AN ACT TO ALLOW THE WAYNE COUNTY BOARD OF EDUCATION TO FILL ITS OWN VACANCIES, is referred to the Committee on Government.

RE-REFERRALS

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 4**, A BILL TO BE ENTITLED AN ACT TO

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DISAPPROVE THE CLOSURE OF DOROTHEA DIX HOSPITAL, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Government.

On motion of Representative LaRoque, pursuant to Rule 39.2 and without objection, **H.B. 5**, A BILL TO BE ENTITLED AN ACT TO EXERCISE THE POWER OF THE GENERAL ASSEMBLY UNDER SECTION 2 OF ARTICLE VI OF THE NORTH CAROLINA CONSTITUTION TO FIX THE BOUNDARIES OF CITIES AND GIVE SUCH POWERS TO CITIES AS IT DEEMS ADVISABLE, BY WITHDRAWING THE DELEGATION OF AUTHORITY TO THE CITY OF KINSTON TO MAKE A CERTAIN ANNEXATION, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Government.

ADDENDA TO COMMITTEE ASSIGNMENTS

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The Speaker makes the following committee assignments:

AGRICULTURE: Remove Representatives Blust and Bryant.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION: Remove Representative Johnson.

APPROPRIATIONS SUBCOMMITTEE ON GENERAL GOVERNMENT: Remove Representative Graham; add Representatives Adams and Hager.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES: Remove Representative Barnhart.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY: Remove Representative Adams; add Representative Graham.

APPROPRIATIONS SUBCOMMITTEE ON NATURAL AND ECONOMIC RESOURCES: Remove Representative Gillespie.

COMMERCE AND JOB DEVELOPMENT: Add Representative Moffitt, Vice Chair.

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EDUCATION: Add Representative Graham.

ELECTIONS: Add Representative Bryant.

FINANCE: Remove Representative Hager.

GOVERNMENT: Add Representatives Bradley, Earle, and Hager.

HEALTH AND HUMAN SERVICES SUBCOMMITTEE ON MENTAL HEALTH: Add Representative Randleman, Vice Chair.

JUDICIARY: Remove Representative Bradley; add Representative Cleveland.

JUDICIARY SUBCOMMITTEE A: Remove Representatives Dixon and Jordan; add Representatives Howard and McGrady.

JUDICIARY SUBCOMMITTEE B: Remove Representative McGrady; add Representative Pridgen.

JUDICIARY SUBCOMMITTEE C: Remove Representatives Bradley, Howard, and Pridgen; add Representatives Cleveland, Dixon, and Jordan.

MILITARY AND HOMELAND SECURITY: Remove Representative Earle.

STATE PERSONNEL: Remove Representative Pierce; add Representatives Gibson and Ingle.

INTRODUCTION OF PAGES

Pages for the week of January 31 are introduced to the membership. They are: Currie Bryant of Brunswick; Tia Cunningham of Hoke; Jared Dembski of McDowell; Harrison Jenkins of Iredell; Johanna Kern of Alamance; Caroline Law of Gaston; Traci Leak of Rowan; Skyler Stroud of Iredell; Octavia Tisdale of Wake; and Erin Vasko of Gaston.

FRESHMAN CAUCUS LEADER ANNOUNCED

Representative Hackney is recognized and he announces that the Democratic Freshmen have elected Representative Parfitt as the Democratic Freshman Leader.

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The Senate is so notified by Special Message.

Representative LaRoque moves, seconded by Representative T. Moore, that the House adjourn, subject to the receipt of Committee Reports, to reconvene February 1 at 2:00 p.m.

The motion carries.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following report from standing committee is presented:

By Representative Daughtry, Chair, for the Committee on Judiciary:

H.B. 2, A BILL TO BE ENTITLED AN ACT TO PROTECT THE FREEDOM TO CHOOSE HEALTH CARE AND HEALTH INSURANCE, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

The serial referral to the Committee on Finance is stricken.

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

The House stands adjourned at 7:40 p.m.

FOURTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, February 1, 2011

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

The prayer is offered by Representative William L. Wainwright.

Representative LaRoque, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of January 31 has been examined and found correct. Upon his motion, the Journal is approved as written.

February 1, 2011

Leaves of absence are granted Representatives Harrison, McElraft, Mills, and Setzer for today.

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representatives Haire and Bradley:

H.B. 18, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE EFFECTIVE DATE FOR THE LAW REGARDING THE RESTORATION OF FIREARMS RIGHTS AND THE LAW AMENDING THE FELONY FIREARMS ACT TO ALLOW CERTAIN EXCEPTIONS THAT ARE SIMILAR TO THOSE ALLOWED UNDER FEDERAL LAW, is referred to the Committee on Judiciary.

By Representatives T. Moore and LaRoque (Primary Sponsors); Cleveland, Cook, Frye, Iler, Justice, Sager, Samuelson, Shepard, Torbett, and H. Warren:

H.R. 19, A HOUSE RESOLUTION ADOPTING THE PERMANENT RULES OF THE HOUSE OF REPRESENTATIVES FOR THE 2011 REGULAR SESSION, is referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative T. Moore, seconded by Representative Womble, the House adjourns at 2:11 p.m. to reconvene February 2 at 2:00 p.m.

FIFTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, February 2, 2011

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 Representative Phil Shepard:

"Our Gracious Heavenly Father:

February 2, 2011

"We thank You for Your many blessings. We thank You for the opportunity to serve the people of North Carolina. We pray that You will grant us wisdom and guidance in all our decisions today. We pray for our communities, State and Nation. Your Word says, 'If My people which are called by My name shall humble themselves and pray and seek My face and turn from their wicked ways, then I will hear from heaven, and will forgive their sin, and will heal their land.' Lord, this is our desire today that You heal our Nation. Lord, we also ask that You protect our military men and women that are defending our freedoms and our Nation overseas. We ask You to put a hedge of protection around them.

"We pray for Your blessings as we conduct business today. May all that is said and done today bring glory and honor to You. All this we ask in the precious name of Jesus. Amen."

Representative T. Moore, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of February 1 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives McElraft and Setzer for today. Representatives Hilton and Mills are excused for a portion of the Session.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives LaRoque and T. Moore, Chairs, for the Committee on Rules, Calendar, and Operations of the House:

H.B. 6, A BILL TO BE ENTITLED AN ACT TO ALLOW THE STATUTORY DUTIES OF THE HOUSE COMMITTEE ON PENSIONS AND RETIREMENT TO BE CARRIED OUT BY THE HOUSE COMMITTEE ON STATE PERSONNEL, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of February 3.

H.J.R. 10, A JOINT RESOLUTION HONORING THE FOUNDERS OF TRANSYLVANIA COUNTY ON THE OCCASION OF THE COUNTY'S ONE HUNDRED FIFTIETH ANNIVERSARY, with a favorable report as to the committee substitute House resolution, unfavorable as to the original House Joint resolution and recommendation that the committee substitute House resolution be adopted.

February 2, 2011

Pursuant to Rule 36(b), the committee substitute House Resolution is placed on the Calendar of February 3. The original House Joint Resolution is placed on the Unfavorable Calendar.

CALENDAR

Action is taken on the following:

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

H.B. 2 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROTECT THE FREEDOM TO CHOOSE HEALTH CARE AND HEALTH INSURANCE.

Representative Stam offers Amendment No. 1 which is adopted by electronic vote (113-3).

Representatives Carney and R. Moore request and are granted leave of the House to change their votes from "no" to "aye". The adjusted vote total is (115-1).

Representative Haire offers Amendment No. 2 which fails of adoption by electronic vote (51-65).

Representative Spear offers Amendment No. 3 which fails of adoption by electronic vote (52-64).

Representative Martin offers Amendment No. 4 which is adopted by electronic vote (111-1).

The bill, as amended, passes its second reading by electronic vote (66-50).

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

Representative Michaux withdraws his objection to the third reading, and the bill is before the Body.

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

Representative Lucas withdraws his objection to the third reading, and the bill is before the Body.

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The bill, as amended, passes its third reading, by electronic vote (66-50), and is ordered engrossed and sent to the Senate.

Representative LaRoque moves, seconded by Representative Langdon, that the House adjourn, subject to the introduction of bills and resolutions, to reconvene February 3 at 11:00 a.m.

The motion carries.

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representatives Lucas, Floyd, Parfitt, and Glazier (Primary Sponsors):

H.B. 20, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR MONITORING AND EMERGENCY CLEANUP OF THE TEXFI SITE CONTAMINATION, is referred to the Appropriations Subcommittee on Natural and Economic Resources.

By Representatives Crawford and Wray:

H.B. 21, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE ADMINISTRATION OF NONPARTISAN MUNICIPAL ELECTIONS BY COUNTY BOARDS OF ELECTIONS SINCE GENERAL ABOLITION OF MUNICIPAL BOARDS OF ELECTIONS IN 2001, is referred to the Committee on Government and, if favorable, to the Committee on Elections.

By Representatives Crawford and Wray:

H.B. 22, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR ADDITIONAL FLEXIBILITY FOR VANCE-GRANVILLE COMMUNITY COLLEGE BOND FUNDS, is referred to the Committee on Education and, if favorable, to the Committee on Finance.

By Representatives Carney, Dollar, L. Brown, and Wilkins (Primary Sponsors); M. Alexander, Cotham, Faircloth, Gill, Glazier, Hamilton, Harrison, Horn, Martin, McComas, R. Moore, Murry, Parfitt, Tolson, Torbett, and Wray:

H.B. 23, A BILL TO BE ENTITLED AN ACT TO STUDY MEANS TO INCREASE NORTH CAROLINA'S GLOBAL ENGAGEMENT, is referred to the Committee on Rules, Calendar, and Operations of the House.

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By Representatives Carney, Dollar, L. Brown, and Wilkins (Primary Sponsors); M. Alexander, Faircloth, Hamilton, Horn, Martin, McGee, R. Moore, Murry, Parfitt, Tolson, and Wray:

H.B. 24, A BILL TO BE ENTITLED AN ACT TO MODIFY AND EXPAND THE DUTIES OF THE JOINT LEGISLATIVE ECONOMIC DEVELOPMENT OVERSIGHT COMMITTEE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Cotham, M. Alexander, Carney, Dixon, Fisher, Gill, Glazier, Hamilton, Harrison, Jeffus, R. Moore, Parfitt, Samuelson, Sanderson, Shepard, H. Warren, and Wray:

H.B. 25, A BILL TO BE ENTITLED AN ACT DESIGNATING MARCH SIXTH OF EACH YEAR AS LYMPHEDEMA AWARENESS DAY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives McGrady and Guice (Primary Sponsors):

H.B. 26, A BILL TO BE ENTITLED AN ACT TO ALLOW HENDERSON COUNTY TO INCLUDE ALL UNINCORPORATED AREAS IN A FIRE PROTECTION DISTRICT, is referred to the Committee on Government.

By Representatives Glazier, Stam, Michaux, and Jackson (Primary Sponsors); M. Alexander, Bradley, Carney, Cotham, Faircloth, Fisher, Gill, Graham, Hall, Hamilton, Harrison, Hill, Ingle, Luebke, Martin, R. Moore, Parfitt, Rapp, Ross, Shepard, Weiss, and Wray:

H.B. 27, A BILL TO BE ENTITLED AN ACT TO (1) CREATE THE NORTH CAROLINA FORENSIC SCIENCE ADVISORY BOARD, (2) ENCOURAGE EFFORTS TO ELIMINATE SOURCES OF HUMAN ERROR IN FORENSIC EXAMINATIONS, (3) REQUIRE CERTIFICATION OF FORENSIC SCIENCE PROFESSIONALS, (4) RENAME THE STATE BUREAU OF INVESTIGATION LABORATORY AS THE NORTH CAROLINA STATE CRIME LABORATORY, (5) CREATE THE POSITION OF OMBUDSMAN TO ENSURE THAT THE BEST FORENSIC PROCESSES AND PROCEDURES ARE UTILIZED IN THE STATE CRIME LABORATORY, (6) CLARIFY STATUTES THAT ALLOW FOR THE ADMISSIBILITY OF FORENSIC ANALYSES INTO EVIDENCE, (7) CLARIFY THE STATE'S OBLIGATION TO DISCLOSE TO THE DEFENDANT ALL INFORMATION RELATING TO THE TESTING OR EXAMINATION OF EVIDENCE AND TO PENALIZE OMISSION OR

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MISREPRESENTATION RELATING TO DISCLOSURE, AND (8) CLARIFY THAT STATE CRIME LABORATORY PERSONNEL SERVE THE PUBLIC AND THE CRIMINAL JUSTICE SYSTEM, AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON THE PRESERVATION OF BIOLOGICAL EVIDENCE, AND TO PROVIDE THAT THE ACT SHALL BE ENTITLED "THE FORENSIC SCIENCES ACT OF 2011", is referred to Judiciary Subcommittee B.

The House stands adjourned at 5:28 p.m.

SIXTH DAY

HOUSE OF REPRESENTATIVES
Thursday, February 3, 2011

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 Representative Angela Bryant:

"My prayer today will be the words of the last verse of 'Lift Every Voice and Sing,' also known as the 'Negro National Anthem' - written as a poem in 1900 by James Weldon Johnson, a prolific writer, lawyer, diplomat, educator and composer, and set to music in 1905 by his brother, John Rosamond Johnson. The poem was first publicly performed in celebration of Lincoln's birthday on February 12, 1900, by 500 school children as a part of the introduction of their special guest, Booker T. Washington. James Weldon Johnson was the school principal.

"Let us pray:

"God of our weary years,
God of our silent tears,
Thou who has brought us thus far on the way;
Thou who has by Thy might
Led us into the light,
Keep us forever in the path, we pray.
Lest our feet stray from the places, our God, where we met Thee,
Lest, our hearts drunk with the wine of the world, we forget Thee;

February 3, 2011

Shadowed beneath Thy hand,
May we forever stand,
True to our God,
True to our native land.

"Amen."

Representative T. Moore, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of February 2 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Bell, Faison, Hamilton, McElraft, Parmon, Setzer, and Womble for today.

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representatives Burr, Guice, Ingle, and Randleman (Primary Sponsors); Cleveland, Faircloth, Hilton, Hurley, Jones, Jordan, Sanderson, and H. Warren:

H.B. 28, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO PROVIDE LAW ENFORCEMENT OFFICERS AND AGENCIES WITH ANY INFORMATION REQUESTED FOR THE PURPOSE OF LOCATING INDIVIDUALS THAT ARE RECEIVING ANY SERVICES FROM THE DEPARTMENT AND FOR WHOM LAW ENFORCEMENT HAS AN ACTIVE INVESTIGATION OR ANY OUTSTANDING CRIMINAL PROCESS ISSUED BY A JUDICIAL OFFICIAL, is referred to Judiciary Subcommittee B.

By Representatives T. Moore, Cleveland, Faircloth, Iler, Ingle, Jones, Jordan, Randleman, Sanderson, and H. Warren:

H.B. 29, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE RETRIEVAL OF KILLED OR WOUNDED DEER USING A SINGLE DOG ON A LEASH, is referred to the Committee on Agriculture.

By Representatives T. Moore, Cleveland, Dixon, Hilton, Jones, Randleman, Sager, and H. Warren:

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H.B. 30, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE GARNISHMENT OF WAGES AS AN ADDITIONAL MEANS OF SATISFYING JUDGMENTS IN CIVIL ACTIONS, is referred to Judiciary Subcommittee A.

By Representatives Pierce and Graham:

H.B. 31, A BILL TO BE ENTITLED AN ACT TO MAKE USING A MOBILE PHONE UNLAWFUL WHILE DRIVING A MOTOR VEHICLE ON A PUBLIC STREET OR HIGHWAY OR PUBLIC VEHICULAR AREA, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives LaRoque, Bradley, Luebke, and Farmer-Butterfield (Primary Sponsors); Hall, Harrison, Jones, Jordan, R. Moore, H. Warren, and Weiss:

H.B. 32, A BILL TO BE ENTITLED AN ACT TO AMEND THE STATUTORY REQUIREMENT FOR A POLITICAL PARTY TO MAINTAIN BALLOT ELIGIBILITY; TO PROVIDE THAT THE RESULTS OF PRIMARIES OF POLITICAL PARTIES WITH LESS THAN TEN PERCENT OF THE REGISTERED VOTERS ARE DETERMINED BY A PLURALITY UNLESS THE PARTY CHOOSES TO NOMINATE BY CONVENTION; TO CHANGE THE DEFINITION OF A "POLITICAL PARTY" BY REDUCING THE NUMBER OF SIGNATURES REQUIRED FOR THE FORMATION OF A NEW POLITICAL PARTY; TO REDUCE THE NUMBER OF SIGNATURES REQUIRED FOR UNAFFILIATED CANDIDATES TO OBTAIN BALLOT ACCESS ELIGIBILITY; AND TO ELIMINATE THE NEED FOR PETITIONS FOR WRITE-IN CANDIDACY, is referred to the Committee on Elections.

ADDENDA TO COMMITTEE ASSIGNMENTS

February 3, 2011

The Speaker makes the following committee assignments:

APPROPRIATION SUBCOMMITTEE ON EDUCATION: Remove Representatives Gill and Glazier.

APPROPRIATION SUBCOMMITTEE ON GENERAL GOVERNMENT: Add Representative Gill; remove Representative Glazier.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY: Add Representative Daughtry, Chair; add Representative Bordsen; remove Representative Goodman.

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APPROPRIATIONS SUBCOMMITTEE ON NATURAL AND ECONOMIC RESOURCES: Add Representative Goodman; remove Representative Bordsen.

BANKING: Add Representative Daughtry; remove Representatives Adams and Blackwell.

COMMERCE SUBCOMMITTEE ON BUSINESS AND LABOR: Add Representative Holloway.

EDUCATION: Add Representative Langdon, Chair; add Representative Glazier; remove Representatives Blackwell and McElraft.

ELECTION LAW: Add Representative Graham; remove Representative Insko.

GOVERNMENT: Add Representative Faircloth; Remove Representative Samuelson.

HEALTH AND HUMAN SERVICES: Add Representative Burr, Vice Chair; Add Representatives Blackwell and Samuelson; remove Representatives Faircloth and McElraft.

HEALTH AND HUMAN SERVICES SUBCOMMITTEE ON MENTAL HEALTH: Add Representatives Barnhart, Blackwell, Brisson, Crawford, Current, Dollar, Earle, Insko, Jackson, Lewis, Pierce, Samuelson, Steen, and Weiss.

INSURANCE: Add Representatives Current and Wilkins.

JUDICIARY: Add Representative Insko; remove Representative Graham.

JUDICIARY SUBCOMMITTEE C: Add Representative Insko; remove Representative Graham.

RULES, CALENDAR AND OPERATIONS OF THE HOUSE: Add Representatives Blust and Moffitt; remove Representative R. Brown.

STATE PERSONNEL: Add Representatives Collins and Tolson.

TRANSPORTATION: Add Representative Cleveland, Vice Chair; add Representative Blackwell; remove Representative Daughtry.

February 3, 2011

CALENDAR

Action is taken on the following:

H.B. 6, A BILL TO BE ENTITLED AN ACT TO ALLOW THE STATUTORY DUTIES OF THE HOUSE COMMITTEE ON PENSIONS AND RETIREMENT TO BE CARRIED OUT BY THE HOUSE COMMITTEE ON STATE PERSONNEL.

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

H.R. 10 (Committee Substitute), A HOUSE RESOLUTION HONORING THE FOUNDERS OF TRANSYLVANIA COUNTY ON THE OCCASION OF THE COUNTY'S ONE HUNDRED FIFTIETH ANNIVERSARY.

The resolution is adopted, by electronic vote (110-0), and ordered printed.

Representative Spear requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (111-0).

On motion of Representative LaRoque, seconded by Representative McComas, the House adjourns at 11:16 a.m. to reconvene Monday, February 7, 2011, at 6:00 p.m.

SEVENTH DAY

HOUSE OF REPRESENTATIVES
Monday, February 7, 2011

The House meets at 6:00 p.m. pursuant to adjournment and is called to order by Representative Justin Burr.

The following prayer is offered by Representative and Eagle Scout Bert Jones:

"Our Father and our God,

February 7, 2011

"We come humbly now before You, first, as individuals You have created in Your own image. We also come collectively, as this elected Body, representing the citizens of our State.

"We pray this evening, and always, for wisdom and discernment that comes from You alone. We acknowledge that according to Your Word, the beginning of wisdom is indeed the reverential fear of the Lord. Even the beginning of knowledge is also the fear of the Lord.

"Father, we pray that our agenda would always be to stand for truth and righteousness. And to that end, we celebrate the stated values of the Boy Scouts of America as we honor its anniversary today. The Boy Scout Promise begins: 'On my honor, I will do my best, to do my duty, to God....' May that promise be our prayer as well.

"We offer our prayer each in our own way, many of us, including myself, in the name of the Lord Jesus Christ. Amen."

A delegation of Boy Scouts from across North Carolina present the colors to the Body.

Representative and Eagle Scout Tim Moffitt leads the Body in the Pledge of Allegiance.

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

Leaves of absence are granted Representatives Bradley, Faison, Insko, and Setzer for today.

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representatives Hager and Cleveland (Primary Sponsors); Bradley, L. Brown, Burr, Current, Dixon, Faircloth, Folwell, Frye, Hastings, Hurley, Iler, Ingle, Jones, Jordan, Justice, Langdon, McCormick, McGee, T. Moore, Randleman, Sager, Sanderson, Shepard, Starnes, Steen, Torbett, and H. Warren:

H.B. 33, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ONLY IDENTIFICATIONS APPROVED BY THE STATE MAY BE USED TO DETERMINE THE RELIABILITY OF A PERSON'S IDENTIFICATION

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FOR GOVERNMENTAL AND LAW ENFORCEMENT PURPOSES, is referred to the Committee on Government and, if favorable, to the Committee on Judiciary.

By Representatives Cleveland, Justice, and Bradley (Primary Sponsors); Avila, L. Brown, Current, Dixon, Faircloth, Folwell, Frye, Guice, Hilton, Holloway, Hurley, Iler, Ingle, Jones, Jordan, Killian, McElraft, McGee, T. Moore, Randleman, Sager, Sanderson, Shepard, Stevens, Torbett, and H. Warren:

H.R. 34, A HOUSE RESOLUTION SUPPORTING THE STATE OF NORTH CAROLINA'S RIGHT TO CLAIM SOVEREIGNTY OVER CERTAIN POWERS UNDER THE TENTH AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Glazier, Lucas, Parfitt, and Brisson (Primary Sponsors); M. Alexander, Carney, Martin, and R. Moore.

H.B. 35, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE NORTH CAROLINA MILITARY BUSINESS CENTER, is referred to the Committee on Appropriations.

By Representatives H. Warren, Cleveland, and Folwell (Primary Sponsors); Bradley, L. Brown, R. Brown, Burr, Cook, Current, Dollar, Faircloth, Frye, Guice, Hager, Hastings, Horn, Howard, Hurley, Iler, Ingle, Johnson, Jones, Jordan, Justice, Langdon, McComas, McGee, T. Moore, Pridgen, Randleman, Sanderson, Shepard, Starnes, Steen, Stevens, and Torbett:

H.B. 36, A BILL TO BE ENTITLED AN ACT PROHIBITING STATE AND LOCAL GOVERNMENT CONTRACTS WITH CONTRACTORS WHO EMPLOY ILLEGAL IMMIGRANTS AND REQUIRING CONTRACTORS TO VERIFY AND CERTIFY THEIR EMPLOYEES' LEGAL STATUS OR AUTHORIZATION TO WORK IN THE UNITED STATES, is referred to the Committee on Government and, if favorable, to Judiciary Subcommittee A.

By Representative R. Brown:

H.B. 37, A BILL TO BE ENTITLED AN ACT TO EXERCISE THE POWER OF THE GENERAL ASSEMBLY UNDER SECTION 2 OF ARTICLE VI OF THE NORTH CAROLINA CONSTITUTION TO FIX

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THE BOUNDARIES OF CITIES AND GIVE SUCH POWERS TO CITIES AS IT DEEMS ADVISABLE BY WITHDRAWING THE DELEGATION OF AUTHORITY TO THE CITY OF LEXINGTON TO MAKE CERTAIN ANNEXATIONS, is referred to the Committee on Government.

By Representatives Bordsen and Ingle (Primary Sponsors):

H.B. 38, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ALAMANCE COUNTY TO REQUIRE THE PAYMENT OF DELINQUENT PROPERTY TAXES BEFORE RECORDING DEEDS CONVEYING PROPERTY, is referred to the Committee on Government.

By Representatives Jones, Moffitt, Iler, and McComas (Primary Sponsors); Barnhart, L. Brown, Burr, Carney, Cleveland, Cotham, Dollar, Fisher, Folwell, Frye, Gill, Gillespie, Glazier, Graham, Guice, Hamilton, Harrison, Hastings, Hill, Hilton, Horn, Howard, Hurley, Ingle, Jackson, Jeffus, Justice, Keever, Langdon, LaRoque, Luebke, Martin, McElraft, McGee, McGrady, McLawhorn, Mills, R. Moore, T. Moore, Murry, Parfitt, Pridgen, Randleman, Sager, Samuelson, Sanderson, Setzer, Shepard, Spear, Starnes, Torbett, H. Warren, Weiss, and Wray:

H.R. 39, A HOUSE RESOLUTION HONORING THE BOY SCOUTS OF AMERICA.

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

By Representatives Hastings, T. Moore, Hager, and Stam (Primary Sponsors); M. Alexander, Barnhart, L. Brown, Carney, Dollar, Frye, Gibson, Gillespie, Glazier, Guice, Hackney, Hamilton, Harrison, Hilton, Howard, Hurley, Iler, Ingle, Jackson, Jones, Jordan, Keever, Langdon, Luebke, McComas, McCormick, McElraft, McGee, McGrady, McLawhorn, Parfitt, Randleman, Sager, Samuelson, Shepard, Starnes, Torbett, H. Warren, and Weiss:

H.R. 40, A HOUSE RESOLUTION HONORING THE LIFE AND MEMORY OF JOHN WEATHERLY, FORMER MEMBER OF THE GENERAL ASSEMBLY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Stam, Hager, Collins, and Brawley (Primary Sponsors); Avila, Barnhart, Blust, Bradley, Brandon, L. Brown, Burr, Cleveland, Cook, Dixon, Faircloth, Hastings, Hilton, Horn, Iler, Ingle, Jones, Jordan, Killian, LaRoque, McCormick, Moffitt, Murry, Randleman, Sanderson, Shepard, Stevens, Torbett, and H. Warren:

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H.B. 41, A BILL TO BE ENTITLED AN ACT TO ALLOW AN INDIVIDUAL INCOME TAX CREDIT FOR PART OF THE EXPENSE OF AVOIDED PUBLIC EDUCATION AND TO AUTHORIZE COUNTIES TO APPROPRIATE FUNDS FOR CHILDREN EDUCATED OTHER THAN IN PUBLIC SCHOOLS, is referred to the Committee on Education and, if favorable, to the Committee on Finance.

By Representatives Randleman, M. Alexander, Barnhart, L. Brown, Carney, Dollar, Faison, Folwell, Frye, Gibson, Gillespie, Glazier, Guice, Hackney, Hamilton, Harrison, Iler, Jackson, Jones, Jordan, Keever, Luebke, McGee, McLawhorn, T. Moore, Parfitt, Starnes, and H. Warren:

H.R. 42, A HOUSE RESOLUTION HONORING THE LIFE AND MEMORY OF JOHN ALLEN GARWOOD, FORMER MEMBER OF THE GENERAL ASSEMBLY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Carney, Samuelson, and R. Moore (Primary Sponsors); Cotham and Killian:

H.B. 43, A BILL TO BE ENTITLED AN ACT TO INCREASE THE EFFICIENCY OF PROPERTY TAX APPEALS IN MECKLENBURG COUNTY, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

CALENDAR

Action is taken on the following:

H.R. 39, A HOUSE RESOLUTION HONORING THE BOY SCOUTS OF AMERICA.

The resolution is adopted, by electronic vote (111-0), and ordered printed.

GUEST

Representative Burr appoints all Representatives who were Eagle Scouts or parents of Eagle Scouts to escort The Honorable Paul M. Newby, Associate Justice of the North Carolina Supreme Court, to the Well of the House where he makes brief remarks.

SPEAKER TILLIS PRESIDING.

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INTRODUCTION OF PAGES

Pages for the week of February 7 are introduced to the membership. They are: Hannah Andrews of Alamance; Napoleeshia Blount of Wake; Tiffany Davis of Davie; Emma Fowler of Columbus; Jordan Jackson of Surry; Sam Potter of Cabarrus; Daniel Sartin of Caswell; Draquan Scott of Wake; Jacob Tallent of Cabarrus; and Laura Vera of Burke.

Serving as Honorary Page for the week is Peter M. Newby of Wake.

SUBCOMMITTEE REFERRAL

Representatives Daughtry, Chair, for the Standing Committee on Judiciary, refers **H.B. 18**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE EFFECTIVE DATE FOR THE LAW REGARDING THE RESTORATION OF FIREARMS RIGHTS AND THE LAW AMENDING THE FELONY FIREARMS ACT TO ALLOW CERTAIN EXCEPTIONS THAT ARE SIMILAR TO THOSE ALLOWED UNDER FEDERAL LAW, to Judiciary Subcommittee B.

Representative LaRoque moves, seconded by Representative Burr, that the House adjourn, subject to the receipt of Messages from the Senate, to reconvene February 8 at 2:00 p.m.

The motion carries.

SPECIAL MESSAGE FROM THE SENATE

The following Special Message is received from the Senate:

S.B. 13 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE BALANCED BUDGET ACT OF 2011, is read the first time and referred to the Committee on Appropriations.

The House stands adjourned at 8:15 p.m.

February 7, 2011

EIGHTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, February 8, 2011

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 Representative Tom Murry:

"Please meditate with me over Psalm 101:

I will sing of mercy and judgment:
unto Thee, O Lord, will I sing.
I will behave myself wisely in a perfect way.
O when wilt Thou come unto me?
I will walk within my house with a perfect heart.
I will set no wicked thing before mine eyes:
I hate the work of them that turn aside;
it shall not cleave to me.
A forward heart shall depart from me:
I will not know a wicked person.
Whoso privily slandereth his neighbor, him will I cut off:
him that hath a high look and a proud heart will not I suffer.
Mine eyes shall be upon the faithful of the land,
That they may dwell with me:
he that walketh in a perfect way,
he shall serve me.
He that worketh deceit shall not dwell within my house:
he that telleth lies shall not tarry in my sight.
I will early destroy all the wicked of the land;
that I may cut off all wicked doers from the city of the Lord.' Amen."

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

There are no excused absences for today.

INTRODUCTION OF BILLS AND RESOLUTIONS

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

February 8, 2011

By Representatives Pierce, Brandon, Gill, Luebke, McGee, McLawhorn, R. Moore, Parmon, Sager, Spear, and Weiss:

H.B. 44, A BILL TO BE ENTITLED AN ACT TO MAKE USING A MOBILE PHONE UNLAWFUL WHILE DRIVING A MOTOR VEHICLE ON A PUBLIC STREET OR HIGHWAY OR PUBLIC VEHICULAR AREA UNLESS HANDS-FREE TECHNOLOGY IS USED BY THE OPERATOR, is referred to the Commerce and Job Development Subcommittee on Science and Technology and, if favorable, to the Committee on Transportation and, if favorable, to the Committee on Finance.

By Representatives Gillespie, Cook, and Gibson (Primary Sponsors); Hilton, Lucas, McCormick, West, and Wray:

H.B. 45, A BILL TO BE ENTITLED AN ACT TO ALLOW THE USE OF RISK-BASED REMEDIATION TO ACCELERATE THE CLEANUP OF CONTAMINATED INDUSTRIAL SITES FOR THE PURPOSE OF LIMITING HUMAN AND ENVIRONMENTAL EXPOSURE TO SAFE LEVELS, TO PROTECT CURRENT AND LIKELY FUTURE USES OF GROUNDWATER, AND TO ENSURE THE COST-EFFECTIVE APPLICATION OF LIMITED PUBLIC AND PRIVATE RESOURCES, is referred to the Committee on Environment.

By Representatives Floyd, Parfitt, Lucas, and Glazier (Primary Sponsors):

H.B. 46, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO SUPPORT THE DEFENSE AND SECURITY TECHNOLOGY ACCELERATOR, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Floyd, Glazier, Lucas, and Parfitt (Primary Sponsors):

H.B. 47, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO SUPPORT THE DEFENSE AND SECURITY TECHNOLOGY ACCELERATOR, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Holloway, Blackwell, Hilton, and Cotham (Primary Sponsors); Bradley, Brandon, L. Brown, Burr, Cleveland, Faircloth, Faison, Folwell, Frye, Harrison, Hastings, Hurley, Iler, Jackson, Jones, Jordan, Langdon, Lewis, Luebke, McGee, McLawhorn, R. Moore, T. Moore, Sager, Setzer, Shepard, Starnes, Stevens, and Weiss:

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H.B. 48, A BILL TO BE ENTITLED AN ACT TO REDUCE SPENDING BY ELIMINATING STATEWIDE STANDARDIZED TESTING IN THE PUBLIC SCHOOLS, EXCEPT AS REQUIRED BY FEDERAL LAW OR AS A CONDITION OF A FEDERAL GRANT, is referred to the Committee on Education.

WITHDRAWAL OF BILL FROM COMMITTEE

On motion of Representative T. Moore and without objection, **H.B. 6**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE STATUTORY DUTIES OF THE HOUSE COMMITTEE ON PENSIONS AND RETIREMENT TO BE CARRIED OUT BY THE HOUSE COMMITTEE ON STATE PERSONNEL, 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 for immediate consideration.

CALENDAR

Action is taken on the following:

H.B. 6, A BILL TO BE ENTITLED AN ACT TO ALLOW THE STATUTORY DUTIES OF THE HOUSE COMMITTEE ON PENSIONS AND RETIREMENT TO BE CARRIED OUT BY THE HOUSE COMMITTEE ON STATE PERSONNEL, passes its second reading, by electronic vote (114-1), and there being no objection is read a third time.

Representative Hamilton requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (115-1).

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

Representative T. Moore, requests unanimous consent for **H.J.R. 50**, A JOINT RESOLUTION INFORMING HER EXCELLENCY, GOVERNOR BEVERLY E. PERDUE, THAT THE GENERAL ASSEMBLY IS ORGANIZED AND READY TO PROCEED WITH PUBLIC BUSINESS AND INVITING THE GOVERNOR TO ADDRESS A JOINT SESSION OF THE SENATE AND HOUSE OF REPRESENTATIVES, to receive its first reading today.

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

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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 sent to the Senate by Special Message.

Representative LaRoque moves, seconded by Representative West, that the House adjourn, subject to the receipt of Committee Reports, and in memory of Mr. W. Neil Setzer, father of Representative Mitchell Setzer, to reconvene February 9 at 2:00 p.m.

The motion carries.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following report from standing committee is presented:

By Representatives Brubaker, Barnhart, Gillespie, and Johnson, Chairs, for the Committee on Appropriations:

S.B. 13 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE BALANCED BUDGET ACT OF 2011, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of February 9.

The House stands adjourned at 5:00 p.m.

NINTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, February 9, 2011

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 Representative Harry Warren:

"O God:

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"As we gather to conduct the affairs of our great State, we ask Your guidance to remember that we are here to serve those who elected us rather than to have them serve us. Help us to do Your will and to glorify You in all we do for those we serve. Keep us humble, keep us pure in heart, and keep us focused on what is best for our State and for our country. Bless us, O God, that we might be a blessing to others.

"These things we pray, many of us, in the name of Jesus Christ, whom we believe to be Your divine Son. Amen."

Representative T. Moore, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of February 8 has been examined and found correct. Upon his motion, the Journal is approved as written.

There are no excused absences for today.

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representatives T. Moore, Hastings, Torbett, and H. Warren (Primary Sponsors); M. Alexander, Blust, Brawley, Brisson, L. Brown, Burr, Cleveland, Cook, Cotham, Current, Dixon, Dockham, Dollar, Faircloth, Faison, Farmer-Butterfield, Folwell, Frye, Gibson, Gill, Gillespie, Glazier, Guice, Hager, Hamilton, Harrison, Hill, Hilton, Hollo, Horn, Hurley, Iler, Ingle, Insko, Jackson, Jones, Jordan, Justice, Keever, Killian, Langdon, LaRoque, Lucas, Martin, McGee, Mills, R. Moore, Murry, Parfitt, Pridgen, Randleman, Rapp, Sager, Shepard, Spear, Starnes, Steen, Stevens, and Wray:

H.B. 49, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PUNISHMENT FOR DWI OFFENDERS WITH THREE OR MORE GROSSLY AGGRAVATING FACTORS, TO AUTHORIZE THE COURT TO REQUIRE CONTINUOUS ALCOHOL MONITORING FOR CERTAIN OFFENDERS, AND TO INCREASE THE COURT COSTS FOR DWI OFFENDERS, is referred to Judiciary Subcommittee B and, if favorable, to the Committee on Finance.

By Representatives Lucas and Glazier (Primary Sponsors); Adams, M. Alexander, Fisher, Gill, Graham, Insko, Jackson, Keever, Luebke, McLawhorn, Parfitt, Parmon, Pierce, Rapp, Wainwright, Womble, and Wray:

H.B. 51, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE NORTH CAROLINA PTA PARENT INVOLVEMENT/DROPOUT PREVENTION INITIATIVE, is referred to the Appropriations Subcommittee on Education.

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By Representatives Spear, Owens, and Crawford (Primary Sponsors); Avila, Brisson, Cook, Dixon, Dockham, Faison, Frye, Guice, Hager, Hill, Horn, Jones, Jordan, Justice, Killian, Lewis, McComas, McElraft, McLawhorn, Rapp, Sager, Sanderson, Starnes, H. Warren, West, and Wray:

H.B. 52, A BILL TO BE ENTITLED AN ACT TO CLARIFY WHEN A PERSON MAY USE DEFENSIVE FORCE TO PROTECT AGAINST THE UNLAWFUL AND FORCIBLE ENTRY INTO THE PERSON'S DWELLING BY ANOTHER, TO PREVENT THE REMOVAL OF A PERSON AGAINST HIS OR HER WILL FROM THE PERSON'S DWELLING, AND TO PROVIDE THAT A PERSON IS JUSTIFIED IN USING DEFENSIVE FORCE IN THESE CIRCUMSTANCES AND SO IS IMMUNE FROM CRIMINAL PROSECUTION AND CIVIL ACTION FOR THE USE OF SUCH FORCE, is referred to Judiciary Subcommittee B.

By Representatives Barnhart, Avila, Crawford, and Glazier (Primary Sponsors); Adams, K. Alexander, M. Alexander, Bell, Blackwell, Blust, Boles, Bradley, Brandon, Brawley, Brisson, L. Brown, Brubaker, Bryant, Burr, Carney, Cotham, Dockham, Dollar, Earle, Faircloth, Farmer-Butterfield, Fisher, Floyd, Frye, Gibson, Gill, Gillespie, Goodman, Graham, Guice, Haire, Hall, Hamilton, Harrison, Hill, Hilton, Hollo, Holloway, Horn, Howard, Hurley, Iler, Ingle, Jackson, Jeffus, Johnson, Jones, Jordan, Justice, Keever, Killian, Langdon, LaRoque, Lewis, Lucas, Luebke, Martin, McComas, McCormick, McGee, McGrady, McLawhorn, Michaux, Mills, Mobley, Moffitt, R. Moore, T. Moore, Murry, Owens, Parfitt, Parmon, Pierce, Pridgen, Randleman, Rapp, Ross, Sager, Samuelson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Wainwright, E. Warren, H. Warren, Weiss, West, Wilkins, Womble, and Wray:

H.B. 53, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR HOSPITAL ASSESSMENTS TO BE USED TO OBTAIN MATCHING FEDERAL MEDICAID FUNDS TO REDUCE THE LOSSES HOSPITALS SUSTAIN WHEN TREATING MEDICAID AND UNINSURED PATIENTS, TO REDUCE THE INEQUITY IN MEDICAID PAYMENTS BETWEEN PUBLIC AND NONPUBLIC HOSPITALS, AND TO PROVIDE FORTY-THREE MILLION DOLLARS IN ADDITIONAL FUNDING FOR THE STATE OF NORTH CAROLINA, is referred to the Committee on Finance.

By Representatives Crawford and Wray (Primary Sponsors); Brisson, Faircloth, Hill, Ingle, Jones, McGee, T. Moore, and H. Warren:

H.B. 54, A BILL TO BE ENTITLED AN ACT TO CREATE THE STATUS OFFENSE OF HABITUAL MISDEMEANOR LARCENY, is referred to Judiciary Subcommittee B.

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By Representatives Stevens, Cleveland, and Glazier (Primary Sponsors); M. Alexander, Cotham, Faircloth, Faison, Gill, Graham, Guice, Hall, Hurley, Iler, Ingle, Jackson, Jones, Jordan, Lucas, McGee, R. Moore, T. Moore, Murry, Pierce, Randleman, Sager, Shepard, Spear, Torbett, H. Warren, and Wray:

H.B. 55, A BILL TO BE ENTITLED AN ACT TO ALLOW RELIEF FROM A CHILD SUPPORT ORDER WHEN THE OBLIGOR IS NOT THE CHILD'S FATHER, is referred to Judiciary Subcommittee B.

By Representative Collins:

H.B. 56, A BILL TO BE ENTITLED AN ACT TO EXERCISE THE POWER OF THE GENERAL ASSEMBLY UNDER SECTION 1 OF ARTICLE VII OF THE NORTH CAROLINA CONSTITUTION TO FIX THE BOUNDARIES OF CITIES AND GIVE SUCH POWERS TO CITIES AS IT DEEMS ADVISABLE BY WITHDRAWING THE DELEGATION OF AUTHORITY TO THE CITY OF ROCKY MOUNT TO MAKE CERTAIN ANNEXATIONS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Burr, Dollar, and Murry (Primary Sponsors); Faircloth, Frye, Jones, Shepard, Stevens, and H. Warren:

H.B. 57, A BILL TO BE ENTITLED AN ACT REQUIRING THAT FUNDS A RECIPIENT IS ELIGIBLE TO RECEIVE FOR THE LOW-INCOME ENERGY ASSISTANCE PROGRAM OR THE CRISIS INTERVENTION PROGRAM BE USED FOR THE PAYMENT OF UTILITY SERVICES RELATED TO HEATING OR COOLING A RESIDENTIAL DWELLING ONLY AND THAT THOSE FUNDS BE PAID DIRECTLY TO THE UTILITY SERVICES VENDOR ON BEHALF OF THE RECIPIENT, is referred to the Committee on Public Utilities.

By Representatives Burr, Holloway, Guice, and Johnson (Primary Sponsors); Hurley, Iler, Jones, Justice, Shepard, Steen, Stevens, and H. Warren:

H.B. 58, A BILL TO BE ENTITLED AN ACT TO ENSURE THAT ALL COMMUNITY COLLEGE MULTICAMPUS CENTERS RECEIVE FUNDING UNDER THE SAME FORMULA, is referred to the Committee on Education.

By Representatives McGrady, Mobley, Randleman, and Haire (Primary Sponsors); Brisson, L. Brown, Cleveland, Faircloth, Faison, Frye, Gill, Guice, Hurley, Iler, Jones, Jordan, Lucas, McGee, T. Moore, Parmon, Rapp, Sager, Setzer, Spear, Stevens, H. Warren, and Wray:

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H.B. 59, A BILL TO BE ENTITLED AN ACT TO PROHIBIT SEX OFFENDERS FROM BEING EMERGENCY MEDICAL SERVICES PERSONNEL, is referred to Judiciary Subcommittee B.

By Representatives Pierce, Farmer-Butterfield, Weiss, and Mobley (Primary Sponsors); M. Alexander, Brandon, Gill, Glazier, Graham, Harrison, Insko, Jackson, Lucas, Parfitt, Rapp, and Wray:

H.B. 60, A BILL TO BE ENTITLED AN ACT TO EXTEND THE TASK FORCE DEVELOPING GUIDELINES FOR CONSUMERS TO USE WHEN PURCHASING A HEARING AID, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING, is referred to the Committee on Health and Human Services.

CALENDAR

Action is taken on the following:

S.B. 13 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE BALANCED BUDGET ACT OF 2011.

Representative Gibson offers Amendment No. 1 which fails of adoption by electronic vote (51-67).

Representative Owens offers Amendment No. 2 which fails of adoption by electronic vote (50-69).

Without objection, the bill is temporarily displaced.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

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

By Representative Stevens, Chair, for Judiciary Subcommittee B, with approval of standing committee Chair for reports to be made directly to the floor of the House:

H.B. 3, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ADOPTION OF THE GOOD FAITH EXCEPTION TO THE EXCLUSIONARY RULE INTO STATE LAW, with a favorable report as to the committee substitute bill unfavorable as to the original bill.

February 9, 2011

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

H.B. 18, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE EFFECTIVE DATE FOR THE LAW REGARDING THE RESTORATION OF FIREARMS RIGHTS AND THE LAW AMENDING THE FELONY FIREARMS ACT TO ALLOW CERTAIN EXCEPTIONS THAT ARE SIMILAR TO THOSE ALLOWED UNDER FEDERAL LAW, 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 February 10. The original bill is placed on the Unfavorable Calendar.

H.B. 27, A BILL TO BE ENTITLED AN ACT TO (1) CREATE THE NORTH CAROLINA FORENSIC SCIENCE ADVISORY BOARD, (2) ENCOURAGE EFFORTS TO ELIMINATE SOURCES OF HUMAN ERROR IN FORENSIC EXAMINATIONS, (3) REQUIRE CERTIFICATION OF FORENSIC SCIENCE PROFESSIONALS, (4) RENAME THE STATE BUREAU OF INVESTIGATION LABORATORY AS THE NORTH CAROLINA STATE CRIME LABORATORY, (5) CREATE THE POSITION OF OMBUDSMAN TO ENSURE THAT THE BEST FORENSIC PROCESSES AND PROCEDURES ARE UTILIZED IN THE STATE CRIME LABORATORY, (6) CLARIFY STATUTES THAT ALLOW FOR THE ADMISSIBILITY OF FORENSIC ANALYSES INTO EVIDENCE, (7) CLARIFY THE STATE'S OBLIGATION TO DISCLOSE TO THE DEFENDANT ALL INFORMATION RELATING TO THE TESTING OR EXAMINATION OF EVIDENCE AND TO PENALIZE OMISSION OR MISREPRESENTATION RELATING TO DISCLOSURE, AND (8) CLARIFY THAT STATE CRIME LABORATORY PERSONNEL SERVE THE PUBLIC AND THE CRIMINAL JUSTICE SYSTEM, AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON THE PRESERVATION OF BIOLOGICAL EVIDENCE, AND TO PROVIDE THAT THE ACT SHALL BE ENTITLED "THE FORENSIC SCIENCES ACT OF 2011", 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 February 10. The original bill is placed on the Unfavorable Calendar.

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RE-REFERRALS

On motion of Representative LaRoque, pursuant to Rule 39.2 and without objection, **H.B. 46**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO SUPPORT THE DEFENSE AND SECURITY TECHNOLOGY ACCELERATOR, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Appropriations Subcommittee on General Government.

On motion of Representative LaRoque, pursuant to Rule 39.2 and without objection, **H.B. 57**, A BILL TO BE ENTITLED AN ACT REQUIRING THAT FUNDS A RECIPIENT IS ELIGIBLE TO RECEIVE FOR THE LOW-INCOME ENERGY ASSISTANCE PROGRAM OR THE CRISIS INTERVENTION PROGRAM BE USED FOR THE PAYMENT OF UTILITY SERVICES RELATED TO HEATING OR COOLING A RESIDENTIAL DWELLING ONLY AND THAT THOSE FUNDS BE PAID DIRECTLY TO THE UTILITY SERVICES VENDOR ON BEHALF OF THE RECIPIENT, is withdrawn from the Committee on Public Utilities and re-referred to the Appropriations Subcommittee on Health and Human Services.

CALENDAR (continued)

S.B. 13 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE BALANCED BUDGET ACT OF 2011, which was temporarily displaced, is before the Body.

Representative Rapp offers Amendment No. 3 which fails of adoption by electronic vote (49-69).

Without objection, the bill is temporarily displaced.

ESCORT COMMITTEE ANNOUNCED

The Speaker appoints the following Members as an Escort Committee for the Governor, pursuant to **H.J.R. 50**, A JOINT RESOLUTION INFORMING HER EXCELLENCY, GOVERNOR BEVERLY E. PERDUE, THAT THE GENERAL ASSEMBLY IS ORGANIZED AND READY TO PROCEED WITH PUBLIC BUSINESS AND INVITING THE GOVERNOR TO ADDRESS A JOINT SESSION OF THE SENATE AND HOUSE OF REPRESENTATIVES: Representative Brubaker, Chair; Representatives Stam, Howard, Samuelson, Folwell, Hackney, Wainwright, Womble, and Ross.

The Senate is so notified by Special Message.

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CALENDAR (continued)

S.B. 13 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE BALANCED BUDGET ACT OF 2011, which was temporarily displaced, is before the Body.

Representative Adams offers Amendment No. 4 which fails of adoption by electronic vote (52-65).

Representative LaRoque requests and is granted leave of the House to change his vote from "aye" to "no". The adjusted vote total is (51-66).

The bill passes its second reading by electronic vote (66-51).

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

On motion of Representative T. Moore, seconded by Representative West, the House adjourns at 5:19 p.m. to reconvene February 10 at 11:00 a.m.

TENTH DAY

HOUSE OF REPRESENTATIVES
Thursday, February 10, 2011

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 Representative Jimmy Dixon:

"Our kind Father in Heaven:

"We pause at the beginning of this Session, to give Thee thanks for the very favorable circumstances under which we assemble and for these fine facilities in which we meet.

"We thank Thee for the wonderful freedoms and liberties that we enjoy in America and for the opportunity to serve the people of North Carolina.

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"We are grateful for the divinely inspired Constitutions of America and North Carolina, that set forth conditions under which we can legally and lawfully conduct the people's business.

"We are thankful for and acknowledge the efforts of our freedom loving forefathers who toiled long and hard that we might be their beneficiaries receiving the fruits of their labors.

"We are thankful for this beautiful Earth that Thou has created for us, Thy children, and acknowledge Thy hand in all the good things in our lives.

"We thank Thee for those past and present who have served in various military services and for efforts in this Chamber to remind us of the real cost of freedom.

"Heavenly Father, we thank Thee for the most precious gift ever given, the gift of Thy Son to atone for our sins.

"Please accept these expressions of gratitude and thankfulness as we express them to Thee.

"Bless each of us individually and this Assembly collectively with an abundance of Thy Spirit as we proceed to conduct the people's business.

"Each of us closing this petition to Thee in our own way, some of us in the name of Jesus Christ. Amen."

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

Leaves of absence are granted Representatives McElraft and McLawhorn for today.

ENROLLED BILLS

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

H.J.R. 50, A JOINT RESOLUTION INFORMING HER EXCELLENCY, GOVERNOR BEVERLY E. PERDUE, THAT THE GENERAL ASSEMBLY IS ORGANIZED AND READY TO PROCEED WITH PUBLIC BUSINESS AND INVITING THE GOVERNOR TO ADDRESS A JOINT SESSION OF THE SENATE AND HOUSE OF REPRESENTATIVES. (RESOLUTION 2011-1)

February 10, 2011

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representatives Blust and Tillis (Primary Sponsors); Avila, Blackwell, Bradley, L. Brown, R. Brown, Burr, Cleveland, Cook, Current, Daughtry, Dixon, Dockham, Dollar, Faircloth, Folwell, Frye, Guice, Hager, Hastings, Hilton, Hollo, Holloway, Horn, Howard, Hurley, Iler, Ingle, Jones, Jordan, Justice, Killian, Langdon, LaRoque, McCormick, McGee, McGrady, T. Moore, Murry, Pridgen, Randleman, Sager, Samuelson, Sanderson, Setzer, Shepard, Stam, Starnes, Steen, Stevens, Torbett, and H. Warren:

H.B. 61, A BILL TO BE ENTITLED AN ACT AMENDING THE NORTH CAROLINA CONSTITUTION TO LIMIT THE TERMS OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT PRO TEMPORE OF THE SENATE TO TWO GENERAL ASSEMBLIES, is referred to the Committee on Judiciary.

By Representatives Guice, Bradley, and Frye:

H.B. 62, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE RULE TO CHANGE THE WATER QUALITY CLASSIFICATION OF BOYLSTON CREEK FROM BECOMING EFFECTIVE, is referred to the Committee on Environment.

By Representatives Shepard, Hilton, Cleveland, and Barnhart (Primary Sponsors); Bradley, L. Brown, Burr, Current, Dixon, Frye, Jones, Jordan, McCormick, McGee, Moffitt, Pridgen, Setzer, Steen, Stevens, and Torbett:

H.B. 63, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT NO BUSINESS, COMMERCIAL ENTERPRISE, OR EMPLOYER SHALL PROHIBIT THE TRANSPORTATION OR STORAGE OF A FIREARM OR AMMUNITION WHEN THE FIREARM AND AMMUNITION ARE LOCKED OUT OF SIGHT IN A MOTOR VEHICLE, TO PROVIDE THAT A BUSINESS, COMMERCIAL ENTERPRISE, OR EMPLOYER IS LIABLE TO ANYONE INJURED AS A RESULT OF AN UNLAWFUL PROHIBITION, TO PROVIDE THAT A PERSON MAY BRING A CIVIL ACTION TO ENFORCE THE RIGHT TO TRANSPORT AND STORE A FIREARM AND AMMUNITION IN A LOCKED MOTOR VEHICLE ON THE PROPERTY OF A BUSINESS, COMMERCIAL ENTERPRISE, OR EMPLOYER, AND TO PROVIDE THAT A BUSINESS, COMMERCIAL ENTERPRISE, OR EMPLOYER IS NOT CIVILLY LIABLE FOR

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DAMAGES RESULTING FROM ANOTHER PERSON'S ACTIONS INVOLVING A FIREARM TRANSPORTED OR STORED IN A LOCKED VEHICLE IN A MANNER THAT COMPLIES WITH STATE LAW, is referred to Judiciary Subcommittee A.

By Representatives Sager, Dixon, Cleveland, and Jones (Primary Sponsors); Avila, Blust, Brawley, L. Brown, R. Brown, Burr, Cook, Current, Dockham, Faircloth, Faison, Folwell, Frye, Hager, Hilton, Hollo, Horn, Hurley, Iler, Jordan, Justice, Lewis, McCormick, McGee, Mills, Pridgen, Samuelson, Sanderson, Setzer, Shepard, Starnes, Stevens, and Torbett:

H.B. 64, A BILL TO BE ENTITLED AN ACT TO RESTORE JUDICIAL ELECTIONS TO A PARTISAN BASIS, is referred to the Committee on Elections.

By Representatives Bradley, L. Brown, Cleveland, Collins, Cook, Dixon, Faircloth, Frye, Hurley, Ingle, Jones, Jordan, Killian, McCormick, McElraft, McGee, Randleman, Sanderson, Stevens, Torbett, and H. Warren:

H.B. 65, A BILL TO BE ENTITLED AN ACT PROTECTING THE FREEDOM OF NORTH CAROLINA FARMERS, is referred to the Committee on Agriculture.

By Representative LaRoque:

H.B. 66, A BILL TO BE ENTITLED AN ACT TO PROVIDE GEOGRAPHIC PARITY IN REPRESENTATION ON THE GREENE COUNTY BOARD OF COMMISSIONERS, is referred to the Committee on Government.

By Representatives Tolson and Farmer-Butterfield (Primary Sponsors):

H.B. 67, A BILL TO BE ENTITLED AN ACT TO CHANGE THE DATE THAT MEMBERS OF THE WILSON COUNTY BOARD OF EDUCATION TAKE OFFICE AND TO FIX AN ERROR IN A 1987 LOCAL ACT RELATING TO THAT BOARD, is referred to the Committee on Government.

By Representatives Iler and Hill (Primary Sponsors); Shepard and Stevens:

H.B. 68, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE BRUNSWICK COUNTY TO REQUIRE THE PAYMENT OF DELINQUENT PROPERTY TAXES BEFORE RECORDING DEEDS CONVEYING PROPERTY, is referred to the Committee on Government.

February 10, 2011

MESSAGES FROM THE SENATE

The following is received from the Senate:

S.J.R. 17 (Committee Substitute Joint Resolution), A JOINT RESOLUTION TO ESTABLISH THE JOINT REGULATORY REFORM COMMITTEE, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

CALENDAR

Action is taken on the following:

S.B. 13 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE BALANCED BUDGET ACT OF 2011.

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

H.B. 27 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO (1) CREATE THE NORTH CAROLINA FORENSIC SCIENCE ADVISORY BOARD, (2) ENCOURAGE EFFORTS TO ELIMINATE SOURCES OF HUMAN ERROR IN FORENSIC EXAMINATIONS, (3) REQUIRE CERTIFICATION OF FORENSIC SCIENCE PROFESSIONALS, (4) RENAME THE STATE BUREAU OF INVESTIGATION LABORATORY AS THE NORTH CAROLINA STATE CRIME LABORATORY, (5) CREATE THE POSITION OF OMBUDSMAN TO ENSURE THAT THE BEST FORENSIC PROCESSES AND PROCEDURES ARE UTILIZED IN THE STATE CRIME LABORATORY, (6) CLARIFY STATUTES THAT ALLOW FOR THE ADMISSIBILITY OF FORENSIC ANALYSES INTO EVIDENCE, (7) CLARIFY THE STATE'S OBLIGATION TO DISCLOSE TO THE DEFENDANT ALL INFORMATION RELATING TO THE TESTING OR EXAMINATION OF EVIDENCE AND TO PENALIZE OMISSION OR MISREPRESENTATION RELATING TO DISCLOSURE, AND (8) CLARIFY THAT STATE CRIME LABORATORY PERSONNEL SERVE THE PUBLIC AND THE CRIMINAL JUSTICE SYSTEM, AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON THE PRESERVATION OF BIOLOGICAL EVIDENCE, AND TO PROVIDE THAT THE ACT SHALL BE ENTITLED "THE FORENSIC SCIENCES ACT OF 2011".

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

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H.B. 18 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE EFFECTIVE DATE FOR THE LAW REGARDING THE RESTORATION OF FIREARMS RIGHTS AND THE LAW AMENDING THE FELONY FIREARMS ACT TO ALLOW CERTAIN EXCEPTIONS THAT ARE SIMILAR TO THOSE ALLOWED UNDER FEDERAL LAW, AND TO CLARIFY THAT THE INFORMATION OBTAINED PURSUANT TO A CRIMINAL RECORD CHECK OF A PETITIONER FOR THE RESTORATION OF FIREARMS RIGHTS SHALL BE KEPT CONFIDENTIAL BUT IS NOT REQUIRED TO BE KEPT IN A SEPARATE CONFIDENTIAL FILE, 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.

H.B. 3 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ADOPTION OF THE GOOD FAITH EXCEPTION TO THE EXCLUSIONARY RULE INTO STATE LAW.

Representative Stam offers Amendment No. 1 which is adopted by electronic vote (113-4).

The bill, as amended, passes its second reading, by electronic vote (81-36), 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.

On motion of the Speaker, the House recesses at 11:34 a.m.

RECESS

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

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following report from standing committee is presented:

By Representatives L. Brown and Ingle, Chairs, for the Committee on Government:

February 10, 2011

H.B. 5, A BILL TO BE ENTITLED AN ACT TO EXERCISE THE POWER OF THE GENERAL ASSEMBLY UNDER SECTION 2 OF ARTICLE VI OF THE NORTH CAROLINA CONSTITUTION TO FIX THE BOUNDARIES OF CITIES AND GIVE SUCH POWERS TO CITIES AS IT DEEMS ADVISABLE, BY WITHDRAWING THE DELEGATION OF AUTHORITY TO THE CITY OF KINSTON TO MAKE A CERTAIN ANNEXATION, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

Pursuant to Rule 38(b), the committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

SPECIAL MESSAGE FROM THE SENATE

**2011 GENERAL ASSEMBLY
FIRST SESSION 2011**

Revised Senate Escort Committee

Senate Chamber
February 10, 2011

Mr. Speaker:

Pursuant to **H.J.R. 50**, A JOINT RESOLUTION INFORMING HER EXCELLENCY, GOVERNOR BEVERLY E. PERDUE, THAT THE GENERAL ASSEMBLY IS ORGANIZED AND READY TO PROCEED WITH PUBLIC BUSINESS AND INVITING THE GOVERNOR TO ADDRESS A JOINT SESSION OF THE SENATE AND HOUSE OF REPRESENTATIVES, the President *Pro Tempore* appoints the following Senators as a committee on the part of the Senate to escort The Honorable Beverly E. Perdue to the Joint Session in the Hall of the House of Representatives Monday, February 14, 2011:

Senator Brown, Chair
Senator Nesbitt
Senator Preston
Senator Clary
Senator Blue
Senator White

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

February 10, 2011

RE-REFERRALS

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 16**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CHILDREN'S ADVOCACY CENTERS, is withdrawn from the Appropriations Subcommittee on Health and Human Services and re-referred to the Committee on Appropriations.

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 20**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR MONITORING AND EMERGENCY CLEANUP OF THE TEXFI SITE CONTAMINATION, is withdrawn from the Appropriations Subcommittee on Natural and Economic Resources and re-referred to the Committee on Appropriations.

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 46**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO SUPPORT THE DEFENSE AND SECURITY TECHNOLOGY ACCELERATOR, is withdrawn from the Appropriations Subcommittee on General Government and re-referred to the Committee on Appropriations.

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 51**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE NORTH CAROLINA PTA PARENT INVOLVEMENT/DROPOUT PREVENTION INITIATIVE, is withdrawn from the Appropriations Subcommittee on Education and re-referred to the Committee on Appropriations.

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 57**, A BILL TO BE ENTITLED AN ACT REQUIRING THAT FUNDS A RECIPIENT IS ELIGIBLE TO RECEIVE FOR THE LOW-INCOME ENERGY ASSISTANCE PROGRAM OR THE CRISIS INTERVENTION PROGRAM BE USED FOR THE PAYMENT OF UTILITY SERVICES RELATED TO HEATING OR COOLING A RESIDENTIAL DWELLING ONLY AND THAT THOSE FUNDS BE PAID DIRECTLY TO THE UTILITY SERVICES VENDOR ON BEHALF OF THE RECIPIENT, is withdrawn from the Appropriations Subcommittee on Health and Human Services and re-referred to the Committee on Appropriations.

CALENDAR (continued)

S.B. 13 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE BALANCED BUDGET ACT OF 2011, which was temporarily displaced, is before the Body.

February 10, 2011

The bill passes its third reading, by electronic vote (66-51) and is ordered enrolled and presented to the Governor by Special Message.

Representative LaRoque moves, seconded by Representative Setzer, that the House adjourn, subject to the receipt of Committee Reports, to reconvene Monday, February 14, 2011, at 6:30 p.m.

The motion carries.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following report from standing committee is presented:

By Representatives L. Brown and Ingle, Chairs, for the Committee on Government:

H.B. 37, A BILL TO BE ENTITLED AN ACT TO EXERCISE THE POWER OF THE GENERAL ASSEMBLY UNDER SECTION 2 OF ARTICLE VI OF THE NORTH CAROLINA CONSTITUTION TO FIX THE BOUNDARIES OF CITIES AND GIVE SUCH POWERS TO CITIES AS IT DEEMS ADVISABLE BY WITHDRAWING THE DELEGATION OF AUTHORITY TO THE CITY OF LEXINGTON TO MAKE CERTAIN ANNEXATIONS, 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.

The House stands adjourned at 1:30 p.m.

ELEVENTH DAY

HOUSE OF REPRESENTATIVES
Monday, February 14, 2011

The House meets at 6:30 p.m. pursuant to adjournment and is called to order by the Speaker.

February 14, 2011

The following prayer is offered by Representative Ruth Samuelson:

"Lord, on this day of love, of flowers, cards, and candy, I'm drawn to Your Word and challenged by the love You have modeled for us.

"You tell us that 'love is patient, love is kind. It does not envy, it does not boast, it is not proud. It is not rude, it is not self-seeking, it is not easily angered, it keeps no record of wrongs. Love does not delight in evil, but rejoices in the truth. It always protects, always trusts, always hopes, always perseveres. Love never fails.' (I Corinthians 13)

"Greater love has no one than this, that he lay down his life for his friends.' (John 15:13)

"Oh Lord, may we all aspire to love one another so well! Amen."

The Speaker leads the Body in the Pledge of Allegiance.

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

Leaves of absence are granted Representatives Earle, Glazier, and Wray for today.

ENROLLED BILLS

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

S.B. 13, AN ACT TO ENACT THE BALANCED BUDGET ACT OF 2011.

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representatives Womble and Parmon (Primary Sponsors); Fisher, Floyd, Hamilton, Harrison, and Parfitt:

H.R. 69, A HOUSE RESOLUTION HONORING THE LIFE AND MEMORY OF IRENE PACE HAIRSTON, FORSYTH COUNTY EDUCATOR AND CIVIC LEADER, is referred to the Committee on Rules, Calendar, and Operations of the House.

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By Representatives Womble and Parmon (Primary Sponsors); Dollar, Floyd, Gill, Insko, Luebke, and Rapp:

H.B. 70, A BILL TO BE ENTITLED AN ACT TO PROVIDE MONETARY COMPENSATION TO PERSONS STERILIZED BY THE EUGENICS STERILIZATION PROGRAM, is referred to the Committee on Health and Human Services and, if favorable, to the Committee on Appropriations.

By Representatives Weiss, Farmer-Butterfield, Earle, and Pierce (Primary Sponsors); M. Alexander, Bordsen, Fisher, Floyd, Gill, Glazier, Graham, Hall, Insko, Jackson, Lucas, Luebke, McLawhorn, Mobley, R. Moore, Parfitt, Parmon, Rapp, Ross, Wainwright, and Wray:

H.B. 71, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO INCREASE THE AVAILABILITY OF HOUSING OPTIONS FOR NORTH CAROLINIANS WITH DISABILITIES, BASED ON RECOMMENDATION 3.2 FROM THE NORTH CAROLINA INSTITUTE OF MEDICINE TASK FORCE ON THE CO-LOCATION OF DIFFERENT POPULATIONS IN ADULT CARE HOMES, AND AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING, is referred to the Committee on Appropriations.

By Representatives Crawford, Dockham, Harrison, Insko, Lucas, Rapp, Womble, and Wray:

H.B. 72, A BILL TO BE ENTITLED AN ACT GRANTING COMMUNITY COLLEGES ADDITIONAL FLEXIBILITY WITH REGARD TO INVESTMENTS, is referred to the Committee on Education and, if favorable, to the Committee on Finance.

By Representatives Womble and Parmon (Primary Sponsors); M. Alexander, Farmer-Butterfield, Fisher, Floyd, Gill, Glazier, Insko, Jackson, Martin, Parfitt, and Rapp:

H.B. 73, 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 DIRECT THE STATE BOARD OF EDUCATION TO INCLUDE INFORMATION ABOUT THE PROGRAM IN ITS K-12 HISTORY CURRICULUM, TO DIRECT THE BOARD OF GOVERNORS OF THE

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UNIVERSITY OF NORTH CAROLINA TO DIRECT APPROPRIATE FACULTY AND STUDENTS TO CONDUCT INTERVIEWS WITH SURVIVORS, 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, is referred to the Committee on Health and Human Services and, if favorable, to the Committee on Appropriations.

By Representatives Hilton, Randleman, Cleveland, and R. Brown (Primary Sponsors); Avila, Barnhart, Blust, Boles, Bradley, Brawley, L. Brown, Burr, Cook, Current, Dixon, Dockham, Dollar, Faircloth, Folwell, Frye, Gillespie, Guice, Hager, Hastings, Hill, Hollo, Holloway, Horn, Howard, Hurley, Iler, Ingle, Johnson, Jones, Jordan, Justice, Killian, LaRoque, McComas, McCormick, McElraft, McGee, McLawhorn, Mills, Moffitt, T. Moore, Murry, Rhyne, Sager, Sanderson, Setzer, Shepard, Spear, Starnes, Steen, Stevens, Stone, Torbett, H. Warren, and West:

H.B. 74, A BILL TO BE ENTITLED AN ACT TO PROVIDE WHEN THE USE OF FORCE OR THE USE OF DEADLY FORCE IS JUSTIFIABLE IN DEFENSE OF SELF, OTHERS, OR ONE'S HOME OR VEHICLE, OR IN PREVENTING THE COMMISSION OF A FORCIBLE FELONY, AND TO PROVIDE IMMUNITY FROM CRIMINAL PROSECUTION AND CIVIL ACTION IN THOSE CIRCUMSTANCES, is referred to Judiciary Subcommittee B.

By Representatives Earle, Farmer-Butterfield, M. Alexander, and Brisson (Primary Sponsors); Bell, Floyd, Gill, Glazier, Hall, Harrison, Hill, Insko, Lucas, Mobley, Parfitt, Parmon, Pierce, Rapp, and Ross:

H.B. 75, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO REPORT ON THE IMPLEMENTATION OF UTILIZATION REVIEW BY DESIGNATED LOCAL MANAGEMENT ENTITIES FOR SERVICES PROVIDED UNDER THE COMMUNITY ALTERNATIVES PROGRAM FOR PERSONS WITH MENTAL RETARDATION OR DEVELOPMENTAL DISABILITIES, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES, is referred to the Committee on Health and Human Services.

By Representatives Earle, Farmer-Butterfield, M. Alexander, and Brisson (Primary Sponsors); Bell, Floyd, Glazier, Graham, Hall, Harrison, Hill, Insko, Lucas, McLawhorn, Mobley, Parfitt, Parmon, Pierce, and Ross:

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H.B. 76, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO STUDY AND REPORT ON A REVISED PROCESS FOR COLLECTING DATA TO DEVELOP A WAITING LIST OF PERSONS WITH INTELLECTUAL OR DEVELOPMENTAL DISABILITIES, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES, is referred to the Committee on Health and Human Services.

By Representatives Insko, Earle, and M. Alexander (Primary Sponsors); Adams, Bell, Glazier, Harrison, Lucas, McLawhorn, Parfitt, Pierce, Rapp, and Weiss:

H.B. 77, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO APPLY FOR A TRAUMATIC BRAIN INJURY MEDICAID WAIVER, AS RECOMMENDED BY THE LEGISLATIVE OVERSIGHT COMMITTEE ON MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES, is referred to the Committee on Health and Human Services.

By Representatives Insko, Earle, M. Alexander, and Brisson (Primary Sponsors); Adams, Bell, Farmer-Butterfield, Floyd, Glazier, Harrison, Lucas, McLawhorn, Parfitt, Pierce, and Rapp:

H.B. 78, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO EVALUATE AND REPORT SEMIANNUALLY ON THE EFFICACY OF THE CRITICAL ACCESS BEHAVIORAL HEALTH AGENCY MODEL, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES, is referred to the Committee on Health and Human Services.

By Representatives Earle, Farmer-Butterfield, Brisson, and Insko (Primary Sponsors); Adams, Bell, Floyd, Glazier, Graham, Hall, Harrison, Lucas, McLawhorn, Mobley, Parfitt, Parmon, Pierce, Rapp, Ross, and E. Warren:

H.B. 79, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO REPORT ON THE UTILIZATION OF HOSPITAL EMERGENCY DEPARTMENTS BY INDIVIDUALS DIAGNOSED WITH MENTAL ILLNESS AND TO DEVELOP A COMPREHENSIVE PLAN FOR REDUCING THE LENGTH

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OF STAYS FOR INDIVIDUALS WITH MENTAL ILLNESS ADMITTED TO HOSPITAL EMERGENCY DEPARTMENTS, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES, is referred to the Committee on Health and Human Services.

By Representatives Earle, Farmer-Butterfield, Brisson, and Insko (Primary Sponsors); Adams, Bell, Floyd, Glazier, Harrison, Lucas, Parfitt, Pierce, Rapp, and Weiss:

H.B. 80, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO REPORT ON THE PROGRESS TOWARD IMPLEMENTING AND UTILIZING UNIFORM EVIDENCE-BASED PRACTICES ACROSS ALL STATE PSYCHIATRIC HOSPITALS, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES, is referred to the Committee on Health and Human Services.

By Representatives Insko, Farmer-Butterfield, and M. Alexander (Primary Sponsors); Adams, Bell, Floyd, Gill, Glazier, Graham, Harrison, Lucas, Parfitt, Pierce, and E. Warren:

H.B. 81, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO DEVELOP A COMPREHENSIVE STATEWIDE PLAN FOR THE FAIR AND EQUITABLE ALLOCATION OF RESOURCES FOR INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES; TO REPORT ON IMPLEMENTATION OF THE PLAN; AND TO APPLY FOR RENEWAL OF THE CAP-MR/DD WAIVER, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES, is referred to the Committee on Health and Human Services.

By Representatives Insko, M. Alexander, Brisson, and Farmer-Butterfield (Primary Sponsors); Bell, Floyd, Glazier, Graham, Hill, Lucas, Parfitt, Pierce, and Rapp:

H.B. 82, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO IDENTIFY AND REPORT ON FUNDING AVAILABLE FOR THE ESTABLISHMENT OF A STEP-DOWN UNIT FOR THE BEHAVIORALLY ADVANCED RESIDENTIAL TREATMENT PROGRAM, AS RECOMMENDED BY

February 14, 2011

THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES, is referred to the Committee on Health and Human Services.

By Representatives Insko, Farmer-Butterfield, and Earle (Primary Sponsors); Bell, Floyd, Harrison, Lucas, Parfitt, Pierce, and Rapp:

H.B. 83, A BILL TO BE ENTITLED AN ACT TO MODIFY DEPARTMENT OF HEALTH AND HUMAN SERVICES REPORTING REQUIREMENTS PERTAINING TO MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES, is referred to the Committee on Health and Human Services.

By Representatives Insko, Farmer-Butterfield, and Brisson (Primary Sponsors); Adams, Bell, Floyd, Gill, Glazier, Graham, Lucas, McLawhorn, Parfitt, Pierce, Rapp, and E. Warren:

H.B. 84, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE ADDITIONAL FUNDS FOR THE EXPANSION OF LOCAL INPATIENT PSYCHIATRIC BEDS OR BED DAYS, AS RECOMMENDED BY THE LEGISLATIVE OVERSIGHT COMMITTEE ON MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES, is referred to the Committee on Health and Human Services and, if favorable, to the Committee on Appropriations.

By Representatives Insko, Earle, and Farmer-Butterfield (Primary Sponsors); Adams, Bell, Floyd, Glazier, Graham, Harrison, Lucas, R. Moore, Parfitt, Pierce, Rapp, and E. Warren:

H.B. 85, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO EVALUATE AND REPORT ON RESIDENTIAL PLACEMENT OPTIONS FOR YOUNG CHILDREN WITH DEVELOPMENTAL DISABILITIES, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES, is referred to the Committee on Health and Human Services.

By Representatives Insko and Earle (Primary Sponsors); Bell, Harrison, Lucas, Parfitt, Pierce, and Weiss:

February 14, 2011

H.B. 86, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO REPORT ON THE SERVICES PROVIDED BY CLUBHOUSE PROGRAMS IN THIS STATE, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES, is referred to the Committee on Health and Human Services.

By Representatives LaRoque and T. Moore (Primary Sponsors); Blust, Bradley, Dockham, Hastings, Iler, Justice, Killian, Randleman, and Starnes:

H.B. 87, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR GOVERNMENT IN THE SUNSHINE BY AMENDING THE NORTH CAROLINA CONSTITUTION, is referred to the Committee on Rules, Calendar, and Operations of the House.

MESSAGE FROM THE SENATE

The following is received from the Senate:

S.B. 22 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO LIMIT NEW AGENCY REGULATORY REQUIREMENTS, is read the first time and referred to the Committee on Environment.

INTRODUCTION OF PAGES

Pages for the week of February 14 are introduced to the membership. They are: Tanner Barnett of Mecklenburg; David Joyner of Wayne; Megan Langdon of Johnston; Hans Loewen of Pender; Morgan McRae of Mecklenburg; Sidorayon Petway of Nash, Jessica Pope of Nash, and Kelia Williams of Wake.

Representative LaRoque moves, seconded by Representative Brubaker, that the House adjourn, upon dissolution of the Joint Session, to reconvene February 15 at 2:00 p.m.

The motion carries.

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.

February 14, 2011

ADDENDA TO COMMITTEE ASSIGNMENTS

February 14, 2011

The Speaker makes the following committee assignment:

AGRICULTURE: Add Representative Randleman.

SPECIAL MESSAGE FROM THE SENATE**2011 GENERAL ASSEMBLY
FIRST SESSION 2011**

Senate Chamber
Monday, February 14, 2011

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that pursuant to **H.J.R. 50**, A JOINT RESOLUTION INFORMING HER EXCELLENCY, GOVERNOR BEVERLY E. PERDUE, THAT THE GENERAL ASSEMBLY IS ORGANIZED AND READY TO PROCEED WITH PUBLIC BUSINESS AND INVITING THE GOVERNOR TO ADDRESS A JOINT SESSION OF THE SENATE AND HOUSE OF REPRESENTATIVES, the Senate stands ready to repair to the Hall of the House, there to sit in Joint Session with your Honorable Body for the State of the State Address.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

JOINT SESSION

Pursuant to resolution heretofore adopted and exchange of messages, the Sergeant-at-Arms announces the arrival of the Senate at the door of the House. The Speaker directs the admittance and seating of that Honorable Body. The President of the Senate, the Honorable Walter Dalton, is seated to the right of the Speaker.

The Sergeant-at-Arms of the House is recognized and he announces the approach of the Chief Justice, the Associate Justices of the Supreme Court, the Chief Judge, and the Judges of the Court of Appeals who are seated in a body for the Joint Session.

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The Sergeant-at-Arms of the House is recognized and he announces the approach of the members of the Council of State and the members of the Governor's Cabinet who are seated in a body for the Joint Session.

The Speaker extends the courtesies of the gallery to Mr. Robert Eaves, First Gentleman of North Carolina; Mrs. Lucille Dalton, wife of the Lieutenant Governor; and all other invited guests. Courtesies of the floor are extended to the members of the Governor's Cabinet, the Council of State, and the Judiciary.

The Speaker of the House relinquishes the gavel to the President of the Senate. The Joint Session is called to order by the President.

The Sergeant-at-Arms of the House announces the approach of the Governor. Her Excellency enters, escorted by Senator Brown, Chair; Senators Nesbitt, Preston, Clary, Blue, and White; and Representative Brubaker, Chair; Representatives Stam, Howard, Samuelson, Folwell, Hackney, Wainwright, Womble, and Ross.

The President recognizes Representative Folwell, who presents her Excellency, Beverly Eaves Perdue, Governor of North Carolina, to the Joint Assembly.

STATE OF THE STATE ADDRESS

"Good evening.

"Thank you, Speaker Tillis, Lieutenant Governor Dalton, President Pro Tem Berger, Ladies and Gentlemen of the General Assembly, members of the Cabinet and Council of State, distinguished members of the Judiciary, honored guests, and my fellow North Carolinians around the State tonight.

"It is my privilege to be here tonight, and I am joined by some very special people in my life - my husband, North Carolina's First, First Gentleman Bob Eaves; and my sons and their wives, Garrett and April, Emmett and Sarah.

"Now before I begin, I have been told all day many of you in the room have blamed me for destroying Valentine's Day for your significant other or whomever. I've got some news for you. This speech doesn't last all night, and I bet there's a store out there that still has flowers. I have certainly made life difficult for legislators before, but tonight I am not your excuse.

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"This is my second opportunity to speak to you about the state of our State. Tonight finds us in a very different place than two years ago.

"Two years ago we stood at the precipice of economic disaster. The stock market was in tatters. Construction in North Carolina had come to a screeching halt. Business profits were down, and companies were closing their doors. Workers were losing their jobs. Families were losing their homes.

"We literally stood on a cliff, on the edge of a cliff. And when we looked over, we saw the potential collapse of the very foundations on which we have built the North Carolina you and I know today. We saw deficits, foreclosures; we saw unemployment and we saw bankruptcy. It was enough to make the best and strongest turn and give up.

"But, my friends, we in North Carolina did not give up. We North Carolinians looked over that edge, and we did not flinch. Instead, we began systematically - a day at a time, to overcome whatever the global recession threw at us. We squared up, put the bat to our shoulders, and we swung hard. And two years later, North Carolina is winning at that game. And the Nation, my friends, is noticing.

"We have garnered national acclaim as leading the way out of the recession and creating a business climate that is the envy of every other state in America. We are in the top ten states to improve our unemployment record - our rate has dropped by nearly one-and-a-half points compared to where we were last February. Businesses are investing in North Carolina, building new facilities, expanding their existing plants, and putting our people to work.

"We have announced more than 300 new projects - companies that we all know: Red Hat, Caterpillar, and Electrolux, and on and on. And companies we are getting to know such as NS Aviation in Winston-Salem and Tazs in Caldwell County. Businesses have pledged to create 58,000 jobs and are investing 12.5 billion dollars into the Tar Heel State and into our people.

"We are moving forward. In a 24 month-period, we have faced down a collective 5.5 billion dollar deficit in the State's budget. And we have made tough, tough decisions:

We've cut services, saving more than half-a-billion dollars;
We've furloughed workers, saving another 60 million dollars;

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We've frozen salaries and closed programs, saving a combined 350 million dollars;
We've made cuts that saved us hundreds and hundreds of millions of dollars.

"And in spite of these tremendous financial challenges, North Carolina, our State, stands tonight with a balanced budget - one of only eight states in America to maintain our AAA bond rating, and recognized by Site Selection magazine, Forbes, USA Today and others and others and others, around the country as either the best State - or one of the best states in America to live, work and play. That's North Carolina I am talking about.

"But we all know there is much work still to be done, and there are many North Carolinians all around this State, still hurting but they are still fighting. We all know someone - a spouse, a neighbor, a friend - who is out of work and continuing to look. As long as that is true, our work is unfinished.

"But North Carolina, my friends, is moving forward. You can take it to the bank. We are not afraid to change - to adapt - to a new economic reality. And as I've said before, over and over, all of us must manage for results.

"That means resetting the way we do things. It's more than just making those hard decisions about where to cut the budget and what jobs to eliminate. It's more than just repositioning our resources, or shuffling things around, or simply moving chairs on the deck. It's about real, significant, and sustainable change. Resetting State government to work in this new reality we find ourselves in, and to work for the people who call this State home.

"North Carolina looks different today than she looked just two years ago. We have welcomed nearly 400,000 new people into this State. Our public schools are growing to meet the demands of a new North Carolina - we've enrolled over 5,000 more students over the last two years.

"And our business recruitment strategies have been renewed with an eye on a global, high-tech economy - where North Carolina is no longer competing simply with Virginia, or South Carolina, or Georgia but also with China and India and countries around the globe.

"The budget that I will deliver to you later this week is 2.2 billion dollars less than the budget that I inherited in 2009. It spends 11 percent less per capita and it sheds thousands and thousands of State positions. Never before in history has North Carolina better lived the phrase 'doing more with less.'

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"And, we have to continue to do more.

"North Carolina must be more agile, and responsive to citizens - less bureaucratic as we focus our limited resources on our core missions which are jobs and education.

"I've called upon the General Assembly to act where I am unable to. I've sent over 345 boards and commissions for your review. I've asked you to eliminate those that don't clearly benefit our businesses or our people. I submitted more than 900 State regulations that are outdated and confusing - it's the first wave of the results in our Regulatory Review that began three months ago. Eliminate those 900 now - and get ready - because there are hundreds more that I will send to you in the coming weeks.

"Later this week, I will present a budget to you that:

Consolidates 14 State agencies into 8,
Privatizes some services,
Continues the hiring freeze that halted pay raises in all but the most critical job areas.

"And we are going to offer an early retirement package to those who qualify, shedding as many as a thousand workers.

"So we will not just make government smaller - we will make it more efficient, more capable of serving the 9.5 million people who call this great State home. We have embraced public-private partnerships and new technology, not as a substitute for our own ingenuity, but as a way to enhance what we do. Cops on the street are using new databases and radio networks - probation officers now communicate with the entire justice system to better protect us and themselves. Medicaid officials are using new software to hunt down fraud, saving money and helping catch those bad actors who try to scam the system.

"We are also providing a 21st century education imbedded with technology, more career and academic choices for students of all ages - we've established a new level of accountability for our teachers and our administrators.

"Today, 46,000 high school students are taking courses, probably as we speak tonight, from the NC Virtual Public School. Teachers are using handheld computers to determine what a child knows, or needs to know, so the child can get the help needed, before he or she falls so far behind they can never catch up. It makes such good common sense.

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"A year ago I asked North Carolina to join me in our Career and College: Ready, Set, Go! initiative. We challenged educators at all levels, from kindergarten through the community colleges and the universities, to focus on one single goal: to prepare all of our students to graduate ready for a career, college or technical training. North Carolina accepted that challenge with gusto. Leaders from throughout the education community and beyond joined together to make Career and College: Ready, Set, Go! the standard for public schools all across the State.

"Then - as North Carolina so often does - we took it a step further. Using Ready, Set, Go! as our foundation, we applied for federal Race to the Top dollars - and we won. We won because we are not afraid to think differently and to demand more from our students and educators. We were recognized nationally as one of only 12 states in America leading the way in education reform. Career and College: Ready, Set, Go! won us 400 million dollars, that's funds to help our students do better, in federal Race to the Top funds and a spot on the lists of states to watch.

"So we are resetting State government and resetting education. And we are also resetting the way we go after businesses - and the jobs they bring to North Carolina. Last summer, a company called Clearwater Paper was looking for a site for a new manufacturing and distribution center. They looked everywhere and when they came to North Carolina, they found a business climate where clusters of 21st century industries thrived. They talked to us about:

Green businesses;
Companies tied to our vibrant military bases;
And innovative start-ups all over the State - the next SAS or Quintiles.

"They saw local and state governments willing to work with them as partners and not care who gets the credit. They found flexible recruiting tools like the One North Carolina Fund. Last June, after considering more than 100 different sites in several other states across America, Clearwater Paper decided like many other companies have decided, that North Carolina is THE State for their business and workers. They are investing 260 million dollars to set up shop in Shelby, and over five years, they will employ about 250 people. Gordon Jones, the company's chairman and CEO, explained his decision in choosing North Carolina this way. He said, 'It was a critical combination of four things - reasonable taxes, good highways, available, quality workforce and a very good working relationship with city, county and State agencies. Put them together and that made North Carolina the excellent choice for us.' Mr. Jones is with us tonight. Would you please stand up, and let's all welcome Gordon and Clearwater Paper to North Carolina.

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"Clearwater Paper and its 250 jobs could have gone anywhere. So could Plastek, which is bringing 250 new jobs to Hamlet - that's a huge deal in a town of only 6,000 people. They all seem to pick North Carolina because we use every tool in our toolbox to convince companies that the Tar Heel State deserves our reputation as the BEST place in the nation to do business.

"And let me be very clear tonight: that includes our use of business incentives. Tonight I propose giving North Carolina one more tool to attract new jobs and to grow jobs here in existing small businesses: Tax relief for corporations and for small businesses.

"Right now, in North Carolina, we have the highest corporate tax rate in the southeast. That means our businesses are paying more taxes when they could be creating jobs. That's a strike against us from Day One as we work to convince businesses that North Carolina is the best value for them and their companies. Businesses look at more than the bottom line, but the bottom line is the difference maker in a company's relocation decision.

"So in this budget - we will continue to fund our business incentives for job growth and job recruitment. And I am asking the General Assembly to lower North Carolina's corporate tax rate to 4.9 percent. That would make us the lowest in the southeast and one of the lowest in the Nation. This change will push North Carolina to the forefront in growing jobs for our people. And that, my friends, must be the No. 1 priority for every one of us in this Chamber tonight.

"I also understand clearly that existing small businesses are the core of our State's economy. That's why I worked with the North Carolina Rural Center to develop the Capital Access Program, now the Capital A Program - the very first in the Nation to put federal treasury funds into the hands of small business owners who are desperate to find loans.

"With 46 million dollars in federal money, we will leverage up to 800 million dollars in loans from banks all over this State - loans that will be used to grow businesses and create jobs. Everywhere, everywhere I have gone for the last two years, this is the No. 1 worry I have heard from small business owners or companies who are desperate and hungry to start up. They say to me: 'I can't find capital.' Well, now you can in North Carolina.

"My job creation package will be more robust than ever before - investing in incentives to support small businesses and green companies. We will provide tax breaks for companies like LSG Printing here in Raleigh. Let me tell you a little about LSG Printing. LSG was started by Wayne Branch ten years ago. He had two employees and shared an 800-square-foot space with another printer. He carved out a niche printing plans

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and technical documents for architects and engineers. His business began to grow. Then the recession hit and construction went to the bottom. Wayne adapted his business in the spirit of reinvention that we know so well in North Carolina. He started providing green projects - producing electronic documents instead of using paper. He started selling copy equipment and those giant signs that wrap around trucks and buses. And he ventured into web design. Wayne now has 36 employees, a 14,000 square-foot printing plant and a satellite office in Greensboro. Wayne is in the gallery tonight. If you would please stand up so we can say congratulations on having that North Carolina spirit.

"We know we want to draw outside money into our State, but more importantly, we also want to keep North Carolina dollars here. So I have expanded our North Carolina Business Preference to include information technology purchases, making sure that more North Carolina tax dollars go to our own North Carolina-owned businesses.

"A year ago we used an Executive Order to create the North Carolina Business Preference, which gives our own home-grown companies the opportunity to match the low bids for State government contracts. That means we keep those North Carolina tax dollars here and we keep our citizens working. That's just plain ol' good North Carolina common sense.

"These days our economy is increasingly driven by knowledge instead of muscle, so as the state transforms, government must adapt. It's the only way to continue our progress. We are writing our own story of North Carolina, as we continue to create the promise of tomorrow for our children and our grandchildren. Friends, we in North Carolina know how to do this.

"This is not the first time our State has been challenged by adversity, nor the first time North Carolinians have had our resolve tested. We were the first State in America to call for Independence before the American Revolution. Think about that.

"The Nation's first public university sits in North Carolina. North Carolinians transformed a Greensboro lunch counter into a beacon for the Civil Rights movement. We turned a plot of undeveloped pine forest into the world-renowned Research Triangle Park. Tar Heel families give our sons and our daughters to the Army, the Navy, the Air Force, the Marines, Coast Guard, and the National Guard. We cry together when they are wounded or when they give their lives for America, and we rejoice together when they come home. Through it all, we declare ourselves - our North Carolina - to be the most military friendly State in America.

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"We are the people who refuse to turn backwards. That's just not in our bloodstream. We have the ambition to conquer tomorrow. Generation after generation, North Carolinians have risen to meet the challenge, and have overcome what many other states, especially in the South, have never been able to get right.

"Decade after decade in this State, our leaders - from BOTH parties, from the public and private sectors - have consciously chosen to do whatever it takes to ensure that North Carolina is the most progressive State in the south and in America.

"I'm talking about Governors Hunt and Sanford, Martin and Holshouser - visionaries who knew how to focus on what sets North Carolina apart. They were never afraid to reinvent, to innovate, or to change the game. They never ran away from tough choices or necessary investments to protect what's core to us as a people - education.

"Last year I visited China on a trip to recruit new businesses and develop our economic relationships with North Carolina's second largest trading partner, China. It was my first time in that country, and I'll tell you, I wasn't fully prepared for what I saw or how I felt when I came back home. I went into classrooms where children were studying concepts far in advance of American children of similar ages. They seem to demand more work out of their kids. They require more involvement from parents. They expect no less than excellence from their teachers and parents and schools. Education in China is a major part of the reason their workers are global competitors. Make no mistake, my friends - they are North Carolina's competition, and they have learned from our successes.

"Brian Crump of Catawba County knows what I mean. Let me tell you a little about Brian tonight. China changed his life too, but in a very, very different way. Brian was a high school football player. He got decent grades, graduated from high school, and went to work in a furniture factory shortly after graduating high school. He got married. They have three beautiful kids. Life was great for Brian and his family. Then the factories started laying off workers or closing. You saw Chinese imports coming into our State, competing with American products. Six years ago, Brian lost his job. He was angry. He'd worked hard, built a good life as a factory worker. He didn't know how to do anything else. But he had a family at home to support, he didn't have time to feel sorry for himself. Brian made the choice so many other North Carolinians have made throughout this recession - he had to reinvent himself. He turned to Catawba Valley Community College and started training for a job that had always called out to him, but a job he had never actually dreamed was possible for him -

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being a paramedic. It wasn't an easy choice. After a year in school, Brian's finances were short. He fell behind on his mortgage. At one point, he had to sell his truck to make ends meet. He said: 'My life was in shambles.' But Brian did something else we North Carolinians are known for - what got us our nickname as the Tar Heel State - he stuck with it. He slogged through that second year, and today Brian Crump is a paramedic for Catawba County EMS. Brian took a hard time and an economic challenge, and he turned it into an opportunity to change his life and his family's life. Brian is here with us tonight. Brian, will you and your family please stand up and let us say congratulations on a life restarted?

"This is who we are in North Carolina. We have an unmatched capacity to persevere. We grow stronger with adversity. The fires of this recession have forged a new North Carolina, one where we never, ever lose faith in our possibilities.

"So many of those possibilities point directly back to education. Brian Crump had access to a stellar community college system that could help him retool and retrain. He took advantage of that resource and took a life that was turned upside down and he righted it. There are thousands and thousands and thousands of North Carolinians out there right now who are looking for that same kind of turnaround. Others are looking for a start.

"While we've seen North Carolina's high school graduation rate increase to 74%, that is simply not good enough to reach our goal for EVERY child to graduate high school ready for a career, college or technical training. How many of those students drop out of high school because they never, ever see a way to ever be somebody? They never have those big dreams. How many give up because they don't understand the value of a high school education? Or because they never dreamed about career training or college because they knew they didn't have the money to pay for it? Tonight I am following through with a promise I made to North Carolina more than two years ago: a College Promise. Except tonight I am rebranding it as North Carolina's Career and College Promise. By consolidating existing programs and nurturing the partnerships between high schools and our community college system, career training and a college degree will be more affordable to our students than ever before. In the budget I will submit to you, any high school junior who signs up at school for the Career and College Promise - who meets certain criteria while maintaining high academic standards will be eligible to earn a two-year career or college degree at no cost. The students of the Career and College Promise will have a new reason to stay in school - because for what may be the first time for many of them or for their families, they will have a clear, attainable path to success. They will have the ambition to conquer tomorrow. You know they will be

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the workforce we depend on to propel our futures and North Carolina's future. These students will be the workers who fill our 21st century workplaces and industries. The North Carolina Career and College Promise will set them on the path to a career or college degree.

"But we can never, ever forget that real education begins in the early years, long before a child reaches high school. Every single child in this State must have the very best education we can muster. Every single child has a right under North Carolina's Constitution to a basic, quality, sound public education, no matter where he or she lives.

"I go in and out of schools all across North Carolina and I meet so many marvelous teachers and principals. Teachers like Jennifer Facciolini of Midway High School in Newton Grove. Jennifer is North Carolina's Teacher of the Year, and she is here with us tonight. Jennifer, please stand up, so we can say thank you to you.

"Now, we wish every classroom had a teacher like Jennifer. But the truth is, teaching positions have been lost during this recession. There are schools all over the State that are failing our children. And there are teachers and administrators failing to meet the standards of excellence that we need and demand from them. This is unacceptable for North Carolina.

"The budget I submit to you will fund every current State-supported teacher and teaching assistant position. We will demand that all teachers and administrators meet our standards of excellence or we will replace them. Now is not the time to let our children fall behind. We have to act decisively, and we must act now to ensure all children in every single school system gets the sound basic education they must have to compete in the workforce of tomorrow. It's good for us because it keeps North Carolina competitive.

"I urge the General Assembly to join me in making critical choices about how we invest our State's resources. The leaders in this room tonight have a decision to make: you can invest in our students or cross your fingers and hope for the best. It is plain and simple. We all understand this State is facing a 2.4 billion dollar deficit. The cuts have already begun, and so has the debate over where to cut more and more and more. I have made deep and painful cuts, and I want you to know that I will listen to any suggestion for cutting waste, finding savings and stretching our limited resources.

"But there is one thing I will not do - I will not sacrifice our children's future. We cannot eliminate teachers, whose job it is to build that future and the future of this great State. You all know I love history and I read a lot of

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history. No governor or legislature in our history has ever walked away from that core responsibility, and I refuse to be the first.

"Tonight, you have heard me talk about what makes North Carolina great. You have heard me talk about our capacity to change, our toughness in the face of adversity, our relentless ability to reinvent ourselves and to keep on going when the going gets tough. You have heard me praise the leaders that came before us, who made conscious choices to invest in our children and their future. And you heard me talk about my priorities of creating jobs, and educating our children and transforming State government.

"Hear me now: I will not back down from those priorities. I will not play partisan politics, and I will reach across the aisle day after day to find compromise. I will sacrifice some of my goals if it means protecting our children's education and growing new jobs for our people and for this State. I challenge you to do the same, for our people, for our State, for our children.

"We in North Carolina can never forget what those leaders before us knew so well. The story of North Carolina is still being written, and this chapter belongs to us. Someday, when our children learn of our present struggle and the choices we made - when they read the history of this moment, of this time and this place - they will turn the page, and learn that in this Great State, we, like our forbearers, refused to betray our future just to soothe the sting of our present need. They will learn that through our faith in each other and in God, we were undaunted.

"Join me in this endeavor; so when that day comes, our children can proudly recall our fierce ambition for their tomorrows.

"God bless you, and God bless the great State of North Carolina."

Upon completion of her address, the Governor is escorted from the Hall of the House by the Sergeants-at-Arms and the escort committee.

On motion of Senator Berger, seconded by Speaker Tillis, the Joint Session is dissolved and the Senate returns to its Chamber.

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

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TWELFTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, February 15, 2011

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

Prayer is offered by Representative Rick Glazier.

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

A leave of absence is granted Representative Wray for today.

**REPORTS OF STANDING COMMITTEES AND PERMANENT
SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representatives Holloway and Langdon, Chairs, for the Committee on Education:

H.B. 22, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR ADDITIONAL FLEXIBILITY FOR VANCE-GRANVILLE COMMUNITY COLLEGE BOND FUNDS, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

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

H.B. 48, A BILL TO BE ENTITLED AN ACT TO REDUCE SPENDING BY ELIMINATING STATEWIDE STANDARDIZED TESTING IN THE PUBLIC SCHOOLS, EXCEPT AS REQUIRED BY FEDERAL LAW OR AS A CONDITION OF A FEDERAL GRANT, with a favorable report.

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

INTRODUCTION OF BILLS AND RESOLUTIONS

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

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By Representatives West, Carney, Guice, Hastings, Rapp, and Setzer:

H.R. 88, A HOUSE RESOLUTION HONORING CLAY COUNTY ON ITS ONE HUNDRED FIFTIETH ANNIVERSARY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Tolson, Graham, Lucas, and Rapp:

H.B. 89, A BILL TO BE ENTITLED AN ACT APPROPRIATING FUNDS TO REVITALIZE THE NC ONEMAP PROJECT AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON INFORMATION TECHNOLOGY, is referred to the Committee on Appropriations.

By Representatives Ross, Carney, Hamilton, Harrison, and Lucas:

H.B. 90, A BILL TO BE ENTITLED AN ACT TO ALLOW CONFECTIONERS TO PRODUCE CONFECTIONERIES WHICH CONTAIN NO MORE THAN FIVE PERCENT ALCOHOL BY VOLUME, is referred to the Committee on Commerce and Job Development.

By Representatives Faison, K. Alexander, Tolson, and West (Primary Sponsors); Lucas, Luebke, and Rapp:

H.B. 91, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET PROVISION PERTAINING TO THE E-NC AUTHORITY, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON HIGH SPEED INTERNET ACCESS IN RURAL AND URBAN AREAS, is referred to the Committee on Commerce and Job Development.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 7, A BILL TO BE ENTITLED AN ACT TO ADD MEPHEDRONE TO THE LIST OF CONTROLLED SUBSTANCES WHICH MAKES THE UNLAWFUL POSSESSION, MANUFACTURE, SALE, OR DELIVERY OF MEPHEDRONE A CRIMINAL OFFENSE, is read the first time and referred to the Committee on Health and Human Services and, if favorable, to Judiciary Subcommittee B.

S.B. 9 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADD SYNTHETIC CANNABINOIDS TO THE LIST OF CONTROLLED SUBSTANCES, WHICH MAKES THE UNLAWFUL POSSESSION,

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MANUFACTURE, OR SALE OR DELIVERY OF SYNTHETIC CANNABINOIDS CRIMINAL OFFENSES AND TO CREATE THE CRIMINAL OFFENSE OF TRAFFICKING IN SYNTHETIC CANNABINOIDS, is read the first time and referred to the Committee on Health and Human Services and, if favorable, to Judiciary Subcommittee B.

CALENDAR

Action is taken on the following:

H.B. 27 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO (1) CREATE THE NORTH CAROLINA FORENSIC SCIENCE ADVISORY BOARD, (2) ENCOURAGE EFFORTS TO ELIMINATE SOURCES OF HUMAN ERROR IN FORENSIC EXAMINATIONS, (3) REQUIRE CERTIFICATION OF FORENSIC SCIENCE PROFESSIONALS, (4) RENAME THE STATE BUREAU OF INVESTIGATION LABORATORY AS THE NORTH CAROLINA STATE CRIME LABORATORY, (5) CREATE THE POSITION OF OMBUDSMAN TO ENSURE THAT THE BEST FORENSIC PROCESSES AND PROCEDURES ARE UTILIZED IN THE STATE CRIME LABORATORY, (6) CLARIFY STATUTES THAT ALLOW FOR THE ADMISSIBILITY OF FORENSIC ANALYSES INTO EVIDENCE, (7) CLARIFY THE STATE'S OBLIGATION TO DISCLOSE TO THE DEFENDANT ALL INFORMATION RELATING TO THE TESTING OR EXAMINATION OF EVIDENCE AND TO PENALIZE OMISSION OR MISREPRESENTATION RELATING TO DISCLOSURE, AND (8) CLARIFY THAT STATE CRIME LABORATORY PERSONNEL SERVE THE PUBLIC AND THE CRIMINAL JUSTICE SYSTEM, AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON THE PRESERVATION OF BIOLOGICAL EVIDENCE, AND TO PROVIDE THAT THE ACT SHALL BE ENTITLED "THE FORENSIC SCIENCES ACT OF 2011".

Representative Glazier offers Amendment No. 1 which is adopted by electronic vote (117-0).

The bill, as amended, passes its second reading, by electronic vote (118-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

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ADDENDA TO COMMITTEE ASSIGNMENTS

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The Speaker makes the following committee assignments:

APPROPRIATIONS: Add Representatives Blackwell, Burr, Cleveland, Dollar, Daughtry, Frye, Guice Hilton, Holloway, Justice Killian, Randleman, and West; Vice Chairs.

COMMERCE AND JOB DEVELOPMENT SUBCOMMITTEE ON ALCOHOLIC BEVERAGE CONTROL: Add Representative H. Warren; remove Representative Moffitt.

COMMERCE AND JOB DEVELOPMENT SUBCOMMITTEE ON BUSINESS AND LABOR: Add Representative Moffitt; remove Representative H. Warren.

GOVERNMENT: Remove Representative Hackney.

SELECT COMMITTEE ON TORT REFORM: Representatives McComas and Rhyne, Chairs; Representatives Crawford, Lewis, Moffitt, and Murry, Vice Chairs; Representatives Barnhart, Brisson, Carney, Dockham, Dollar, Gillespie, Hill, Jackson, McGrady, McLawhorn, Mills, Owens, Parfitt, Parmon, Randleman, Samuelson, Stam, and Weiss.

REDISTRICTING: Representative Lewis, Senior Chair; Representatives Dockham and Dollar, Chairs; Representatives Burr, McComas, Samuelson, and West, Vice Chairs; Representatives K. Alexander, Bell, R. Brown, Bryant, Cook, Cotham, Crawford, Daughtry, Earle, Faircloth, Farmer-Butterfield, Fisher, Floyd, Gill, Hackney, Howard, Ingle, Jackson, Jones, Killian, Langdon, Lucas, McGee, Mobley, Moffitt, T. Moore, Parmon, Pierce, Randleman, Rapp, Rhyne, Sanderson, Spear, Stam, Stevens, and Wilkins.

RE-REFERRALS

On motion of the Representative T. Moore, pursuant to Rule 39.2 and without objection, a serial referral to the Committee on Appropriations is added to the following bills:

H.B. 77, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO APPLY FOR A TRAUMATIC BRAIN INJURY MEDICAID WAIVER, AS

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RECOMMENDED BY THE LEGISLATIVE OVERSIGHT COMMITTEE ON MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES.

H.B. 78, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO EVALUATE AND REPORT SEMIANNUALLY ON THE EFFICACY OF THE CRITICAL ACCESS BEHAVIORAL HEALTH AGENCY MODEL, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES.

H.B. 79, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO REPORT ON THE UTILIZATION OF HOSPITAL EMERGENCY DEPARTMENTS BY INDIVIDUALS DIAGNOSED WITH MENTAL ILLNESS AND TO DEVELOP A COMPREHENSIVE PLAN FOR REDUCING THE LENGTH OF STAYS FOR INDIVIDUALS WITH MENTAL ILLNESS ADMITTED TO HOSPITAL EMERGENCY DEPARTMENTS, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES.

H.B. 80, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO REPORT ON THE PROGRESS TOWARD IMPLEMENTING AND UTILIZING UNIFORM EVIDENCE-BASED PRACTICES ACROSS ALL STATE PSYCHIATRIC HOSPITALS, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES.

H.B. 81, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO DEVELOP A COMPREHENSIVE STATEWIDE PLAN FOR THE FAIR AND EQUITABLE ALLOCATION OF RESOURCES FOR INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES; TO REPORT ON IMPLEMENTATION OF THE PLAN; AND TO APPLY FOR RENEWAL OF THE CAP-MR/DD WAIVER, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES.

H.B. 82, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO IDENTIFY AND REPORT ON FUNDING AVAILABLE FOR THE ESTABLISHMENT

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OF A STEP-DOWN UNIT FOR THE BEHAVIORALLY ADVANCED RESIDENTIAL TREATMENT PROGRAM, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES.

H.B. 83, A BILL TO BE ENTITLED AN ACT TO MODIFY DEPARTMENT OF HEALTH AND HUMAN SERVICES REPORTING REQUIREMENTS PERTAINING TO MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES.

H.B. 85, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO EVALUATE AND REPORT ON RESIDENTIAL PLACEMENT OPTIONS FOR YOUNG CHILDREN WITH DEVELOPMENTAL DISABILITIES, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES.

CAUCUS LEADERS ANNOUNCED

Representative Insko is recognized and she reports that the Women's Democratic Caucus has been held and that the following officers have been elected: Representative Cotham, Chair; Representative Farmer-Butterfield, Vice Chair; Representative Bordsen, Secretary; and Representative Gill, Treasurer.

On motion of Representative T. Moore, seconded by Representative LaRoque, the House adjourns at 2:39 p.m. to reconvene February 16 at 2:00 p.m.

THIRTEENTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, February 16, 2011

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

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The following prayer is offered by Representative Patsy Kever:

"May the Power of Love,
From whatever source...
In whomever's name...
Bring us together in mind and spirit
So that we may do our work today
Supported and inspired by Love.
In the name of all that is holy...
Amen."

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

Leaves of absence are granted Representatives Hackney and Wray for today.

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representatives Howard, Starnes, Brawley, and Jordan (Primary Sponsors); Avila, Barnhart, Boles, L. Brown, Brubaker, Burr, Cleveland, Cook, Dixon, Dockham, Dollar, Folwell, Frye, Gibson, Gillespie, Hager, Hamilton, Hastings, Hill, Hilton, Hollo, Hurley, Iler, Jeffus, Johnson, Killian, McComas, McCormick, McElraft, McGee, McLawhorn, Mills, Moffitt, Murry, Randleman, Sager, Samuelson, Setzer, Stam, Steen, Stevens, Stone, Torbett, H. Warren, and West:

H.B. 92, A BILL TO BE ENTITLED AN ACT TO REPEAL THE LAND TRANSFER TAX, is referred to the Committee on Finance.

By Representatives Howard, Setzer, Brubaker, and Starnes (Primary Sponsors); Barnhart, L. Brown, Cleveland, Collins, Current, Dixon, Dockham, Folwell, Hill, Hurley, Justice, McComas, McGee, Moffitt, Murry, Randleman, Sager, Shepard, Stam, Stevens, H. Warren, and West:

H.B. 93, A BILL TO BE ENTITLED AN ACT TO MODIFY THE REFUNDABILITY PROVISION OF THE EARNED INCOME TAX CREDIT, is referred to the Committee on Finance.

By Representatives Lucas and Bell (Primary Sponsors); Adams, K. Alexander, M. Alexander, Bordsen, Carney, Cotham, Dixon, Fisher, Floyd, Gill, Glazier, Goodman, Hackney, Insko, Jackson, Jones, Kever, Luebke, Parfitt, Rapp, Wainwright, and Weiss:

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H.B. 94, A BILL TO BE ENTITLED AN ACT TO PERMIT LOCAL BOARDS OF EDUCATION TO SET SCHOOL CALENDARS FOR THEIR LOCAL SCHOOL ADMINISTRATIVE UNITS, is referred to the Committee on Commerce and Job Development and, if favorable, to the Committee on Education.

By Representatives Rapp, Steen, McComas, and Barnhart (Primary Sponsors); K. Alexander, Dockham, Earle, Glazier, Hamilton, Lucas, McGrady, and H. Warren:

H.B. 95, A BILL TO BE ENTITLED AN ACT CONCERNING MANAGEMENT AND PROTECTION OF RAILROAD CORRIDORS, AS RECOMMENDED BY THE RAILROADS STUDY COMMISSION, is referred to the Committee on Transportation.

By Representative Stevens:

H.B. 96, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ALLEGHANY COUNTY TO LEVY AN ADDITIONAL THREE PERCENT ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

By Representatives Horn and Burr (Primary Sponsors):

H.B. 97, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET ON FIRE PROTECTION FEES IN UNION COUNTY, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

By Representatives McGrady, K. Alexander, Bordsen, Cook, Fisher, Hamilton, Harrison, McGee, and Moffitt:

H.B. 98, A BILL TO BE ENTITLED AN ACT TO ALLOW ALCOHOLIC BEVERAGE PERMITTEES WHO HAVE BEEN ISSUED BREWERY PERMITS TO SELL MALT BEVERAGES BREWED AT THE BREWERY ON THE PREMISES OF THE BREWERY, is referred to the Committee on Commerce and Job Development.

By Representatives Ross and Rhyne (Primary Sponsors); M. Alexander, Bordsen, Glazier, Harrison, Jackson, and H. Warren:

H.B. 99, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO ALLOW APPELLATE COURT JUSTICES AND JUDGES ADEQUATE TIME TO FULFILL THEIR JUDICIAL DUTIES BEFORE RUNNING FOR ELECTION, AND TO

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IMPROVE ELECTION ADMINISTRATION BY INCREASING FROM SIXTY TO NINETY DAYS THE WINDOW WHERE A SPECIAL ELECTION IS REQUIRED TO FILL A VACANCY IN THE OFFICES OF SUPERIOR COURT JUDGE AND DISTRICT ATTORNEY, AND TO MAKE CONFORMING STATUTORY CHANGES, is referred to the Committee on Judiciary.

By Representatives L. Brown and Cleveland (Primary Sponsors); Folwell, Hurley, Ingle, Jordan, Justice, Randleman, and Starnes:

H.B. 100, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A NONPROFIT CORPORATION IS ELIGIBLE TO RECEIVE A STATE-FUNDED GRANT ONLY IF IT MEETS CERTAIN CRITERIA, is referred to the Committee on Appropriations.

By Representatives K. Alexander, Bryant, and Faison (Primary Sponsors); M. Alexander, Bordsen, Earle, Graham, Hall, Harrison, Insko, Lucas, and Luebke:

H.B. 101, A BILL TO BE ENTITLED AN ACT PROVIDING THAT COUNTIES HAVE THE SAME AUTHORITY AS CITIES TO ENGAGE IN PUBLIC ENTERPRISES RELATED TO CABLE TELEVISION SYSTEMS, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON HIGH-SPEED INTERNET ACCESS IN RURAL AND URBAN AREAS, is referred to the Committee on Commerce and Job Development and, if favorable, to the Committee on Public Utilities.

By Representatives Hager and Harrison:

H.B. 102, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO PRODUCE A SPECIAL PLATE FOR THE RONALD MCDONALD HOUSE CHARITY, is referred to the Committee on Transportation and, if favorable, to the Committee on Finance.

By Representatives Hager and Gillespie (Primary Sponsors); McGee, Stone, and West:

H.B. 103, A BILL TO BE ENTITLED AN ACT TO CLARIFY REQUIREMENTS APPLICABLE TO NOTICE, COLLECTION, AND REMOVAL OF MINERAL OIL DISCHARGES FROM ELECTRICAL EQUIPMENT, is referred to the Committee on Environment.

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By Representatives Farmer-Butterfield, Earle, Weiss, and Hurley (Primary Sponsors); Adams, M. Alexander, Bordsen, Fisher, Graham, Harrison, Lucas, and Parfitt:

H.B. 104, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DIVISION OF MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES, DEPARTMENT OF HEALTH AND HUMAN SERVICES, TO COORDINATE A PILOT PROGRAM TO EVALUATE THE EFFECTIVENESS OF CRISIS INTERVENTION TRAINING IN A LIMITED NUMBER OF ADULT CARE HOMES, BASED ON RECOMMENDATION 5.2 FROM THE NORTH CAROLINA INSTITUTE OF MEDICINE TASK FORCE ON THE CO-LOCATION OF DIFFERENT POPULATIONS IN ADULT CARE HOMES AND AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING, is referred to the Committee on Health and Human Services.

By Representatives Keever and Fisher (Primary Sponsors); K. Alexander, Bordsen, Carney, Current, Dockham, Earle, Folwell, Glazier, Graham, Harrison, Hill, Hilton, Hurley, Jackson, Killian, McComas, McGrady, Moffitt, Randleman, Shepard, Spear, Torbett, and H. Warren:

H.B. 105, A BILL TO BE ENTITLED AN ACT DESIGNATING THE MONTH OF MAY AS MOTORCYCLE AWARENESS MONTH, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Farmer-Butterfield, Pierce, Weiss, and Hurley (Primary Sponsors); Adams, K. Alexander, M. Alexander, Bordsen, Earle, Fisher, Gill, Glazier, Graham, Harrison, Insko, Lucas, and Parfitt:

H.B. 106, A BILL TO BE ENTITLED AN ACT TO DIRECT A STUDY OF DIRECT CARE WORKER WAGES AND BENEFITS TO EXAMINE WAYS TO REDUCE TURNOVER AND ADDRESS THE ANTICIPATED DIRECT CARE WORKER SHORTAGE RESULTING FROM INCREASED DEMAND FROM AGING BABY BOOMERS, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING, is referred to the Committee on Health and Human Services.

By Representatives Farmer-Butterfield, Earle, Weiss, and Hurley (Primary Sponsors); Adams, M. Alexander, Bordsen, Fisher, Glazier, Graham, Harrison, Insko, Lucas, and Parfitt:

H.B. 107, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DIVISION OF MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES, DEPARTMENT OF HEALTH

AND HUMAN SERVICES, TO ESTABLISH A PILOT TRAINING PROGRAM USING GERIATRIC/ADULT MENTAL HEALTH SPECIALTY TEAMS TO CONDUCT TRAINING IN ADULT CARE HOMES ON PREVENTING THE ESCALATION OF BEHAVIORS LEADING TO CRISIS, BASED ON RECOMMENDATION 5.1 FROM THE NORTH CAROLINA INSTITUTE OF MEDICINE TASK FORCE ON THE CO-LOCATION OF DIFFERENT POPULATIONS IN ADULT CARE HOMES AND AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING, is referred to the Committee on Health and Human Services.

By Representatives Farmer-Butterfield, Weiss, Earle, and Hurley (Primary Sponsors); Adams, M. Alexander, Bordsen, Fisher, Gill, Glazier, Harrison, Lucas, and Parfitt:

H.B. 108, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO STUDY RECOMMENDATION 3.1 FROM THE NORTH CAROLINA INSTITUTE OF MEDICINE TASK FORCE ON THE CO-LOCATION OF DIFFERENT POPULATIONS IN ADULT CARE HOMES TO ASSESS THE FEASIBILITY AND IMPLEMENTATION TIME LINE OF A PILOT PROGRAM AIMED AT TRANSITIONING ADULT CARE HOME RESIDENTS TO INDEPENDENT COMMUNITY-BASED HOUSING, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING, is referred to the Committee on Health and Human Services.

By Representatives Farmer-Butterfield, Weiss, Pierce, and Hurley (Primary Sponsors); Adams, K. Alexander, M. Alexander, Bordsen, Earle, Fisher, Graham, Harrison, Insko, Lucas, and Parfitt:

H.B. 109, A BILL TO BE ENTITLED AN ACT TO AMEND THE ACT THAT DIRECTED THE UNIVERSITY OF NORTH CAROLINA INSTITUTE ON AGING, AND THE DIVISION OF AGING AND ADULT SERVICES, DEPARTMENT OF HEALTH AND HUMAN SERVICES, TO PROVIDE LEADERSHIP IN HELPING NORTH CAROLINA PREPARE FOR INCREASED NUMBERS OF OLDER ADULTS, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING, is referred to the Committee on Health and Human Services.

By Representatives Farmer-Butterfield, Weiss, Pierce, and Hurley (Primary Sponsors); Adams, K. Alexander, M. Alexander, Bordsen, Cook, Earle, Fisher, Gill, Glazier, Graham, Hamilton, Harrison, Insko, Lucas, McGee, McLawhorn, R. Moore, and Parfitt:

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H.B. 110, A BILL TO BE ENTITLED AN ACT TO DIRECT THE CONSUMER PROTECTION DIVISION, DEPARTMENT OF JUSTICE, TO COORDINATE A TASK FORCE ON FRAUD AGAINST OLDER ADULTS, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING, is referred to the Committee on Health and Human Services.

By Representatives Hilton, Barnhart, Steen, and Hastings (Primary Sponsors); Burr, Cleveland, Cook, Current, Frye, Hill, Hurley, Iler, Jones, Killian, Mills, Randleman, Setzer, Shepard, H. Warren, and West:

H.B. 111, A BILL TO BE ENTITLED AN ACT TO ALLOW PERSONS WITH CONCEALED HANDGUN PERMITS TO PROTECT THEMSELVES AND THEIR FAMILIES IN RESTAURANTS AND TO ALLOW A CONCEALED HANDGUN PERMITTEE TO CARRY A HANDGUN IN A PARK, is referred to Judiciary Subcommittee B.

ADDENDA TO COMMITTEE ASSIGNMENTS

February 16, 2011

The Speaker makes the following committee assignment:

APPROPRIATIONS SUBCOMMITTEE ON GENERAL GOVERNMENT: Add Representative Folwell, Chair.

CALENDAR

Action is taken on the following:

H.B. 48, A BILL TO BE ENTITLED AN ACT TO REDUCE SPENDING BY ELIMINATING STATEWIDE STANDARDIZED TESTING IN THE PUBLIC SCHOOLS, EXCEPT AS REQUIRED BY FEDERAL LAW OR AS A CONDITION OF A FEDERAL GRANT.

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

Representative Cotham offers Amendment No. 2 which is adopted by electronic vote (112-2).

Representative Haire offers Amendment No. 3 which fails of adoption by electronic vote (33-84).

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The bill, as amended, passes its second reading by electronic vote (101-16).

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

CAUCUS LEADERS ANNOUNCED

Representative Womble is recognized and he reports that the Joint Legislative Black Caucus has been held and that the following leaders have been elected: Senator McKissick, Chair; Representative Womble, First Vice Chair; Representative Bell, Second Vice Chair; Senator Robinson, Secretary; Representative Bryant, Treasurer; Representative Pierce, Chaplain; and Representative Hall, Parliamentarian.

RE-REFERRAL

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 63**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT NO BUSINESS, COMMERCIAL ENTERPRISE, OR EMPLOYER SHALL PROHIBIT THE TRANSPORTATION OR STORAGE OF A FIREARM OR AMMUNITION WHEN THE FIREARM AND AMMUNITION ARE LOCKED OUT OF SIGHT IN A MOTOR VEHICLE, TO PROVIDE THAT A BUSINESS, COMMERCIAL ENTERPRISE, OR EMPLOYER IS LIABLE TO ANYONE INJURED AS A RESULT OF AN UNLAWFUL PROHIBITION, TO PROVIDE THAT A PERSON MAY BRING A CIVIL ACTION TO ENFORCE THE RIGHT TO TRANSPORT AND STORE A FIREARM AND AMMUNITION IN A LOCKED MOTOR VEHICLE ON THE PROPERTY OF A BUSINESS, COMMERCIAL ENTERPRISE, OR EMPLOYER, AND TO PROVIDE THAT A BUSINESS, COMMERCIAL ENTERPRISE, OR EMPLOYER IS NOT CIVILLY LIABLE FOR DAMAGES RESULTING FROM ANOTHER PERSON'S ACTIONS INVOLVING A FIREARM TRANSPORTED OR STORED IN A LOCKED VEHICLE IN A MANNER THAT COMPLIES WITH STATE LAW, is withdrawn from Judiciary Subcommittee A and re-referred to Judiciary Subcommittee B.

Representative LaRoque moves, seconded by Representative T. Moore, that the House adjourn, subject to the receipt of Committee Reports, to reconvene February 17 at 11:00 a.m.

The motion carries.

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**REPORTS OF STANDING COMMITTEES AND PERMANENT
SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representatives LaRoque and T. Moore, Chairs, for the Committee on Rules, Calendar, and Operations of the House:

H.R. 19, A HOUSE RESOLUTION ADOPTING THE PERMANENT RULES OF THE HOUSE OF REPRESENTATIVES FOR THE 2011 REGULAR SESSION, with a favorable report as to the committee substitute resolution, unfavorable as to the original resolution and recommendation that the committee substitute resolution be adopted.

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

H.R. 40, A HOUSE RESOLUTION HONORING THE LIFE AND MEMORY OF JOHN WEATHERLY, FORMER MEMBER OF THE GENERAL ASSEMBLY, with recommendation that it be adopted.

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

H.R. 88, A HOUSE RESOLUTION HONORING CLAY COUNTY ON ITS ONE HUNDRED FIFTIETH ANNIVERSARY, with recommendation that it be adopted.

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

S.J.R. 17 (Committee Substitute), A JOINT RESOLUTION TO ESTABLISH THE JOINT REGULATORY REFORM COMMITTEE, with a favorable report.

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

The House stands adjourned at 5:00 p.m.

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FOURTEENTH DAY

HOUSE OF REPRESENTATIVES
Thursday, February 17, 2011

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 Representative Marilyn Avila:

"Our Great Creator God:

"We stand before You, awed and humbled by the unearned mercy and grace You have bestowed upon us, Your creation.

"Each of us has come to this place today by our own unique path, guided by Your hand, but united in one purpose - to serve honorably and well the people of North Carolina. Make us ever mindful of those who have gone before us and grateful for the legacy they have passed to us. We ask for Your wisdom, mercy, and love as we struggle with the difficult decisions before us so that we may continue their legacy of life, liberty and the pursuit of happiness for our citizens.

"Let us be especially in prayer today for the men and women serving our country, at home and abroad. Place a mighty hedge of protection around each and every one of them and their families as they stand in harm's way to protect and preserve our Nation.

"This I pray in the Holy Name of my Lord and Savior, Jesus Christ. Amen."

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

Leaves of absence are granted Representatives M. Alexander, Blust, Hackney, Justice, Rhyne, and Wray for today.

**REPORTS OF STANDING COMMITTEES AND PERMANENT
SUBCOMMITTEES**

The following report from standing committees and permanent subcommittees is presented:

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By Representatives Stam and Stevens, Chairs, for Judiciary Subcommittee B, with approval of standing committee Chair for report to be made directly to the floor of the House:

H.B. 59, A BILL TO BE ENTITLED AN ACT TO PROHIBIT SEX OFFENDERS FROM BEING EMERGENCY MEDICAL SERVICES PERSONNEL, with a favorable report as to the committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of February 21. The original bill is placed on the Unfavorable Calendar.

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representatives Dollar, Stam, Avila, and Murry (Primary Sponsors):

H.B. 112, A BILL TO BE ENTITLED AN ACT TO REALIGN THE DISTRICTS FOR WAKE COUNTY SUPERIOR COURT JUDGE SEATS TO PROVIDE FOR SINGLE MEMBER DISTRICTS AND EQUAL REPRESENTATION IN THOSE DISTRICTS, WHICH ARE TO BE DETERMINED, is referred to the Committee on Elections.

By Representatives Killian, Cleveland, Earle, Fisher, Folwell, Hill, Horn, Hurley, Ingle, McComas, Mills, Moffitt, R. Moore, and Spear:

H.B. 113, A BILL TO BE ENTITLED AN ACT TO CREATE ADDITIONAL PROTECTIONS FOR MOTORCYCLISTS FROM UNSAFE MOVEMENTS BY OTHER VEHICLES, is referred to the Committee on Transportation.

By Representatives Setzer, Dockham, Floyd, Hamilton, and Justice:

H.B. 114, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR LEGAL GUARDIANS TO GIVE ASSISTANCE TO VOTERS LIVING IN FAMILY CARE HOMES, is referred to the Committee on Elections.

By Representatives Dockham, Brubaker, Wray, and Murry (Primary Sponsors); Dollar, Hurley, and McElraft:

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H.B. 115, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA HEALTH BENEFIT EXCHANGE, is referred to the Committee on Health and Human Services and, if favorable, to the Committee on Appropriations.

By Representative Daughtry:

H.B. 116, A BILL TO BE ENTITLED AN ACT REGARDING THE DELINEATION OF PROTECTIVE RIPARIAN BUFFERS FOR COASTAL WETLANDS IN THE NEUSE RIVER AND TAR-PAMLICO RIVER BASINS, is referred to the Committee on Environment.

By Representatives Daughtry and Wainwright (Primary Sponsors); Cleveland, and Graham:

H.B. 117, A BILL TO BE ENTITLED AN ACT PROVIDING THAT A MUNICIPALITY OWNING OR OPERATING A MUNICIPAL ELECTRIC SYSTEM SHALL USE REVENUE DERIVED FROM RATES FOR ELECTRIC SERVICE FOR PAYING THE COSTS OF OPERATING THE ELECTRIC SYSTEM AND MAKING DEBT SERVICE PAYMENTS AND SHALL USE EXCESS REVENUE FOR LOWERING RATES, MAKING ADDITIONAL DEBT SERVICE PAYMENTS, AND REDUCING THE MUNICIPALITY'S COMMITMENT UNDER CONTRACTUAL OBLIGATIONS TO A JOINT MUNICIPAL POWER AGENCY, is referred to the Committee on Public Utilities.

By Representatives Womble, Parmon, McGee, and L. Brown (Primary Sponsors); and Folwell:

H.B. 118, A BILL TO BE ENTITLED AN ACT RELATING TO THE DAILY DEPOSIT OF COLLECTIONS AND RECEIPTS BY THE CITY OF WINSTON-SALEM, is referred to the Committee on Government.

By Representatives Gillespie and McElraft (Primary Sponsors); and Samuelson:

H.B. 119, A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN ENVIRONMENTAL AND NATURAL RESOURCES LAWS TO (1) CLARIFY THE PROHIBITION ON DISPOSAL IN LANDFILLS OR BY INCINERATION OF BEVERAGE CONTAINERS THAT ARE REQUIRED TO BE RECYCLED BY CERTAIN ABC PERMITTEES; (2) DIRECT THE ENVIRONMENTAL MANAGEMENT COMMISSION AND THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO INCORPORATE STORMWATER CAPTURE AND REUSE STANDARDS

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AND BEST MANAGEMENT PRACTICES INTO STORMWATER RUN-OFF RULES AND PROGRAMS; AND (3) AMEND THE WATER USE STANDARD FOR PUBLIC MAJOR FACILITY CONSTRUCTION AND RENOVATION PROJECTS TO REQUIRE THE INSTALLATION OF WEATHER-BASED IRRIGATION CONTROLLERS AND AUDITS OF EXISTING IRRIGATION SYSTEMS BY AN IRRIGATION CONTRACTOR LICENSED UNDER CHAPTER 89G OF THE GENERAL STATUTES, is referred to the Committee on Environment.

By Representatives Rapp, Bell, and Glazier (Primary Sponsors); K. Alexander, Farmer-Butterfield, Fisher, Harrison, Insko, and Lucas:

H.B. 120, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE FORGIVABLE EDUCATION LOANS FOR SERVICE PROGRAM AND THE FORGIVABLE EDUCATION LOANS FOR SERVICE FUND AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON STATE FUNDED STUDENT FINANCIAL AID, is referred to the Committee on Education and, if favorable, to the Committee on Appropriations.

By Representatives Brubaker, Dockham, Carney, and Glazier (Primary Sponsors); K. Alexander, Fisher, Harrison, McComas, and Spear:

H.J.R. 121, A JOINT RESOLUTION TO CONFIRM THE GOVERNOR'S REAPPOINTMENT OF JOSEPH A. SMITH TO THE OFFICE OF COMMISSIONER OF BANKS, is referred to the Committee on Banking.

By Representatives Howard, Luebke, and Gibson (Primary Sponsors); Dockham, Setzer, Starnes, and Wainwright:

H.B. 122, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL, CLARIFYING, AND ADMINISTRATIVE CHANGES TO THE REVENUE LAWS AND RELATED STATUTES, is referred to the Committee on Finance.

By Representatives Howard, Brubaker, Luebke, and Hill (Primary Sponsors); Dockham, Setzer, Starnes, and Wainwright:

H.B. 123, A BILL TO BE ENTITLED AN ACT TO REVISE THE BUSINESS ENTITY OWNERSHIP REQUIREMENTS OF LAND AT PRESENT-USE VALUE, is referred to the Committee on Finance.

By Representatives Howard, Brubaker, Starnes, and Setzer (Primary Sponsors); Dockham and Folwell:

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H.B. 124, A BILL TO BE ENTITLED AN ACT TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE, is referred to the Committee on Finance.

CALENDAR

Action is taken on the following:

H.R. 88, A HOUSE RESOLUTION HONORING CLAY COUNTY ON ITS ONE HUNDRED FIFTIETH ANNIVERSARY.

The resolution is adopted, by electronic vote (104-0), and ordered printed.

H.B. 48, A BILL TO BE ENTITLED AN ACT TO REDUCE SPENDING BY ELIMINATING STATEWIDE STANDARDIZED TESTING IN THE PUBLIC SCHOOLS, EXCEPT AS REQUIRED BY FEDERAL LAW OR AS A CONDITION OF A FEDERAL GRANT, passes its third reading, as amended, by electronic vote (94-13), and is ordered engrossed and sent to the Senate.

S.J.R. 17 (Committee Substitute), A JOINT RESOLUTION TO ESTABLISH THE JOINT REGULATORY REFORM COMMITTEE, passes its second reading by electronic vote (105-2).

Representative T. Moore objects to the third reading. The resolution remains on the Calendar.

On motion of Representative LaRoque, seconded by Representative T. Moore, the House adjourns at 11:20 a.m. to reconvene Monday, February 21, 2011, at 7:00 p.m.

FIFTEENTH DAY

HOUSE OF REPRESENTATIVES
Monday February 21, 2011

The House meets at 7:00 p.m. pursuant to adjournment and is called to order by Representative Folwell, Speaker Pro Tempore.

Prayer is offered by Representative John Blust.

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The Chair leads the Body in the Pledge of Allegiance.

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

There are no excused absences for today.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives L. Brown and Ingle, Chairs, for the Committee on Government:

H.B. 17, A BILL TO BE ENTITLED AN ACT TO ALLOW THE WAYNE COUNTY BOARD OF EDUCATION TO FILL ITS OWN VACANCIES, with a favorable report.

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

H.B. 26, A BILL TO BE ENTITLED AN ACT TO ALLOW HENDERSON COUNTY TO INCLUDE ALL UNINCORPORATED AREAS IN A FIRE PROTECTION DISTRICT, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

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

H.B. 43, A BILL TO BE ENTITLED AN ACT TO INCREASE THE EFFICIENCY OF PROPERTY TAX APPEALS IN MECKLENBURG COUNTY, 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. 67, A BILL TO BE ENTITLED AN ACT TO CHANGE THE DATE THAT MEMBERS OF THE WILSON COUNTY BOARD OF EDUCATION TAKE OFFICE AND TO FIX AN ERROR IN A 1987 LOCAL ACT RELATING TO THAT BOARD, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

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

H.B. 68, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE BRUNSWICK COUNTY TO REQUIRE THE PAYMENT OF DELINQUENT PROPERTY TAXES BEFORE RECORDING DEEDS CONVEYING PROPERTY, 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 McElraft, Samuelson, and West, Chairs, for the Committee on Environment:

H.B. 45, A BILL TO BE ENTITLED AN ACT TO ALLOW THE USE OF RISK-BASED REMEDIATION TO ACCELERATE THE CLEANUP OF CONTAMINATED INDUSTRIAL SITES FOR THE PURPOSE OF LIMITING HUMAN AND ENVIRONMENTAL EXPOSURE TO SAFE LEVELS, TO PROTECT CURRENT AND LIKELY FUTURE USES OF GROUNDWATER, AND TO ENSURE THE COST-EFFECTIVE APPLICATION OF LIMITED PUBLIC AND PRIVATE RESOURCES, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

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

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representatives Sager, Jordan, Stevens, and Shepard (Primary Sponsors); Blackwell, L. Brown, Cleveland, Faircloth, Hilton, Hollo, Iler, Ingle, Jones, Justice, LaRoque, McGee, Mills, Owens, Stam, Starnes, Wainwright, H. Warren, and Wray:

H.B. 125, A BILL TO BE ENTITLED AN ACT TO PERMIT COUNTIES TO HAVE FEWER THAN ALL PRECINCTS OPEN FOR A SECOND PRIMARY, is referred to the Committee on Elections.

By Representatives Insko, Hall, and Fisher (Primary Sponsors); Adams, M. Alexander, Bryant, Cotham, Earle, Gill, Graham, Haire, Hamilton, Harrison, Lucas, Luebke, McLawhorn, R. Moore, Parfitt, Pierce, Wainwright, and Weiss:

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H.B. 126, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA HEALTH BENEFIT EXCHANGE, is referred to the Committee on Health and Human Services and, if favorable, to the Committee on Appropriations.

By Representatives Insko, Barnhart, and M. Alexander (Primary Sponsors); Bell, Hurley, Lucas, Parfitt, Rapp, and Wray:

H.B. 127, A BILL TO BE ENTITLED AN ACT TO ALLOW THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO EXPAND THE CAPITATED 1915(B)/(C) MEDICAID WAIVER TO ADDITIONAL LOCAL MANAGEMENT ENTITY CATCHMENT AREAS, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES, is referred to the Committee on Health and Human Services.

By Representatives Insko and Graham (Primary Sponsors); Adams, M. Alexander, Bordsen, Fisher, Gill, Glazier, Hamilton, Lucas, McLawhorn, R. Moore, T. Moore, Parfitt, Rapp, Wainwright, Womble, and Wray:

H.B. 128, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE NORTH CAROLINA SPECIAL OLYMPICS, is referred to the Committee on Appropriations.

By Representatives Avila, Howard, Carney, and Wainwright (Primary Sponsors); Blust, Boles, Brisson, L. Brown, Burr, Cleveland, Collins, Current, Dollar, Faircloth, Floyd, Frye, Gillespie, Graham, Hager, Hill, Hurley, Ingle, Johnson, Jones, Justice, Killian, Langdon, LaRoque, Lucas, McComas, McElraft, McGee, McGrady, Michaux, Moffitt, R. Moore, T. Moore, Pierce, Pridgen, Samuelson, Spear, Starnes, Stevens, West, and Wray:

H.B. 129, A BILL TO BE ENTITLED AN ACT TO PROTECT JOBS AND INVESTMENT BY REGULATING LOCAL GOVERNMENT COMPETITION WITH PRIVATE BUSINESS, is referred to the Committee on Public Utilities and, if favorable, to the Committee on Finance.

By Representatives Fisher and Keever (Primary Sponsors); Adams, M. Alexander, Bordsen, Floyd, Gill, Glazier, Graham, Hamilton, Insko, Lucas, Parfitt, and Pierce:

H.B. 130, A BILL TO BE ENTITLED AN ACT TO PROVIDE FUNDING FOR THE WOMEN AT RISK PROGRAM, is referred to the Committee on Appropriations.

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By Representatives Lucas and Parmon (Primary Sponsors); K. Alexander, Earle, Floyd, Gill, Graham, McGee, Parfitt, Starnes, and Womble:

H.B. 131, A BILL TO BE ENTITLED AN ACT DIRECTING THE STATE BOARD OF EDUCATION TO PROVIDE FUNDS FOR ONLY ONE LOCAL SCHOOL SUPERINTENDENT PER COUNTY, is referred to the Committee on Education and, if favorable, to the Committee on Appropriations.

By Representatives Lucas, K. Alexander, Bordsen, Floyd, Glazier, Harrison, R. Moore, Parfitt, Rapp, Wainwright, and Womble:

H.B. 132, A BILL TO BE ENTITLED AN ACT TO ALLOW LOCAL SCHOOL ADMINISTRATIVE UNITS TO MAKE UP SNOW DAYS BY REQUIRING STUDENTS TO COMPLETE LESSONS POSTED ONLINE, is referred to the Committee on Education.

By Representatives McGee, L. Brown, Folwell, and Moffitt:

H.B. 133, A BILL TO BE ENTITLED AN ACT TO RESTATE THAT THE TOWN OF LEWISVILLE HAS NO AUTHORITY TO PETITION ITSELF FOR SELF-ANNEXATION OF PROPERTY IT DOES NOT OWN OR HAVE ANY LEGAL INTEREST IN, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

By Representative McElraft:

H.B. 134, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CARTERET COUNTY OCCUPANCY TAX, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

By Representatives Keever, Parfitt, and R. Moore (Primary Sponsors); M. Alexander, Brisson, Fisher, Gill, Harrison, Insko, Luebke, Rapp, and Weiss:

H.B. 135, A BILL TO BE ENTITLED AN ACT (1) TO REQUIRE THE NORTH CAROLINA UTILITIES COMMISSION TO ESTABLISH TIERED ELECTRICITY RATES FOR RESIDENTIAL, COMMERCIAL, PUBLIC, AND INDUSTRIAL CUSTOMERS TO ENCOURAGE ENERGY CONSERVATION AND ENERGY EFFICIENCY; (2) TO CREATE THE ENERGY EFFICIENCY PUBLIC BENEFIT LOAN FUND TO BE USED FOR LOANS TO CUSTOMERS FOR THE COSTS OF CERTAIN ENERGY EFFICIENCY OR RENEWABLE ENERGY PROJECTS; AND (3) TO

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CREATE AN INCENTIVE FOR CONSUMERS TO PURCHASE ENERGY STAR QUALIFIED HOUSEHOLD PRODUCTS, is referred to the Committee on Public Utilities and, if favorable, to the Committee on Finance.

By Representatives Wainwright, Hill, Lucas, Spear, and Wray:

H.B. 136, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE APPLICABILITY OF S.L. 2010-13, AN ACT TO IMPROVE THE SUCCESS OF FISHERY MANAGEMENT PLANS, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE, is referred to the Committee on Agriculture and, if favorable, to the Committee on Environment.

By Representatives Owens and Hill:

H.B. 137, A BILL TO BE ENTITLED AN ACT TO ENACT THE TWO-THIRDS BONDS ACT OF 2011, is referred to the Committee on Finance.

By Representatives Dockham and Insko:

H.B. 138, A BILL TO BE ENTITLED AN ACT TO AMEND THE HEALTH INSURANCE RISK POOL STATUTES, is referred to the Committee on Insurance.

By Representatives Stam, Ross, Glazier, and McGee (Primary Sponsors); M. Alexander, Avila, Blackwell, Blust, Bradley, L. Brown, Cleveland, Cotham, Dixon, Dollar, Fisher, Floyd, Gill, Goodman, Harrison, Holloway, Howard, Hurley, Iler, Ingle, Insko, Jones, Jordan, Justice, Lucas, Luebke, McGrady, McLawhorn, Mills, Moffitt, R. Moore, Parfitt, Randleman, Rapp, Samuelson, Sanderson, Shepard, Stevens, Wainwright, and Weiss:

H.B. 139, A BILL TO BE ENTITLED AN ACT TO LIMIT CAMPAIGN CONTRIBUTIONS BY INDIVIDUALS WHO DIRECTLY AND SUBSTANTIALLY BENEFIT FROM CONTRACTS WITH THE STATE TO CANDIDATE CAMPAIGN COMMITTEES OF CERTAIN STATEWIDE CANDIDATES, is referred to the Committee on Elections and, if favorable, to the Committee on Judiciary.

By Representatives Iler and Hill:

H.B. 140, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE TOWN OF OAK ISLAND TO PROVIDE A PROCEDURE TO RECALL ELECTED OFFICIALS, SUBJECT TO A REFERENDUM, is referred to the Committee on Government.

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By Representatives T. Moore, Hager, and Hastings (Primary Sponsors); Moffitt and Setzer:

H.R. 141, A HOUSE RESOLUTION HONORING THE TOWN OF BOILING SPRINGS ON ITS CENTENNIAL CELEBRATION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives T. Moore, Hager, and Hastings (Primary Sponsors); and L. Brown:

H.B. 142, A BILL TO BE ENTITLED AN ACT TO MAKE A TECHNICAL CORRECTION TO THE INDUSTRIAL FACILITIES SALES TAX REFUND, is referred to the Committee on Finance.

By Representatives Farmer-Butterfield, Weiss, Earle, and Pierce (Primary Sponsors); Adams, Graham, Lucas, Parfitt, and Wray:

H.B. 143, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO SUPPORT PREADMISSION SCREENING, ASSESSMENT, AND CARE PLAN DEVELOPMENT IN ADULT CARE HOMES AND FACILITIES LICENSED UNDER CHAPTER 122C OF THE GENERAL STATUTES, BASED ON RECOMMENDATION 4.1 FROM THE NORTH CAROLINA INSTITUTE OF MEDICINE TASK FORCE ON THE CO-LOCATION OF DIFFERENT POPULATIONS IN ADULT CARE HOMES, AND AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING, is referred to the Committee on Appropriations.

By Representatives Glazier, Parfitt, and McLawhorn (Primary Sponsors); Gill, Hall, Insko, and Lucas:

H.B. 144, A BILL TO BE ENTITLED AN ACT TO INCREASE THE FEE AUTHORIZED TO BE CHARGED TO PERSONS RECEIVING THE SERVICES OF A SUPERVISED VISITATION AND EXCHANGE CENTER THROUGH A FAMILY COURT PROGRAM, is referred to Judiciary Subcommittee C and, if favorable, to the Committee on Finance.

By Representatives Glazier, Murry, Rapp, and Jordan (Primary Sponsors); M. Alexander, Cotham, Fisher, Floyd, Gill, Graham, Lucas, R. Moore, Parfitt, and Wray:

H.B. 145, 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

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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, is referred to the Committee on Transportation and, if favorable, to Judiciary Subcommittee A and, if favorable, to the Committee on Finance.

By Representatives Parfitt and Insko (Primary Sponsors); Adams, Carney, Frye, Gill, Glazier, Graham, Hamilton, Harrison, Lucas, R. Moore, Pierce, Rapp, Setzer, Wainwright, and Wray:

H.B. 146, A BILL TO BE ENTITLED AN ACT DESIGNATING THE MONTH OF MARCH OF EACH YEAR AS KIDNEY MONTH IN NORTH CAROLINA, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Weiss, Earle, Insko, and Parfitt (Primary Sponsors); Adams, M. Alexander, Bordsen, Gill, Glazier, Graham, Lucas, McLawhorn, R. Moore, Pierce, Wainwright, and Wray:

H.B. 147, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PREVENT INFANT MORTALITY IN NORTH CAROLINA, is referred to the Committee on Appropriations.

By Representatives Parfitt, Glazier, Lucas, and Floyd (Primary Sponsors); Bradley, Brisson, Fairecloth, Fisher, Frye, Graham, Hall, Harrison, Hastings, Insko, Jones, Jordan, Killian, Pierce, Randleman, Rapp, Setzer, Shepard, and Torbett:

H.R. 148, A HOUSE RESOLUTION HONORING THE DEDICATION OF THE NORTH CAROLINA VETERANS PARK.

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

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SPECIAL MESSAGE FROM THE SENATE

The following Special Message is received from the Senate:

S.B. 55 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE EFFICIENCY OF PROPERTY TAX APPEALS IN MECKLENBURG COUNTY, is read the first time and referred to the Committee on Finance.

MESSAGES FROM THE SENATE

The following are received from the Senate:

H.B. 2 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROTECT THE FREEDOM TO CHOOSE HEALTH CARE AND 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 February 22.

S.B. 29, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ALAMANCE COUNTY TO REQUIRE THE PAYMENT OF DELINQUENT PROPERTY TAXES BEFORE RECORDING DEEDS CONVEYING PROPERTY, is read the first time and referred to the Committee on Government and, if favorable, to the Committee on Finance.

S.B. 39 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXPAND THE BOARD OF COMMISSIONERS OF THE TOWN OF PARMELE FROM THREE TO FIVE MEMBERS, is read the first time and referred to the Committee on Government.

CALENDAR

Action is taken on the following:

H.R. 40, A HOUSE RESOLUTION HONORING THE LIFE AND MEMORY OF JOHN WEATHERLY, FORMER MEMBER OF THE GENERAL ASSEMBLY.

The resolution is adopted, by electronic vote (119-0), and ordered printed.

H.R. 148, A HOUSE RESOLUTION HONORING THE DEDICATION OF THE NORTH CAROLINA VETERANS PARK.

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The resolution is adopted, by electronic vote (119-0), and ordered printed.

S.J.R. 17 (Committee Substitute), A JOINT RESOLUTION TO ESTABLISH THE JOINT REGULATORY REFORM COMMITTEE, passes its third reading, by electronic vote (117-2), and is ordered enrolled.

H.B. 59 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT SEX OFFENDERS FROM BEING EMERGENCY MEDICAL SERVICES PERSONNEL, passes its second reading, by electronic vote (117-1), and there being no objection is read a third time.

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

INTRODUCTION OF PAGES

Pages for the week of February 21 are introduced to the membership. They are: Donna Blekfeld-Sztraky of Clay; Hannah Brockman of Gaston; Sydney Elmore of Wake; Kevin King of Burke; Lucas Krenitsky of Orange; Stephanie McCloud of Cumberland; Paul Muma of Union; Anna Pell of Randolph; Elizabeth Rogers of Robeson; and Samuel Shumate of Cumberland.

On motion of Representative LaRoque, seconded by Speaker Tillis, the House adjourns at 8:00 p.m., in honor of Presidents Day, and in memory of former Representative John Weatherly, to reconvene February 22 at 2:00 p.m.

SIXTEENTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, February 22, 2011

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 Representative Bill Cook:

"O God:

"You are the fountain of all wisdom, the author of all truth, and the creator of all that is good and gracious. You have given us this great land for our heritage. We humbly pray that we may always prove ourselves a

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people mindful of Your favor and ready to do Your will. Save us from violence, pride, discord, and from every evil way. Help us to be quick to defend our liberties, and fashion us into a united people who are eager and ready to do Your will.

"We ask this day that You might guide us as we enact laws and care for the business of our State, that our work might be pleasing in Your sight and beneficial to those we serve. Grant us wisdom and grace in the exercise of our duties. Fill our hearts today with thanksgiving, and in the day of trouble help us to ever trust in You.

"Through Jesus Christ our Lord. Amen."

Representative T. Moore, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of February 21 has been examined and found correct. Upon his motion, the Journal is approved as written.

Representative Gibson is excused for a portion of the Session.

ENROLLED BILLS

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

S.J.R. 17, A JOINT RESOLUTION TO ESTABLISH THE JOINT REGULATORY REFORM COMMITTEE. (RESOLUTION 2011-2)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Current, Dollar, and Hollo, Chairs, for the Committee on Health and Human Services:

H.B. 60, A BILL TO BE ENTITLED AN ACT TO EXTEND THE TASK FORCE DEVELOPING GUIDELINES FOR CONSUMERS TO USE WHEN PURCHASING A HEARING AID, 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 February 23.

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S.B. 9 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADD SYNTHETIC CANNABINOIDS TO THE LIST OF CONTROLLED SUBSTANCES, WHICH MAKES THE UNLAWFUL POSSESSION, MANUFACTURE, OR SALE OR DELIVERY OF SYNTHETIC CANNABINOIDS CRIMINAL OFFENSES AND TO CREATE THE CRIMINAL OFFENSE OF TRAFFICKING IN SYNTHETIC CANNABINOIDS, with a favorable report and recommendation that the bill be re-referred to Judiciary Subcommittee B.

The bill is re-referred to Judiciary Subcommittee B.

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representatives Killian and Torbett (Primary Sponsors); L. Brown, R. Brown, Burr, Cleveland, Cook, Dixon, Dockham, Dollar, Faircloth, Folwell, Frye, Gillespie, Hastings, Hill, Hilton, Horn, Hurley, Iler, Ingle, Johnson, Jones, LaRoque, McGee, Randleman, Rhyne, Sanderson, Setzer, Shepard, Stevens, and West:

H.B. 149, A BILL TO BE ENTITLED AN ACT TO CREATE THE CRIMINAL OFFENSE OF TERRORISM, is referred to Judiciary Subcommittee B and, if favorable, to the Committee on Appropriations.

By Representatives L. Brown and Cook:

H.B. 150, A BILL TO BE ENTITLED AN ACT TO UPDATE THE STATE AUDITOR'S STATUTE IN ORDER TO STANDARDIZE AUDITEE RESPONSE TIMES, CLARIFY THE TIMING OF WHEN THE STATE AUDITOR CAN REFER INFORMATION TO APPROPRIATE AUTHORITIES, CLARIFY THE FACT THAT NO UPDATES ARE REQUIRED TO BE GIVEN ON FRAUD INVESTIGATIONS, UPDATE DESCRIPTION OF AUDITOR ACCESS PER CHANGES IN TECHNOLOGY, AND REMOVING THE STATE AUDITOR FROM AN EX OFFICIO DUTY, is referred to the Committee on Government.

By Representatives McCormick and Stevens (Primary Sponsors):

H.B. 151, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A SEASON FOR THE TRAPPING OF FOXES AND COYOTES IN SURRY COUNTY, is referred to the Committee on Agriculture.

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By Representatives Tolson and Lucas:

H.B. 152, A BILL TO BE ENTITLED AN ACT RELATING TO THE ORGANIZATION, AUTHORITY, AND RESPONSIBILITIES OF THE NORTH CAROLINA CENTER FOR GEOGRAPHIC INFORMATION ANALYSIS AND THE GEOGRAPHIC INFORMATION COORDINATING COUNCIL, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON INFORMATION TECHNOLOGY, is referred to the Committee on Government and, if favorable, to the Committee on Appropriations.

By Representatives Howard, Ross, T. Moore, and H. Warren (Primary Sponsors); Blust, L. Brown, Carney, Dockham, Faircloth, Glazier, Hamilton, Harrison, Hastings, Hill, Ingle, Jones, Jordan, Justice, Killian, McGee, Murry, Pridgen, Setzer, Spear, Stevens, and Weiss:

H.B. 153, A BILL TO BE ENTITLED AN ACT TO PROHIBIT A PERSON WHO HAS BEEN CONVICTED OF A FELONY FROM RECEIVING RETIREMENT FROM THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, is referred to the Committee on State Personnel.

By Representative Faison:

H.B. 154, A BILL TO BE ENTITLED AN ACT TO PERMIT INTRODUCTION OF EVIDENCE REGARDING DEFENDANTS' INSURANCE COVERAGE FOR LIABILITY IN ANY CIVIL ACTION, is referred to the Committee on Judiciary.

By Representative Faison:

H.B. 155, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A COMPREHENSIVE CLASSIFICATION RATING PLAN FOR PROFESSIONAL LIABILITY INSURANCE FOR PHYSICIANS, is referred to the Committee on Insurance and, if favorable, to the Committee on Commerce and Job Development.

By Representatives LaRoque and Cook:

H.B. 156, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A SEASON FOR THE TRAPPING OF FOXES IN LENOIR COUNTY, is referred to the Committee on Agriculture.

MESSAGE FROM THE SENATE

The following is received from the Senate:

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S.B. 46 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A SEASON FOR THE TAKING OF FOXES AND COYOTES IN SURRY COUNTY, is read the first time and referred to the Committee on Agriculture.

CALENDAR

Action is taken on the following:

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

H.R. 19 (Committee Substitute), A HOUSE RESOLUTION ADOPTING THE PERMANENT RULES OF THE HOUSE OF REPRESENTATIVES FOR THE 2011 REGULAR SESSION.

Representative Luebke offers Amendment No. 1 which fails of adoption by electronic vote (52-67).

Representative Owens offers Amendment No. 2 which is adopted by electronic vote (111-8).

Representative Samuelson offers Amendment No. 3 which is adopted by electronic vote (115-1).

Representative Stam offers Amendment No. 4 which is adopted by electronic vote (118-0).

Representative Moffitt offers Amendment No. 5 which is adopted by electronic vote (118-0).

The committee substitute resolution, as amended, is adopted, by electronic vote (120-0), and ordered engrossed and printed.

H.B. 2 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROTECT THE FREEDOM TO CHOOSE HEALTH CARE AND HEALTH INSURANCE.

Representative Haire moves to postpone the bill indefinitely.

Representative T. Moore moves, seconded by Representative Daughtry, that the motion to postpone indefinitely do lie upon the table. The motion carries by electronic vote (71-49).

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On motion of Representative Stam, the House concurs in the Senate committee substitute bill, by electronic vote (69-49), and the bill is ordered enrolled and presented to the Governor.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following report from standing committee is presented:

By Representatives Langdon and Sager, Chairs, for the Committee on Agriculture:

H.B. 29, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE RETRIEVAL OF KILLED OR WOUNDED DEER USING A SINGLE DOG ON A LEASH, 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 February 23. The original bill is placed on the Unfavorable Calendar.

CALENDAR (continued)

H.B. 17, A BILL TO BE ENTITLED AN ACT TO ALLOW THE WAYNE COUNTY BOARD OF EDUCATION TO FILL ITS OWN VACANCIES, passes its second reading and there being no objection is read a third time.

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

H.B. 67 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CHANGE THE DATE THAT MEMBERS OF THE WILSON COUNTY BOARD OF EDUCATION TAKE OFFICE, passes its second reading and there being no objection is read a third time.

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

RE-REFERRAL

On motion of Representative LaRoque, pursuant to Rule 39.2 and without objection, **H.B. 56**, A BILL TO BE ENTITLED AN ACT TO EXERCISE THE POWER OF THE GENERAL ASSEMBLY UNDER SECTION 1 OF ARTICLE VII OF THE NORTH CAROLINA CONSTITUTION TO FIX THE BOUNDARIES OF CITIES AND GIVE SUCH

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POWERS TO CITIES AS IT DEEMS ADVISABLE BY WITHDRAWING THE DELEGATION OF AUTHORITY TO THE CITY OF ROCKY MOUNT TO MAKE CERTAIN ANNEXATIONS, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Government.

Representative LaRoque moves, seconded by Representative T. Moore, that the House adjourn, subject to the receipt of Committee Reports, to reconvene February 23 at 2:00 p.m.

The motion carries.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following report from standing committee is presented:

By Representatives Holloway and Langdon, Chairs, for the Committee on Education:

H.B. 7, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CONSTITUENT INSTITUTIONS OF THE NORTH CAROLINA COMMUNITY COLLEGE SYSTEM MAY OPT OUT OF PARTICIPATION IN THE WILLIAM D. FORD FEDERAL DIRECT LOAN PROGRAM, 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 serial referral to the Committee on Finance is stricken.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of February 23. The original bill is placed on the Unfavorable Calendar.

The House stands adjourned at 4:10 p.m.

SEVENTEENTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, February 23, 2011

February 23, 2011

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 Representative Larry Bell:

"Our Father and our God:

"We thank You for this day and for all of the blessings of this life. We have gathered here once again in this Chamber to serve our constituents who have entrusted us to work for their interest and well-being.

"Please endow us with more wisdom, knowledge and understanding so that we may better perform our duties and carry out our many responsibilities in ways that will be pleasing to You. We pray that You will continue to enlighten us with Your Spirit. Guide our thoughts and control our lives, so that we may always be a servant to You and all mankind. Amen."

Representative T. Moore, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of February 22 has been examined and found correct. Upon his motion, the Journal is approved as written.

A leave of absence is granted Representative Rhyne for today.

ENROLLED BILLS

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

H.B. 2 AN ACT TO PROTECT THE FREEDOM TO CHOOSE HEALTH CARE AND HEALTH INSURANCE.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Current, Dollar, and Hollo, Chairs, for the Committee on Health and Human Services:

S.B. 7, A BILL TO BE ENTITLED AN ACT TO ADD MEPHEDRONE TO THE LIST OF CONTROLLED SUBSTANCES WHICH MAKES THE UNLAWFUL POSSESSION, MANUFACTURE, SALE, OR DELIVERY OF MEPHEDRONE A CRIMINAL OFFENSE, 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 Judiciary Subcommittee B.

February 23, 2011

The House committee substitute bill is re-referred to Judiciary Subcommittee B. The original bill is placed on the Unfavorable Calendar.

By Representatives Howard, Folwell, Setzer, and Starnes, Chairs, for the Committee on Finance:

H.B. 123, A BILL TO BE ENTITLED AN ACT TO REVISE THE BUSINESS ENTITY OWNERSHIP REQUIREMENTS OF LAND AT PRESENT-USE VALUE, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of February 24.

S.B. 55 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE EFFICIENCY OF PROPERTY TAX APPEALS IN MECKLENBURG COUNTY, with a favorable report.

On motion of Representative T. Moore and without objection, the bill is placed on today's Calendar.

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representatives Adams, Brandon, and Hall (Primary Sponsors); K. Alexander, M. Alexander, Cotham, Faison, Fisher, Floyd, Glazier, Graham, Hamilton, Harrison, Insko, Jeffus, Lucas, McLawhorn, Mobley, R. Moore, Parfitt, Parmon, Pierce, Ross, Weiss, Womble, and Wray:

H.B. 157, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE STUDENT MEMBER OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA SHALL HAVE THE SAME RIGHT TO VOTE AS ALL OTHER MEMBERS, is referred to the Committee on Education.

By Representatives Rhyne and Killian (Primary Sponsors); Bradley, R. Brown, Cook, Dixon, Faircloth, Ingle, Jones, Pridgen, Randleman, Sager, Sanderson, Stone, and H. Warren:

H.B. 158, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO LIMIT MEMBERS OF THE GENERAL ASSEMBLY TO FOUR CONSECUTIVE TERMS IN A HOUSE, is referred to the Committee on Rules, Calendar, and Operations of the House.

February 23, 2011

By Representatives Goodman and Hall (Primary Sponsors); Cook, Faison, Graham, Harrison, Hill, Horn, McLawhorn, Parfitt, and Pierce:

H.B. 159, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO MAKE A NOTATION ON A NORTH CAROLINA DRIVERS LICENSE SHOWING A LICENSE HOLDER'S MILITARY VETERAN STATUS, is referred to the Committee on Transportation.

By Representatives Dollar, Justice, Howard, and Stevens (Primary Sponsors); M. Alexander, Avila, L. Brown, Cotham, Current, Dockham, Faircloth, Faison, Fisher, Folwell, Gill, Hamilton, Harrison, Hastings, Hill, Hollo, Hurley, Johnson, Jordan, McLawhorn, Moffitt, R. Moore, T. Moore, Parfitt, Parmon, Pierce, Randleman, Samuelson, Shepard, H. Warren, and West:

H.B. 160, A BILL TO BE ENTITLED AN ACT TO PROVIDE SPACE ON THE INCOME TAX RETURN FOR INDIVIDUALS TO MAKE DONATIONS FOR EARLY DETECTION OF BREAST AND CERVICAL CANCER AS PROVIDED BY THE BREAST AND CERVICAL CANCER CONTROL PROGRAM, is referred to the Committee on Health and Human Services and, if favorable, to the Committee on Finance.

By Representatives Dollar, Blackwell, Hurley, and Blust (Primary Sponsors); L. Brown, Cleveland, Folwell, Killian, McGee, Mills, Randleman, Sager, Shepard, Stam, Starnes, and H. Warren:

H.B. 161, A BILL TO BE ENTITLED AN ACT TO TRANSFER THE NORTH CAROLINA STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES TO THE DEPARTMENT OF STATE TREASURER, is referred to the Committee on Insurance and, if favorable, to the Committee on Appropriations.

By Representatives Langdon, Dixon, McCormick, and Spear (Primary Sponsors); Bradley, L. Brown, Cleveland, Cook, Dockham, Faison, Folwell, Frye, Gillespie, Hill, Jordan, McGee, Moffitt, Randleman, Sanderson, Shepard, and H. Warren:

H.B. 162, A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN ACTIVITIES RELATED TO SMALL-SCALE PROCESSING OF AGRICULTURAL PRODUCTS FROM WASTEWATER PERMIT REQUIREMENTS, is referred to the Committee on Agriculture.

February 23, 2011

By Representatives Insko and Hackney:

H.B. 163, A BILL TO BE ENTITLED AN ACT TO REPEAL A LOCAL ACT CONCERNING FINANCIAL DISCLOSURE BY MEMBERS OF THE BOARD OF COMMISSIONERS OF ORANGE COUNTY SINCE A GENERAL LAW NOW PROVIDES FOR AN ETHICS POLICY, is referred to the Committee on Government.

SPECIAL MESSAGE FROM THE SENATE

**2011 GENERAL ASSEMBLY
FIRST SESSION 2011**

February 22, 2011

Ms. Denise Weeks
Principal Clerk of the House of Representatives
Room 2319, Legislative Building
Raleigh, NC 27601

Dear Ms. Weeks:

Senate Bill 13, AN ACT TO ENACT THE BALANCED BUDGET ACT OF 2011, was vetoed by Beverly E. Perdue on February 22, 2011, and was returned to the Senate with the attached veto message.

Sincerely,
S/ Janet Pruitt
Principal Clerk of the Senate

**STATE OF NORTH CAROLINA
OFFICE OF THE GOVERNOR**
20301 Mail Service Center • Raleigh, NC 27699-0301

Beverly Eaves Perdue
Governor

February 22, 2011

GOVERNOR'S OBJECTIONS AND VETO MESSAGE

Senate Bill 13, "An Act to Enact the Balanced Budget Act of 2011."

Section 2 of Senate Bill 13, "An Act to Enact the Balanced Budget Act of 2011," was designed to grant authority to the Governor to reduce expenditures for the remainder of fiscal year 2010-11. This bill provides

February 23, 2011

that the Director of the Budget shall exercise these powers with a goal of reducing recurring expenditures by at least four hundred million dollars (\$400,000,000).

I have already used powers granted to me through existing statutes to reduce expenditures by at least \$400,000,000 for fiscal year 2010-11. This \$400,000,000 has been accounted for in my 2011-13 recommended budget presented to the General Assembly on February 17, 2011.

The remaining sections are not necessary and interfere with the State's capacity to generate jobs and retain industry.

Therefore, I veto this bill.

S/ Beverly E. Perdue

This bill, having been vetoed, is returned to the Clerk of the North Carolina Senate on this 22nd day of February, 2011, at 3:05 pm for reconsideration by that body.

CALENDAR

Action is taken on the following:

H.B. 7 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CONSTITUENT INSTITUTIONS OF THE NORTH CAROLINA COMMUNITY COLLEGE SYSTEM MAY OPT OUT OF PARTICIPATION IN THE WILLIAM D. FORD FEDERAL DIRECT LOAN PROGRAM.

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

H.B. 29 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE RETRIEVAL OF KILLED OR WOUNDED BIG GAME USING A SINGLE DOG ON A LEASH.

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

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

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

H.B. 60, A BILL TO BE ENTITLED AN ACT TO EXTEND THE TASK FORCE DEVELOPING GUIDELINES FOR CONSUMERS TO USE WHEN PURCHASING A HEARING AID, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING, 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.

S.B. 55 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE EFFICIENCY OF PROPERTY TAX APPEALS IN MECKLENBURG COUNTY, passes its second reading, and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

RE-REFERRALS

On motion of Representative LaRoque, pursuant to Rule 39.2 and without objection, **H.B. 63**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT NO BUSINESS, COMMERCIAL ENTERPRISE, OR EMPLOYER SHALL PROHIBIT THE TRANSPORTATION OR STORAGE OF A FIREARM OR AMMUNITION WHEN THE FIREARM AND AMMUNITION ARE LOCKED OUT OF SIGHT IN A MOTOR VEHICLE, TO PROVIDE THAT A BUSINESS, COMMERCIAL ENTERPRISE, OR EMPLOYER IS LIABLE TO ANYONE INJURED AS A RESULT OF AN UNLAWFUL PROHIBITION, TO PROVIDE THAT A PERSON MAY BRING A CIVIL ACTION TO ENFORCE THE RIGHT TO TRANSPORT AND STORE A FIREARM AND AMMUNITION IN A LOCKED MOTOR VEHICLE ON THE PROPERTY OF A BUSINESS, COMMERCIAL ENTERPRISE, OR EMPLOYER, AND TO PROVIDE THAT A BUSINESS, COMMERCIAL ENTERPRISE, OR EMPLOYER IS NOT CIVILLY LIABLE FOR DAMAGES RESULTING FROM ANOTHER PERSON'S ACTIONS INVOLVING A FIREARM TRANSPORTED OR STORED IN A LOCKED VEHICLE IN A MANNER THAT COMPLIES WITH STATE LAW, is withdrawn from Judiciary Subcommittee B and re-referred to Judiciary Subcommittee A.

On motion of Representative LaRoque, pursuant to Rule 39.2 and without objection, **H.B. 111**, A BILL TO BE ENTITLED AN ACT TO ALLOW PERSONS WITH CONCEALED HANDGUN PERMITS TO

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PROTECT THEMSELVES AND THEIR FAMILIES IN RESTAURANTS AND TO ALLOW A CONCEALED HANDGUN PERMITTEE TO CARRY A HANDGUN IN A PARK, is withdrawn from Judiciary Subcommittee B and re-referred to Judiciary Subcommittee A.

On motion of Representative LaRoque, seconded by Representative McLawhorn, the House adjourns at 2:26 p.m. to reconvene February 24 at 1:00 p.m.

EIGHTEENTH DAY

HOUSE OF REPRESENTATIVES
Thursday, February 24, 2011

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

Prayer is offered by Representative Marcus Brandon.

Representative T. Moore, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of February 23 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Insko, McLawhorn, and Setzer for today.

ENROLLED BILLS

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

S.B. 55, AN ACT TO INCREASE THE EFFICIENCY OF PROPERTY TAX APPEALS IN MECKLENBURG COUNTY.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

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

February 24, 2011

By Representatives McElraft, Samuelson, and West, Chairs, for the Committee on Environment:

H.B. 62, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE RULE TO CHANGE THE WATER QUALITY CLASSIFICATION OF BOYLSTON CREEK FROM BECOMING EFFECTIVE, with a favorable report.

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

By Representatives Howard, Folwell, Setzer, and Starnes, Chairs, for the Committee on Finance:

H.B. 5 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXERCISE THE POWER OF THE GENERAL ASSEMBLY UNDER SECTION 1 OF ARTICLE VII OF THE NORTH CAROLINA CONSTITUTION TO FIX THE BOUNDARIES OF CITIES AND GIVE SUCH POWERS TO CITIES AS IT DEEMS ADVISABLE, BY WITHDRAWING THE DELEGATION OF AUTHORITY TO THE CITY OF KINSTON TO MAKE A CERTAIN ANNEXATION, with a favorable report.

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

H.B. 37 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXERCISE THE POWER OF THE GENERAL ASSEMBLY UNDER SECTION 1 OF ARTICLE VII OF THE NORTH CAROLINA CONSTITUTION TO FIX THE BOUNDARIES OF CITIES AND GIVE SUCH POWERS TO CITIES AS IT DEEMS ADVISABLE BY WITHDRAWING THE DELEGATION OF AUTHORITY TO THE CITY OF LEXINGTON TO MAKE CERTAIN ANNEXATIONS, with a favorable report.

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

H.B. 124, A BILL TO BE ENTITLED AN ACT TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

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

By Representative Stevens, Chair, for Judiciary Subcommittee B, with approval of standing committee Chair for report to be made directly to the floor of the House:

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H.B. 49, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PUNISHMENT FOR DWI OFFENDERS WITH THREE OR MORE GROSSLY AGGRAVATING FACTORS, TO AUTHORIZE THE COURT TO REQUIRE CONTINUOUS ALCOHOL MONITORING FOR CERTAIN OFFENDERS, AND TO INCREASE THE COURT COSTS FOR DWI OFFENDERS, 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. 55, A BILL TO BE ENTITLED AN ACT TO ALLOW RELIEF FROM A CHILD SUPPORT ORDER WHEN THE OBLIGOR IS NOT THE CHILD'S FATHER, with a favorable report as to the committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of February 28. The original bill is placed on the Unfavorable Calendar.

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representatives Randleman, Hurley, Spear, and Jordan (Primary Sponsors):

H.B. 164, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT THE NOTICE OF SALE AND THE NOTICE FILED BY AN UPSET BIDDER IN A FORECLOSURE PROCEEDING INCLUDE AN EXPLANATION OF THE EFFECT OF A BANKRUPTCY PETITION THAT IS FILED DURING THE TEN-DAY UPSET BID PERIOD, is referred to Judiciary Subcommittee A.

By Representatives McGee, Weiss, Earle, and Howard (Primary Sponsors); L. Brown, Cleveland, Hall, Harrison, Luebke, McCormick, R. Moore, Murry, Parmon, and H. Warren:

H.B. 165, A BILL TO BE ENTITLED AN ACT TO AMEND THE PLANNED COMMUNITY ACT AND THE CONDOMINIUM ACT TO ADD OR ENHANCE CONSUMER PROTECTION PROVISIONS, INCLUDING

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PROVISIONS RELATED TO DISCRETION IN ENFORCEMENT BY HOMEOWNERS ASSOCIATIONS, PROCESSES REQUIRED FOR IMPOSITION OF SPECIAL ASSESSMENTS, OPEN MEETINGS, RECORD KEEPING, USE OF ALTERNATIVE DISPUTE RESOLUTION, ADDITIONAL LIMITATIONS ON FORECLOSURE, DECLARANT CONTROL, AND DISCLOSURE OF INFORMATION ABOUT HOMEOWNERS ASSOCIATIONS TO POTENTIAL PURCHASERS, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON HOMEOWNERS ASSOCIATIONS, is referred to Judiciary Subcommittee A.

By Representatives McGee, Folwell, Killian, and Spear (Primary Sponsors); Cleveland, Collins, Cook, Current, Faison, Frye, Hager, Harrison, Hastings, Hill, Hollo, Horn, Ingle, Jordan, Langdon, Martin, McComas, Moffitt, T. Moore, Parmon, Samuelson, Shepard, Torbett, and H. Warren:

H.B. 166, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO PRODUCE A MOTORCYCLE PLATE FOR PURPLE HEART RECIPIENTS, is referred to the Committee on Transportation and, if favorable, to the Committee on Finance.

By Representatives Iler and Hill (Primary Sponsors); and McCormick:

H.B. 167, A BILL TO BE ENTITLED AN ACT TO EXTEND THE PERIOD FOR LOCAL GOVERNMENTS TO REFUND SPECIFIED UNUSED ASSESSMENTS, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

By Representatives Sanderson, Cleveland, and Hill (Primary Sponsors); L. Brown, Faison, Frye, Jones, Jordan, McCormick, McGee, Torbett, and H. Warren:

H.B. 168, A BILL TO BE ENTITLED AN ACT PROVIDING A ZONING EXEMPTION FOR ANY AGRICULTURAL INTEREST ANNEXED BY A MUNICIPALITY AND EXEMPTING COVERAGE OF ANY AGRICULTURAL INTEREST IN THE EXTRATERRITORIAL PLANNING JURISDICTION OF A MUNICIPALITY, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

By Representatives Jeffus, Faircloth, Brandon, and Blust (Primary Sponsors); M. Alexander, L. Brown, R. Brown, Dockham, and McLawhorn:

H.B. 169, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE HIGH POINT MARKET, is referred to the Committee on Appropriations.

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By Representatives L. Brown and McGee:

H.B. 170, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF WINSTON-SALEM REGARDING MEETINGS OF THE CITY COUNCIL, is referred to the Committee on Government.

By Representatives L. Brown, Cleveland, McCormick, McGee, and Moffitt:

H.B. 171, A BILL TO BE ENTITLED AN ACT TO RESTATE THAT A MUNICIPALITY HAS NO AUTHORITY TO PETITION ITSELF FOR SELF-ANNEXATION OF PROPERTY IT DOES NOT OWN OR HAVE ANY LEGAL INTEREST IN, SUCH AS STATE-MAINTAINED STREETS, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

By Representatives Killian, McElraft, and Horn (Primary Sponsors); Floyd, Harrison, Hill, Ingle, McGee, and H. Warren:

H.B. 172, A BILL TO BE ENTITLED AN ACT TO ENCOURAGE STATE AND LOCAL GOVERNMENT TO USE MILITARY VETERAN CONTRACTORS, is referred to the Committee on Homeland Security, Military, and Veterans Affairs and, if favorable, to the Committee on Government.

By Representatives Shepard, Hamilton, Harrison, and Justice:

H.B. 173, A BILL TO BE ENTITLED AN ACT TO MAKE THE SNEADS FERRY SHRIMP FESTIVAL THE OFFICIAL STATE SHRIMP FESTIVAL, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives McCormick, Gibson, Daughtry, and Murry (Primary Sponsors); K. Alexander, Boles, L. Brown, R. Brown, Crawford, Faircloth, Howard, Ingle, LaRoque, Samuelson, and Spear:

H.B. 174, A BILL TO BE ENTITLED AN ACT TO ENACT THE COMMERCIAL REAL ESTATE BROKER LIEN ACT, is referred to the Committee on Commerce and Job Development and, if favorable, to Judiciary Subcommittee A.

By Representatives Burr, Folwell, Hager, and Rapp (Primary Sponsors); K. Alexander, M. Alexander, Bell, Bradley, L. Brown, Carney, Cook, Cotham, Daughtry, Faison, Fisher, Floyd, Gill, Glazier, Goodman, Hackney,

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Hollo, Horn, Ingle, Jackson, Jones, Keever, Killian, Lucas, McCormick, Mills, T. Moore, Parfitt, Pridgen, Randleman, Setzer, Steen, Stone, Torbett, H. Warren, West, Wilkins, and Wray:

H.B. 175, A BILL TO BE ENTITLED AN ACT TO AMEND THE SCHOOL CALENDAR LAW TO PUT STUDENTS FIRST AND TO RESTORE LOCAL CONTROL, is referred to the Committee on Education and, if favorable, to the Committee on Commerce and Job Development.

By Representatives McLawhorn, Ross, and Farmer-Butterfield (Primary Sponsors); M. Alexander, Bell, Hall, Harrison, Lucas, and Parfitt:

H.B. 176, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR REVIEW OF A DEFENDANT'S PARTICIPATION IN A COURT-ORDERED ABUSER TREATMENT PROGRAM, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMITTEE ON DOMESTIC VIOLENCE, is referred to Judiciary Subcommittee C.

By Representatives Samuelson and McElraft (Primary Sponsors):

H.B. 177, A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL AMENDMENTS TO VARIOUS LAWS RELATED TO THE ENVIRONMENT, ENERGY, AND NATURAL RESOURCES, is referred to the Committee on Environment.

By Representatives McLawhorn, Ross, and Ingle (Primary Sponsors); M. Alexander, Bell, Gill, Hall, Hamilton, Harrison, Lucas, Luebke, Parfitt, Parmon, Pierce, and Stevens:

H.B. 178, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA DOMESTIC VIOLENCE CENTER FUND AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMITTEE ON DOMESTIC VIOLENCE, is referred to Judiciary Subcommittee C and, if favorable, to the Committee on Appropriations.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following report from standing committee is presented:

By Representatives Cleveland and Killian, Chairs, for the Committee on Homeland Security, Military, and Veterans Affairs:

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H.B. 14, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR SIGNAGE DIRECTING TRAFFIC TO THE VIETNAM VETERANS MEMORIAL, THE BEIRUT MEMORIAL, AND THE COASTAL CAROLINA STATE VETERANS CEMETERY, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill, and recommendation that the committee substitute bill be re-referred to the Appropriations Subcommittee on Transportation.

The serial referral to the Appropriations Subcommittee on Transportation is stricken.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of February 28. The original bill is placed on the Unfavorable Calendar.

CALENDAR

Action is taken on the following:

H.B. 29 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE RETRIEVAL OF KILLED OR WOUNDED BIG GAME USING A SINGLE DOG ON A LEASH.

The bill passes its third reading, as amended, by electronic vote (113-0), and is ordered engrossed and sent to the Senate.

H.B. 123, A BILL TO BE ENTITLED AN ACT TO REVISE THE BUSINESS ENTITY OWNERSHIP REQUIREMENTS OF LAND AT PRESENT-USE VALUE, passes its second reading, by electronic vote (113-0), and there being no objection is read a third time.

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

On motion of Representative LaRoque, seconded by Representative Graham, the House adjourns at 1:19 p.m. to reconvene Monday, February 28, 2011, at 7:00 p.m.

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NINETEENTH DAY

HOUSE OF REPRESENTATIVES
Monday, February 28, 2011

The House meets at 7:00 p.m. pursuant to adjournment and is called to order by Representative Dale Folwell, Speaker Pro Tempore.

Prayer is offered by Representative Kelly Alexander.

The Chair leads the Body in the Pledge of Allegiance.

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

Leaves of absence are granted Representatives Barnhart, Brandon, Daughtry, Earle, Insko, McCormick, and McGrady for today.

CHAPTERED BILLS

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

S.B. 55, AN ACT TO INCREASE THE EFFICIENCY OF PROPERTY TAX APPEALS IN MECKLENBURG COUNTY. (S.L. 2011-1)

**REPORTS OF STANDING COMMITTEES AND PERMANENT
SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representatives McElraft, Samuelson, and West, Chairs, for the Committee on Environment:

H.B. 103, A BILL TO BE ENTITLED AN ACT TO CLARIFY REQUIREMENTS APPLICABLE TO NOTICE, COLLECTION, AND REMOVAL OF MINERAL OIL DISCHARGES FROM ELECTRICAL EQUIPMENT, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of March 1. The original bill is placed on the Unfavorable Calendar.

February 28, 2011

By Representatives L. Brown and Ingle, Chairs, for the Committee on Government:

H.B. 15, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF BEAUFORT TO USE PROCEEDS FROM PARKING METERS FOR THE ACQUISITION, DEVELOPMENT, AND OPERATION OF ON-STREET AND OFF-STREET PARKING FACILITIES, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of March 1.

H.B. 21, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE ADMINISTRATION OF NONPARTISAN MUNICIPAL ELECTIONS BY COUNTY BOARDS OF ELECTIONS SINCE GENERAL ABOLITION OF MUNICIPAL BOARDS OF ELECTIONS IN 2001, with a favorable report and recommendation that the bill be re-referred to the Committee on Elections.

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

H.B. 33, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ONLY IDENTIFICATIONS APPROVED BY THE STATE MAY BE USED TO DETERMINE THE RELIABILITY OF A PERSON'S IDENTIFICATION FOR GOVERNMENTAL AND LAW ENFORCEMENT PURPOSES, with a favorable report as to the committee substitute bill, unfavorable as to the original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Judiciary.

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

H.B. 96, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ALLEGHANY COUNTY TO LEVY AN ADDITIONAL THREE PERCENT ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

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

H.B. 118, A BILL TO BE ENTITLED AN ACT RELATING TO THE DAILY DEPOSIT OF COLLECTIONS AND RECEIPTS BY THE CITY OF WINSTON-SALEM, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of March 1.

February 28, 2011

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representatives Daughtry, Harrison, McGee, T. Moore, Starnes, and Torbett:

H.B. 179, A BILL TO BE ENTITLED AN ACT TO MODIFY THE EXEMPTION FOR PROPERTY USED FOR CHARITABLE PURPOSES, is referred to the Committee on Finance.

By Representatives McComas and Justice (Primary Sponsors); Moffitt, Pridgen, Starnes, and H. Warren:

H.B. 180, A BILL TO BE ENTITLED AN ACT TO EXERCISE THE POWER OF THE GENERAL ASSEMBLY UNDER SECTION 1 OF ARTICLE VII OF THE NORTH CAROLINA CONSTITUTION TO FIX THE BOUNDARIES OF CITIES AND GIVE SUCH POWERS TO CITIES AS IT DEEMS ADVISABLE, BY SUSPENDING THE DELEGATION OF AUTHORITY TO THE CITY OF WILMINGTON TO MAKE A CERTAIN ANNEXATION, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

By Representatives Glazier, Cotham, Fisher, Harrison, Keever, Mobley, Parfitt, Rapp, and Weiss:

H.B. 181, A BILL TO BE ENTITLED AN ACT TO ADD THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION TO THE ECONOMIC DEVELOPMENT BOARD, AS RECOMMENDED BY THE JOINT LEGISLATIVE JOINING OUR BUSINESSES AND SCHOOLS (JOBS) STUDY COMMISSION, is referred to the Committee on Commerce and Job Development.

By Representatives Starnes, Howard, Jordan, and Setzer (Primary Sponsors); and H. Warren:

H.B. 182, A BILL TO BE ENTITLED AN ACT TO CLARIFY WHEN THE DEPARTMENT OF REVENUE IS REQUIRED TO INITIATE A REFUND OF AN OVERPAYMENT OF TAX AND TO AUTHORIZE THE ISSUANCE OF REFUNDS OF OVERPAYMENTS THAT HAVE BEEN IDENTIFIED BY THE DEPARTMENT CONSISTENT WITH THIS CLARIFICATION, is referred to the Committee on Finance.

February 28, 2011

By Representatives R. Moore, Bryant, Hamilton, and Gill (Primary Sponsors); K. Alexander, Bradley, Brandon, Faison, Hall, Harrison, Luebke, and Wray:

H.B. 183, A BILL TO BE ENTITLED AN ACT PROHIBITING A HOMEOWNERS ASSOCIATION FROM FORECLOSING ON PROPERTY WHERE THE DEBT SECURING THE ASSOCIATION ASSESSMENT LIEN CONSISTS SOLELY OF UNPAID HOMEOWNERS ASSOCIATION DUES OR OTHER COSTS ASSOCIATED WITH UNPAID HOMEOWNERS ASSOCIATION DUES, is referred to Judiciary Subcommittee A.

By Representatives LaRoque, Folwell, Hastings, Hilton, Iler, Pridgen, and Wray:

H.B. 184, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PERSON ELECTED TO A PUBLIC OFFICE IN NORTH CAROLINA OR APPOINTED TO FILL A VACANCY IN ONE OF THOSE OFFICES WHO HAS A CONCEALED HANDGUN PERMIT MAY CARRY A CONCEALED HANDGUN AND MAY CARRY A POCKET KNIFE ANYWHERE IN THE STATE WHILE HOLDING THAT OFFICE, UNLESS OTHERWISE PROHIBITED BY FEDERAL LAW, is referred to Judiciary Subcommittee A.

By Representatives Randleman, Bradley, McGrady, T. Moore, and Starnes:

H.B. 185, A BILL TO BE ENTITLED AN ACT AUTHORIZING LOCAL BOARDS OF EDUCATION TO ADOPT CONSOLIDATED CALENDARS, is referred to the Committee on Education.

By Representatives Moffitt, Fisher, Harrison, McGrady, Murry, Rapp, Stone, and Torbett:

H.R. 186, A HOUSE RESOLUTION CREATING A HOUSE SELECT COMMITTEE TO INVESTIGATE THE HANDLING OF THE CTS CONTAMINATION SITE IN BUNCOMBE COUNTY BY THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Hurley, Faircloth, and Randleman (Primary Sponsors); Cleveland, Ingle, McComas, and Pridgen:

February 28, 2011

H.B. 187, A BILL TO BE ENTITLED AN ACT TO DIRECT THE GASOLINE AND OIL INSPECTION BOARD TO ADOPT RULES RELATED TO THE LABELING OF DISPENSING PUMPS AND OTHER DISPENSING DEVICES THAT OFFER ETHANOL-BLENDED GASOLINE FOR RETAIL SALE IN NORTH CAROLINA, is referred to the Committee on Commerce and Job Development.

By Representatives Blust, Killian, Holloway, and Dollar (Primary Sponsors); Avila, Bradley, L. Brown, R. Brown, Brubaker, Burr, Cleveland, Current, Dixon, Folwell, Frye, Gillespie, Hager, Hastings, Hilton, Hollo, Howard, Hurley, Iler, Jones, Jordan, McElraft, McGee, Mills, Moffitt, T. Moore, Randleman, Rhyne, Sanderson, Setzer, Shepard, Starnes, Stevens, Stone, Torbett, H. Warren, and West:

H.B. 188, A BILL TO BE ENTITLED AN ACT TO PROVIDE GOVERNMENTAL ACCOUNTABILITY AND PROTECTION TO THE TAXPAYERS BY LIMITING INCREASES IN THE GENERAL FUND BUDGET, TO REFORM THE BUDGET PROCESS, TO ESTABLISH AN EMERGENCY RESERVE TRUST FUND, AND TO AMEND THE NORTH CAROLINA CONSTITUTION TO ESTABLISH A GENERAL FUND EXPENDITURE LIMIT, is referred to the Committee on Judiciary.

By Representatives Hamilton, Harrison, Iler, and Keever (Primary Sponsors); McComas, McGee, Starnes, and H. Warren:

H.B. 189, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT COMPLIANCE WITH THE STATE'S TAX LAWS IS A CONDITION OF HOLDING AN ABC PERMIT AND THAT AN ABC PERMIT MAY BE REVOKED FOR FAILURE TO TIMELY FILE A TAX RETURN OR PAY AN OVERDUE TAX DEBT, is referred to the Committee on Commerce and Job Development.

By Representative Ross:

H.B. 190, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE GENERAL STATUTES AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is referred to the Committee on Rules, Calendar, and Operations of the House.

MESSAGES FROM THE SENATE

The following are received from the Senate:

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S.B. 68, A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING AND FISHING ON THE PROPERTY OF ANOTHER WITHOUT WRITTEN PERMISSION IN ROBESON COUNTY, is read the first time and referred to the Committee on Government.

S.J.R. 88, A JOINT RESOLUTION SETTING THE DATE FOR THE HOUSE OF REPRESENTATIVES AND THE SENATE TO ELECT MEMBERS TO THE STATE BOARD OF COMMUNITY COLLEGES, is read the first time.

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

CALENDAR

Action is taken on the following:

H.B. 14 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE SIGNAGE DIRECTING TRAFFIC TO THE VIETNAM VETERANS MEMORIAL, THE BEIRUT MEMORIAL, AND THE COASTAL CAROLINA STATE VETERANS CEMETERY.

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

H.B. 55 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW RELIEF FROM A CHILD SUPPORT ORDER WHEN THE OBLIGOR IS NOT THE CHILD'S FATHER.

Representative Stevens offers Amendment No. 1 which is adopted by electronic vote (110-0).

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

The bill, as amended, passes its second reading by electronic vote (111-0).

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

S.J.R. 88, A JOINT RESOLUTION SETTING THE DATE FOR THE HOUSE OF REPRESENTATIVES AND THE SENATE TO ELECT MEMBERS TO THE STATE BOARD OF COMMUNITY COLLEGES, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

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Representative Bryant requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (111-0).

The resolution passes its third reading and is ordered enrolled.

INTRODUCTION OF PAGES

Pages for the week of February 28 are introduced to the membership. They are: Aqueelah Beyah of Wake; Kyle Brown of Wake; Madison Bryant of Wayne; Julia Chavis of Wake; Owen Essen of Chatham; Jonathan Farb of Orange; Emily Hackett of Columbus; Jennifer Ham of Onslow; Christopher Haskins of Cumberland; Lauren Lynn of Columbus; Addison McLamb of Davidson; Jabari Rogers of Orange; and Sarah Woodlief of Nash.

APPOINTMENTS BY THE SPEAKER

Pursuant to Rule 26, the Speaker makes the following appointments to the Joint Legislative Program Evaluation Oversight Committee: Representative Howard, Chair; Representatives Starnes, LaRoque, Lewis, Randleman, Holloway, Carney, Farmer-Butterfield, and Lucas.

On motion of Representative LaRoque, seconded by Representative Holloway, the House adjourns at 7:22 p.m. to reconvene March 1 at 2:00 p.m.

TWENTIETH DAY

HOUSE OF REPRESENTATIVES
Tuesday, March 1, 2011

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 Representative Alice Bordsen:

"Almighty God:

"We are quite bold to come before You asking for Your divine guidance given the simple fact that everything You created and called, 'good', we have found a way to destroy. You created the earth for us to enjoy; and we have enjoyed it to the point where we endanger it. You gave us the beasts

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of the fields and the birds of the air to name, and we have named many into extinction while endangering countless others. You gave us each other to befriend and to enjoy; and we have even created divisions amongst ourselves...division that brings war, open hostility and argumentative debate. Yes indeed, Lord, we are quite bold to come before You. But...we come, anyway. And, we come because even in spite of our frailties and failures, You beckon us to come. Thus, it is right and good that we seek Thee and beseech Thy endless mercy. May it be granted unto us, we humbly pray. Amen."

Book of Prayers - June 6, 2005
By James Harry, House Chaplain

Representative T. Moore, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of February 28 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Daughtry, Lewis, McGrady, and R. Moore for today.

ENROLLED BILLS

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

S.J.R. 88, A JOINT RESOLUTION SETTING THE DATE FOR THE HOUSE OF REPRESENTATIVES AND THE SENATE TO ELECT MEMBERS TO THE STATE BOARD OF COMMUNITY COLLEGES. (RESOLUTION 2011-3)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following report from standing committee is presented:

By Representatives Iler and Mills, Chairs, for the Committee on Transportation:

H.B. 113, A BILL TO BE ENTITLED AN ACT TO CREATE ADDITIONAL PROTECTIONS FOR MOTORCYCLISTS FROM UNSAFE MOVEMENTS BY OTHER VEHICLES, with a favorable report.

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

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INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representatives Parfitt, Lucas, Floyd, and Glazier (Primary Sponsors); Dollar, Harrison, Jones, Jordan, and H. Warren.

H.R. 191, A HOUSE RESOLUTION HONORING THE MARQUIS DE LAFAYETTE, FOR WHOM THE CITY OF FAYETTEVILLE IS NAMED.

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

By Representatives Brandon and Adams (Primary Sponsors); and Harrison:

H.B. 192, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF GREENSBORO TO PROVIDE THAT THE CITY SHALL COLLECT PAST-DUE CHARGES FOR UTILITY SERVICES OWED BY A TENANT WHO IS LIABLE FOR THE CHARGES IN THE MANNER PROVIDED BY GENERAL LAW INSTEAD OF PLACING A LIEN UPON THE RENTAL PROPERTY, is referred to the Committee on Government.

By Representative Justice:

H.B. 193, A BILL TO BE ENTITLED AN ACT TO ALLOW RECALL OF OFFICERS OF THE TOWN OF TOPSAIL BEACH, is referred to the Committee on Government.

By Representative Justice:

H.B. 194, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE TOWN OF TOPSAIL BEACH TO CLARIFY WHEN THE TERMS OF THE MAYOR AND MEMBERS OF THE BOARD OF COMMISSIONERS COMMENCE AND TO PROVIDE THAT THE MAYOR SHALL VOTE ONLY IN THE CASE OF A TIE, is referred to the Committee on Government.

By Representatives McCormick, Hill, Dixon, and Brubaker (Primary Sponsors); Avila, Bradley, Faircloth, Hurley, Jones, Jordan, Setzer, Starnes, Torbett, and West:

H.B. 195, A BILL TO BE ENTITLED AN ACT TO EXEMPT FARMS FROM THE EXTRATERRITORIAL JURISDICTION OF MUNICIPALITIES, TO CLARIFY THE DEFINITION OF "BONA FIDE FARM," AND

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TO PROHIBIT THE ANNEXATION OF FARMS, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

By Representatives Sager and LaRoque (Primary Sponsors):

H.B. 196, A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF GOLDSBORO, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

By Representatives Frye, Jordan, Rapp, and West (Primary Sponsors); Carney, Current, Dixon, Ingle, Jones, McGrady, and Moffitt:

H.B. 197, A BILL TO BE ENTITLED AN ACT TO GIVE CERTAIN LOCAL BOARDS OF EDUCATION ADDITIONAL FLEXIBILITY WITH REGARD TO INSTRUCTIONAL TIME LOST DUE TO INCLEMENT WEATHER, is referred to the Committee on Education.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 8 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE EDUCATIONAL OPPORTUNITIES FOR THE CHILDREN OF NORTH CAROLINA BY REMOVING THE CAP ON CHARTER SCHOOLS; AND BY CREATING A NEW PUBLIC CHARTER SCHOOLS COMMISSION TO APPROVE AND MONITOR CHARTER SCHOOLS; AND BY STRENGTHENING THE STANDARDS FOR GRANTING AND RETAINING A CHARTER FOR A CHARTER SCHOOL; AND BY AUTHORIZING LOCAL BOARDS OF EDUCATION TO CONVERT SCHOOLS TO CHARTER SCHOOLS WITHOUT FORMING A NON-PROFIT CORPORATION; AND BY CLARIFYING THE FUNDING FORMULA FOR CHARTER SCHOOLS; AND BY PROVIDING THAT COUNTIES MAY PROVIDE FUNDING FOR CHARTER SCHOOLS IN THEIR JURISDICTIONS; AND TO MAKE OTHER CHANGES TO THE STATUTES GOVERNING CHARTER SCHOOLS, is read the first time and referred to the Committee on Education and, if favorable, to the Committee on Finance.

S.B. 20 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGULATING PROPRIETARY SCHOOLS, is read the first time and referred to the Committee on Education.

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S.B. 58, A BILL TO BE ENTITLED AN ACT MODIFYING THE FMAP CUTS IN THE 2010-2011 STATE BUDGET AND AUTHORIZING THE GOVERNOR TO ADDRESS MEDICAID LIABILITIES INCURRED IN THE 2009-2010 FISCAL YEAR, is read the first time and referred to the Committee on Appropriations.

S.B. 76 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND CLARIFYING CHANGES TO THE INDUSTRIAL FACILITIES SALES TAX REFUND, A TECHNICAL CORRECTION TO THE MEMBERSHIP COUNT OF THE UWHARRIE COMMISSION, TO PROVIDE INTEREST ON OVERPAYMENT OF PROPERTY TAX, AND TO PROVIDE DELAY OF THE COLLECTION OF PROPERTY TAX PENDING APPEAL, is read the first time and referred to the Committee on Finance.

S.B. 97, A BILL TO BE ENTITLED AN ACT TO CLARIFY WHEN THE DEPARTMENT OF REVENUE IS REQUIRED TO INITIATE A REFUND OF AN OVERPAYMENT OF TAX AND TO AUTHORIZE THE ISSUANCE OF REFUNDS OF OVERPAYMENTS THAT HAVE BEEN IDENTIFIED BY THE DEPARTMENT CONSISTENT WITH THIS CLARIFICATION, is read the first time and referred to the Committee on Finance.

S.B. 99, A BILL TO BE ENTITLED AN ACT TO EXPEDITE THE ANALYSIS OF THE TAX STRUCTURE FOR UNEMPLOYMENT INSURANCE IN NORTH CAROLINA GIVEN THE SUBSTANTIAL NEGATIVE BALANCE IN THE STATE'S UNEMPLOYMENT INSURANCE TRUST FUND AND THE SUBSTANTIAL FEDERAL LOAN BALANCE OWED BY THE STATE FOR PAYMENT OF UNEMPLOYMENT INSURANCE BENEFITS, is read the first time and referred to the Committee on Finance.

CALENDAR

Action is taken on the following:

H.R. 191, A HOUSE RESOLUTION HONORING THE MARQUIS DE LAFAYETTE, FOR WHOM THE CITY OF FAYETTEVILLE IS NAMED.

The resolution is adopted, by electronic vote (116-0), and ordered printed.

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

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H.B. 5 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXERCISE THE POWER OF THE GENERAL ASSEMBLY UNDER SECTION 1 OF ARTICLE VII OF THE NORTH CAROLINA CONSTITUTION TO FIX THE BOUNDARIES OF CITIES AND GIVE SUCH POWERS TO CITIES AS IT DEEMS ADVISABLE, BY WITHDRAWING THE DELEGATION OF AUTHORITY TO THE CITY OF KINSTON TO MAKE A CERTAIN ANNEXATION, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Avila, Barnhart, Blackwell, Blust, Boles, Bradley, Brawley, Brisson, L. Brown, R. Brown, Brubaker, Burr, Cleveland, Collins, Cook, Crawford, Current, Dixon, Dockham, Dollar, Faircloth, Faison, Floyd, Folwell, Frye, Gillespie, Guice, Hager, Hastings, Hill, Hilton, Hollo, Holloway, Horn, Howard, Hurley, Iler, Ingle, Johnson, Jones, Jordan, Justice, Killian, LaRoque, McComas, McCormick, McElraft, McGee, Mills, Moffitt, T. Moore, Murry, Pridgen, Randleman, Sager, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Torbett, H. Warren, and West - 68.

Voting in the negative: Representatives Adams, K. Alexander, M. Alexander, Bell, Bordsen, Brandon, Bryant, Carney, Cotham, Earle, Farmer-Butterfield, Fisher, Gibson, Gill, Glazier, Goodman, Graham, Hackney, Haire, Hall, Hamilton, Harrison, Insko, Jackson, Jeffus, Kever, Langdon, Lucas, Luebke, Martin, McLawhorn, Michaux, Mobley, Owens, Parfitt, Parmon, Pierce, Rapp, Ross, Tolson, Wainwright, E. Warren, Weiss, Wilkins, Womble, and Wray - 46.

Excused absences: Representatives Daughtry, Lewis, McGrady, and R. Moore - 4.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following report from standing committee is presented:

By Representatives Current, Dollar, and Hollo, Chairs, for the Committee on Finance:

H.B. 160, A BILL TO BE ENTITLED AN ACT TO PROVIDE SPACE ON THE INCOME TAX RETURN FOR INDIVIDUALS TO MAKE DONATIONS FOR EARLY DETECTION OF BREAST AND CERVICAL CANCER AS PROVIDED BY THE BREAST AND CERVICAL CANCER CONTROL PROGRAM, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

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

RE-REFERRAL

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 22**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR ADDITIONAL FLEXIBILITY FOR VANCE-GRANVILLE COMMUNITY COLLEGE BOND FUNDS, is withdrawn from the Committee on Finance and re-referred to the Committee on Appropriations.

CALENDAR (continued)

H.B. 15, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF BEAUFORT TO USE PROCEEDS FROM PARKING METERS FOR THE ACQUISITION, DEVELOPMENT, AND OPERATION OF ON-STREET AND OFF-STREET PARKING FACILITIES.

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

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

H.B. 37 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXERCISE THE POWER OF THE GENERAL ASSEMBLY UNDER SECTION 1 OF ARTICLE VII OF THE NORTH CAROLINA CONSTITUTION TO FIX THE BOUNDARIES OF CITIES AND GIVE SUCH POWERS TO CITIES AS IT DEEMS ADVISABLE BY WITHDRAWING THE DELEGATION OF AUTHORITY TO THE CITY OF LEXINGTON TO MAKE CERTAIN ANNEXATIONS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Avila, Barnhart, Blackwell, Blust, Boles, Bradley, Brawley, Brisson, L. Brown, R. Brown, Brubaker, Burr, Cleveland, Collins, Cook, Crawford, Current, Dixon, Dockham, Dollar, Faircloth, Faison, Floyd, Folwell, Frye, Gillespie, Guice, Hager, Hastings, Hilton, Hollo, Holloway, Horn, Howard, Hurley, Iler, Ingle, Johnson, Jones, Jordan, Justice, Killian, LaRoque, McComas, McCormick, McElraft, McGee, Mills, Moffitt, T. Moore, Murry, Pridgen, Randleman, Rhyne, Sager, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Torbett, H. Warren, and West - 68.

Voting in the negative: Representatives Adams, K. Alexander, M. Alexander, Bell, Bordsen, Brandon, Bryant, Carney, Cotham, Earle, Farmer-Butterfield, Fisher, Gibson, Gill, Glazier, Goodman, Graham, Hackney, Haire, Hall,

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Hamilton, Harrison, Hill, Insko, Jackson, Jeffus, Keever, Langdon, Lucas, Luebke, Martin, McLawhorn, Michaux, Mobley, Owens, Parfitt, Parmon, Pierce, Rapp, Ross, Tolson, Wainwright, E. Warren, Weiss, Wilkins, Womble, and Wray - 47.

Excused absences: Representatives Daughtry, Lewis, McGrady, and R. Moore - 4.

H.B. 118, A BILL TO BE ENTITLED AN ACT RELATING TO THE DAILY DEPOSIT OF COLLECTIONS AND RECEIPTS BY THE CITY OF WINSTON-SALEM, passes its second reading, and there being no objection is read a third time.

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

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

H.B. 124 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, M. Alexander, Avila, Barnhart, Blackwell, Blust, Boles, Bordsen, Bradley, Brandon, Brawley, Brisson, L. Brown, R. Brown, Brubaker, Bryant, Burr, Carney, Cleveland, Collins, Cook, Cotham, Crawford, Current, Dixon, Dockham, Dollar, Faircloth, Farmer-Butterfield, Fisher, Floyd, Folwell, Frye, Gibson, Gill, Gillespie, Glazier, Goodman, Graham, Guice, Hackney, Hager, Haire, Hall, Harrison, Hastings, Hill, Hilton, Hollo, Holloway, Horn, Howard, Hurley, Iler, Ingle, Insko, Jackson, Johnson, Jones, Jordan, Justice, Keever, Killian, Langdon, LaRoque, Luebke, Martin, McComas, McCormick, McElraft, McGee, Mills, Mobley, Moffitt, T. Moore, Murry, Owens, Parfitt, Pierce, Pridgen, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Torbett, H. Warren, Weiss, West, Womble, and Wray - 101.

Voting in the negative: Representatives K. Alexander, Bell, Earle, Faison, Hamilton, Jeffus, Lucas, McLawhorn, Michaux, Parmon, Tolson, Wainwright, E. Warren, and Wilkins - 14.

Excused absences: Representatives Daughtry, Lewis, McGrady, and R. Moore - 4.

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H.B. 55 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW RELIEF FROM A CHILD SUPPORT ORDER WHEN THE OBLIGOR IS NOT THE CHILD'S FATHER.

Representative Hackney offers Amendment No. 3 which is adopted by electronic vote (115-0).

The bill, as amended, passes its third reading, by electronic vote (115-0), and is ordered engrossed and sent to the Senate.

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

H.B. 62, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE RULE TO CHANGE THE WATER QUALITY CLASSIFICATION OF BOYLSTON CREEK FROM BECOMING EFFECTIVE, passes its second reading, by electronic vote (68-44), and there being no objection is read a third time.

A division having been called, the bill passes its third reading, by electronic vote (69-45), and is ordered sent to the Senate.

H.B. 103 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY REQUIREMENTS APPLICABLE TO NOTICE, COLLECTION, AND REMOVAL OF MINERAL OIL DISCHARGES FROM ELECTRICAL EQUIPMENT, passes its second reading, by electronic vote (84-31), and there being no objection is read a third time.

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

APPOINTMENTS BY THE SPEAKER

Pursuant to Rule 26, the Speaker makes the following appointments to the Select Committee on University Board of Governors Nominations: Representative T. Moore, Chair; Representatives Brubaker, Dollar, Jones, Holloway, Haire, E. Warren, and Bryant.

On motion of Representative LaRoque, seconded by Representative McCormick, the House adjourns at 4:25 p.m., in memory of Charlie Mae Brown Cornelius, grandmother of Representative McCormick, to reconvene March 2 at 2:00 p.m.

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TWENTY-FIRST DAY

HOUSE OF REPRESENTATIVES
Wednesday, March 2, 2011

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

Prayer is offered by Representative Martha Alexander.

Representative T. Moore, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of March 1 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Daughtry and R. Moore for today.

Pursuant to Rule 54, the Chair grants a leave of absence to the Principal Clerk, Denise G. Weeks.

ENROLLED BILLS

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

H.B. 18, AN ACT TO CLARIFY THE EFFECTIVE DATE FOR THE LAW REGARDING THE RESTORATION OF FIREARMS RIGHTS AND THE LAW AMENDING THE FELONY FIREARMS ACT TO ALLOW CERTAIN EXCEPTIONS THAT ARE SIMILAR TO THOSE ALLOWED UNDER FEDERAL LAW, AND TO CLARIFY THAT THE INFORMATION OBTAINED PURSUANT TO A CRIMINAL RECORD CHECK OF A PETITIONER FOR THE RESTORATION OF FIREARMS RIGHTS SHALL BE KEPT CONFIDENTIAL BUT IS NOT REQUIRED TO BE KEPT IN A SEPARATE CONFIDENTIAL FILE.

**REPORTS OF STANDING COMMITTEES AND PERMANENT
SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representative Dockham, Chair, for the Committee on Insurance:

H.B. 138, A BILL TO BE ENTITLED AN ACT TO AMEND THE HEALTH INSURANCE RISK POOL STATUTES, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

March 2, 2011

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

H.B. 161, A BILL TO BE ENTITLED AN ACT TO TRANSFER THE NORTH CAROLINA STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES TO THE DEPARTMENT OF STATE TREASURER, with a favorable report as to the committee substitute bill, unfavorable as to the original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

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

By Representatives LaRoque and T. Moore, Chairs, for the Committee on Rules, Calendar, and Operations of the House:

H.B. 25, A BILL TO BE ENTITLED AN ACT DESIGNATING MARCH SIXTH OF EACH YEAR AS LYMPHEDEMA AWARENESS DAY, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of March 3.

H.R. 69, A HOUSE RESOLUTION HONORING THE LIFE AND MEMORY OF IRENE PACE HAIRSTON, FORSYTH COUNTY EDUCATOR AND CIVIC LEADER, with recommendation that it be adopted.

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

H.R. 141, A HOUSE RESOLUTION HONORING THE TOWN OF BOILING SPRINGS ON ITS CENTENNIAL CELEBRATION, with recommendation that it be adopted.

Pursuant to Rule 36(b), the resolution is placed on the Calendar of March 3.

H.B. 146, A BILL TO BE ENTITLED AN ACT DESIGNATING THE MONTH OF MARCH OF EACH YEAR AS KIDNEY MONTH IN NORTH CAROLINA, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

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

March 2, 2011

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

H.B. 129, A BILL TO BE ENTITLED AN ACT TO PROTECT JOBS AND INVESTMENT BY REGULATING LOCAL GOVERNMENT COMPETITION WITH PRIVATE BUSINESS, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

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

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representatives Torbett and Cook:

H.B. 198, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA AND THE STATE BOARD OF COMMUNITY COLLEGES TO PERIODICALLY REPORT TO THE FEDERAL GOVERNMENT INFORMATION ABOUT LAWFULLY PRESENT STUDENTS WHOSE ATTENDANCE AT POSTSECONDARY EDUCATIONAL OR VOCATIONAL INSTITUTIONS LAPSES, is referred to the Committee on Education.

By Representatives Rhyne, Ingle, and Stevens:

H.B. 199, A BILL TO BE ENTITLED AN ACT REQUIRING ANY PERSON SEEKING RELIEF PURSUANT TO A DOMESTIC VIOLENCE PROTECTIVE ORDER TO INCLUDE IN THE COMPLAINT OR MOTION FILED WHETHER THE PERSON HAS PREVIOUSLY FILED AN ACTION OR MOTION FOR DOMESTIC VIOLENCE AGAINST THE DEFENDANT AND IF SO, THE DISPOSITION OF THAT ACTION, is referred to Judiciary Subcommittee C.

By Representatives Brubaker and Gillespie:

H.B. 200, A BILL TO BE ENTITLED AN ACT TO MAKE BASE BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, is referred to the Committee on Appropriations.

March 2, 2011

By Representatives Brisson and Lucas:

H.B. 201, A BILL TO BE ENTITLED AN ACT TO EXTEND AND AMEND THE SEASONS FOR TAKING FOXES WITH WEAPONS AND BY TRAPPING IN BLADEN COUNTY, is referred to the Committee on Agriculture.

By Representative Horn (By Request):

H.B. 202, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTY THAT MAY BE ASSESSED FOR A PARKING VIOLATION IN THE CITY OF MONROE, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

By Representative Crawford:

H.B. 203, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN ALTERNATIVE MORTGAGE SATISFACTION FORM THAT ALLOWS A SECURED CREDITOR TO INDICATE THAT THE UNDERLYING OBLIGATION HAS BEEN EXTINGUISHED, is referred to the Committee on Banking and, if favorable, to Judiciary Subcommittee A.

By Representative Tolson:

H.B. 204, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE EDGECOMBE COUNTY TOURISM DEVELOPMENT AUTHORITY, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 32 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR HOSPITAL ASSESSMENTS TO BE USED TO OBTAIN MATCHING FEDERAL MEDICAID FUNDS TO REDUCE THE LOSSES HOSPITALS SUSTAIN WHEN TREATING MEDICAID AND UNINSURED PATIENTS, TO REDUCE THE INEQUITY IN MEDICAID PAYMENTS BETWEEN PUBLIC AND NONPUBLIC HOSPITALS, AND TO PROVIDE FORTY-THREE MILLION DOLLARS IN ADDITIONAL FUNDING FOR THE STATE OF NORTH CAROLINA, is read the first time and referred to the Committee on Finance.

S.B. 34 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE WHEN A PERSON MAY USE DEFENSIVE FORCE, INCLUDING FORCE THAT IS INTENDED OR LIKELY TO CAUSE

March 2, 2011

DEATH OR SERIOUS BODILY HARM, AND TO CREATE A PRESUMPTION THAT A PERSON IS PRESUMED TO HAVE HELD A REASONABLE FEAR OF IMMINENT PERIL OF DEATH OR SERIOUS BODILY HARM IN CERTAIN CIRCUMSTANCES, is read the first time and referred to the Committee on Judiciary.

CALENDAR

Action is taken on the following:

H.B. 5 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXERCISE THE POWER OF THE GENERAL ASSEMBLY UNDER SECTION 1 OF ARTICLE VII OF THE NORTH CAROLINA CONSTITUTION TO FIX THE BOUNDARIES OF CITIES AND GIVE SUCH POWERS TO CITIES AS IT DEEMS ADVISABLE, BY WITHDRAWING THE DELEGATION OF AUTHORITY TO THE CITY OF KINSTON TO MAKE A CERTAIN ANNEXATION, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Avila, Barnhart, Blackwell, Blust, Boles, Bradley, Brawley, Brisson, L. Brown, R. Brown, Brubaker, Burr, Cleveland, Collins, Cook, Crawford, Current, Dixon, Dockham, Dollar, Faircloth, Faison, Floyd, Folwell, Frye, Gillespie, Guice, Hager, Hastings, Hill, Hilton, Hollo, Holloway, Horn, Howard, Hurley, Iler, Ingle, Johnson, Jones, Jordan, Justice, Killian, LaRoque, Lewis, McComas, McCormick, McElraft, McGee, McGrady, Mills, Moffitt, T. Moore, Murry, Pridgen, Randleman, Rhyne, Sager, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Torbett, H. Warren, and West - 71.

Voting in the negative: Representatives Adams, K. Alexander, M. Alexander, Bell, Bordsen, Brandon, Bryant, Carney, Cotham, Earle, Farmer-Butterfield, Fisher, Gibson, Gill, Glazier, Goodman, Graham, Hackney, Haire, Hall, Hamilton, Harrison, Insko, Jackson, Jeffus, Keever, Langdon, Lucas, Luebke, Martin, McLawhorn, Michaux, Mobley, Owens, Parfitt, Parmon, Pierce, Rapp, Ross, Tolson, Wainwright, E. Warren, Weiss, Wilkins, Womble, and Wray - 46.

Excused absences: Representatives Daughtry and R. Moore - 2.

H.B. 37 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXERCISE THE POWER OF THE GENERAL ASSEMBLY UNDER SECTION 1 OF ARTICLE VII OF THE NORTH CAROLINA CONSTITUTION TO FIX THE BOUNDARIES OF CITIES AND GIVE SUCH POWERS TO CITIES AS IT DEEMS ADVISABLE BY WITHDRAWING

March 2, 2011

THE DELEGATION OF AUTHORITY TO THE CITY OF LEXINGTON TO MAKE CERTAIN ANNEXATIONS, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Avila, Barnhart, Blackwell, Blust, Boles, Bradley, Brawley, Brisson, L. Brown, R. Brown, Brubaker, Burr, Cleveland, Collins, Cook, Crawford, Current, Dixon, Dockham, Dollar, Faircloth, Faison, Floyd, Folwell, Frye, Gillespie, Guice, Hager, Hastings, Hilton, Hollo, Holloway, Horn, Howard, Hurley, Iler, Ingle, Johnson, Jones, Jordan, Justice, Killian, LaRoque, Lewis, McComas, McCormick, McElraft, McGee, McGrady, Mills, Moffitt, T. Moore, Murry, Pridgen, Randleman, Rhyne, Sager, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Torbett, H. Warren, and West - 70.

Voting in the negative: Representatives Adams, K. Alexander, M. Alexander, Bell, Bordsen, Bryant, Carney, Cotham, Earle, Farmer-Butterfield, Fisher, Gibson, Gill, Glazier, Goodman, Graham, Hackney, Haire, Hall, Hamilton, Harrison, Hill, Insko, Jackson, Jeffus, Keever, Langdon, Lucas, Luebke, Martin, McLawhorn, Michaux, Mobley, Owens, Parfitt, Parmon, Pierce, Rapp, Ross, Tolson, Wainwright, E. Warren, Weiss, Wilkins, Womble, and Wray - 46.

Excused absences: Representatives Daughtry and R. Moore - 2.

H.B. 124 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, M. Alexander, Avila, Barnhart, Blackwell, Blust, Boles, Bordsen, Bradley, Brawley, Brisson, L. Brown, R. Brown, Brubaker, Bryant, Burr, Carney, Cleveland, Collins, Cook, Cotham, Crawford, Current, Dixon, Dockham, Dollar, Faircloth, Farmer-Butterfield, Fisher, Floyd, Folwell, Frye, Gibson, Gill, Gillespie, Glazier, Goodman, Graham, Guice, Hackney, Hager, Haire, Hall, Hamilton, Harrison, Hastings, Hill, Hilton, Hollo, Holloway, Horn, Howard, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Jordan, Justice, Keever, Killian, Langdon, LaRoque, Lewis, Luebke, Martin, McComas, McCormick, McElraft, McGee, McGrady, McLawhorn, Mills, Mobley, Moffitt, T. Moore, Murry, Owens, Parmon, Pierce, Pridgen, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Wainwright, E. Warren, H. Warren, Weiss, West, Womble, and Wray - 108.

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Voting in the negative: Representatives K. Alexander, Bell, Earle, Faison, Lucas, Michaux, Parfitt, and Wilkins - 8.

Excused absences: Representatives Daughtry and R. Moore - 2.

On motion of Representative LaRoque, seconded by Representative Parfitt, the House adjourns at 2:32 p.m. to reconvene March 3 at 11:00 a.m.

TWENTY-SECOND DAY

HOUSE OF REPRESENTATIVES
Thursday, March 3, 2011

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 Marilyn Suitt, a member of the General Assembly staff:

"Dear Lord:

"We thank You for all of our many blessings and for the many opportunities that we have to serve You.

"Please bless our leaders as they assemble here each day, guide their minds and hearts as they work for the good of this State and Your people. Allow them to be generous in their outlook, courageous in face of difficulty and wise in their decisions. In your awesome and special ways, please grant favor to all staff.

"Please bless our great State and country and help us always to remember that we are one Nation under God.

"These things we pray in Jesus' name. Amen."

Representative T. Moore, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of March 2 has been examined and found correct. Upon his motion, the Journal is approved as written.

A leave of absence is granted Representative Daughtry for today.

March 3, 2011

**REPORTS OF STANDING COMMITTEES AND PERMANENT
SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representatives Howard, Folwell, Setzer, and Starnes, Chairs, for the Committee on Finance:

H.B. 92, A BILL TO BE ENTITLED AN ACT TO REPEAL THE LAND TRANSFER TAX, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of March 7.

S.B. 32 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR HOSPITAL ASSESSMENTS TO BE USED TO OBTAIN MATCHING FEDERAL MEDICAID FUNDS TO REDUCE THE LOSSES HOSPITALS SUSTAIN WHEN TREATING MEDICAID AND UNINSURED PATIENTS, TO REDUCE THE INEQUITY IN MEDICAID PAYMENTS BETWEEN PUBLIC AND NONPUBLIC HOSPITALS, AND TO PROVIDE FORTY-THREE MILLION DOLLARS IN ADDITIONAL FUNDING FOR THE STATE OF NORTH CAROLINA, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

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

S.B. 76 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND CLARIFYING CHANGES TO THE INDUSTRIAL FACILITIES SALES TAX REFUND, A TECHNICAL CORRECTION TO THE MEMBERSHIP COUNT OF THE UWHARRIE COMMISSION, TO PROVIDE INTEREST ON OVERPAYMENT OF PROPERTY TAX, AND TO PROVIDE DELAY OF THE COLLECTION OF PROPERTY TAX PENDING APPEAL, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of March 7.

S.B. 97, A BILL TO BE ENTITLED AN ACT TO CLARIFY WHEN THE DEPARTMENT OF REVENUE IS REQUIRED TO INITIATE A REFUND OF AN OVERPAYMENT OF TAX AND TO AUTHORIZE THE ISSUANCE OF REFUNDS OF OVERPAYMENTS THAT HAVE BEEN IDENTIFIED BY THE DEPARTMENT CONSISTENT WITH THIS CLARIFICATION, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of March 7.

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H.B. 45, A BILL TO BE ENTITLED AN ACT TO ALLOW THE USE OF RISK-BASED REMEDIATION TO ACCELERATE THE CLEANUP OF CONTAMINATED INDUSTRIAL SITES FOR THE PURPOSE OF LIMITING HUMAN AND ENVIRONMENTAL EXPOSURE TO SAFE LEVELS, TO PROTECT CURRENT AND LIKELY FUTURE USES OF GROUNDWATER, AND TO ENSURE THE COST-EFFECTIVE APPLICATION OF LIMITED PUBLIC AND PRIVATE RESOURCES, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

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

WITHDRAWAL OF BILL FROM COMMITTEE

On motion of Representative T. Moore and without objection, **H.B. 7** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CONSTITUENT INSTITUTIONS OF THE NORTH CAROLINA COMMUNITY COLLEGE SYSTEM MAY OPT OUT OF PARTICIPATION IN THE WILLIAM D. FORD FEDERAL DIRECT LOAN PROGRAM, is withdrawn from the Committee on Appropriations and pursuant to Rule 36(b), is placed on the Calendar of March 7.

CALENDAR

Action is taken on the following:

H.R. 141, A HOUSE RESOLUTION HONORING THE TOWN OF BOILING SPRINGS ON ITS CENTENNIAL CELEBRATION.

The resolution is adopted, by electronic vote (114-0), and ordered printed.

H.B. 25, A BILL TO BE ENTITLED AN ACT DESIGNATING MARCH SIXTH OF EACH YEAR AS LYMPHEDEMA AWARENESS DAY, passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

[Pursuant to the motion made by Representative Torbett on March 7, 2011, and without objection, Representative Torbett is granted leave of the House to be recorded as voting "aye" on the second reading. The adjusted vote total is (113-0).]

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

March 3, 2011

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

H.B. 113, A BILL TO BE ENTITLED AN ACT TO CREATE ADDITIONAL PROTECTIONS FOR MOTORCYCLISTS FROM UNSAFE MOVEMENTS BY OTHER VEHICLES, passes its second reading, by electronic vote (112-2), and there being no objection is read a third time.

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

APPOINTMENTS BY THE SPEAKER

Pursuant to Rule 26, the Speaker makes the following appointments to the Joint Select Regulatory Reform Committee: Representatives Avila and McElraft, Chairs; Representatives Brawley, Brisson, Crawford, McGrady, Owens, Tolson, and West.

Representative Gibson moves, seconded by Representative LaRoque, that the House adjourn, subject to the introduction of bills and resolutions, the receipt of Messages from the Senate, to reconvene Monday, March 7, 2011, at 7:00 p.m.

The motion carries.

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representatives Hastings, T. Moore, McCormick, and Folwell (Primary Sponsors); Carney, Current, Dollar, Gill, Glazier, Harrison, Hill, Hilton, Ingle, Jordan, Killian, Lucas, McElraft, R. Moore, Torbett, and Wray:

H.B. 205, A BILL TO BE ENTITLED AN ACT DESIGNATING THE MONTH OF MAY AS MOTORCYCLE AWARENESS MONTH, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Ross, Jackson, and Gill (Primary Sponsors):

H.B. 206, A BILL TO BE ENTITLED AN ACT TO MODIFY THE PROPERTY TAX BASE EXCLUSIONS, is referred to the Committee on Finance.

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By Representatives McGee, Womble, and Parmon (Primary Sponsors):

H.B. 207, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN CHANGES TO LOCAL DEVELOPMENT FOR THE CITY OF WINSTON-SALEM, is referred to the Committee on Government.

By Representatives McGee, Womble, and Parmon (Primary Sponsors):

H.B. 208, A BILL TO BE ENTITLED AN ACT TO PROVIDE THE CITY OF WINSTON-SALEM THE RIGHT TO ACQUIRE POSSESSION AND TITLE OF LAND CONDEMNED FOR PUBLIC TRANSPORTATION PROJECTS, is referred to the Committee on Government.

By Representatives Ingle and Gillespie (Primary Sponsors):

H.B. 209, A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN FINANCIAL ASSURANCE REQUIREMENTS APPLICABLE TO OWNERS AND OPERATORS OF SANITARY LANDFILLS TO (1) DECREASE THE MINIMUM AMOUNT OF FINANCIAL ASSURANCE THAT MUST BE ESTABLISHED TO COVER COSTS FOR POTENTIAL ASSESSMENT AND CORRECTIVE ACTION AT A FACILITY; AND (2) AUTHORIZE THE USE OF A TRUST FUND PAY-IN PERIOD AS AN ALLOWABLE MECHANISM TO ESTABLISH THE FINANCIAL ASSURANCE NECESSARY FOR POTENTIAL ASSESSMENT AND CORRECTIVE ACTION AT A FACILITY, is referred to the Committee on Environment.

By Representatives Brisson, Glazier, Lucas, and Parfitt (Primary Sponsors):

H.B. 210, A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM BUILDING RULES STRUCTURES THAT ARE ASSOCIATED WITH AN ANIMAL HUSBANDRY PROGRAM OPERATED BY A LOCAL SCHOOL ADMINISTRATIVE UNIT AND LOCATED ON SCHOOL PROPERTY, is referred to the Committee on Education.

By Representatives McGee and L. Brown (Primary Sponsors); and McCormick:

H.B. 211, A BILL TO BE ENTITLED AN ACT TO EXTEND THE TERRITORIAL JURISDICTION OF THE WINSTON-SALEM POLICE DEPARTMENT TO THE VILLAGE OF CLEMMONS WITHIN FORSYTH COUNTY, is referred to the Committee on Government.

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By Representative Torbett:

H.B. 212, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF CRAMERTON TO REGULATE UTILITY VEHICLES, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

By Representatives Ingle, Bordsen, Insko, and Faison (Primary Sponsors); and Hackney:

H.B. 213, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ALAMANCE COUNTY AND ORANGE COUNTY TO RECOMMEND THE LOCATION OF NINE PERCENT OF THE COMMON BOUNDARY BETWEEN ALAMANCE COUNTY AND ORANGE COUNTY SUBSEQUENT TO THE 2010/2011 RESURVEY OF THE HISTORIC ORANGE COUNTY/ALAMANCE COUNTY BOUNDARY LINE AS DESCRIBED IN THE 1849 SURVEY ESTABLISHING ALAMANCE COUNTY, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

By Representatives Ingle, Bordsen, Insko, and Faison (Primary Sponsors); and Hackney:

H.B. 214, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE COMMON BOUNDARY BETWEEN ALAMANCE COUNTY AND ORANGE COUNTY SUBSEQUENT TO THE 2010/2011 RESURVEYS OF THE TRANSITIONED PROPERTIES AS AUTHORIZED BY THE NORTH CAROLINA GENERAL ASSEMBLY BY SESSION LAW 2010-61 ENABLING THE CHANGES IN THE HISTORIC ORANGE COUNTY/ALAMANCE COUNTY BOUNDARY LINE AS DESCRIBED IN THE 1849 SURVEY ESTABLISHING ALAMANCE COUNTY, AND TO AMEND SOME SECTIONS OF SESSION LAW 2010-61, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

By Representatives Folwell, Hilton, Starnes, and Steen (Primary Sponsors); Avila, Blackwell, Blust, Bradley, L. Brown, Burr, Cleveland, Collins, Cook, Current, Dollar, Frye, Gillespie, Hastings, Hollo, Holloway, Horn, Hurley, Johnson, Jones, Jordan, Killian, LaRoque, McElraft, Mills, T. Moore, Randleman, Samuelson, Sanderson, Setzer, Shepard, Stam, Stevens, Stone, Torbett, and H. Warren:

H.B. 215, A BILL TO BE ENTITLED AN ACT TO CREATE CRIMINAL OFFENSES FOR ACTS THAT CAUSE THE DEATH OR INJURY OF AN UNBORN CHILD OR ARE COMMITTED AGAINST A

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PREGNANT WOMAN, AND TO PROVIDE THAT THE ACT SHALL BE ENTITLED "THE UNBORN VICTIMS OF VIOLENCE ACT/ETHEN'S LAW", is referred to Judiciary Subcommittee B and, if favorable, to the Committee on Appropriations.

By Representatives Murry, Jackson, and Ross (Primary Sponsors); Gill, Martin, and Weiss:

H.B. 216, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWNS OF GARNER, KNIGHTDALE, MORRISVILLE, WENDELL, AND ZEBULON TO COLLECT DELINQUENT STORMWATER UTILITY FEES IN THE SAME MANNER AS THEY MAY COLLECT DELINQUENT PERSONAL AND REAL PROPERTY TAXES, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

By Representative T. Moore:

H.B. 217, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE TO DIRECT THE PROGRAM EVALUATION DIVISION TO STUDY THE SAFETY AND EMISSIONS INSPECTION PROGRAM IN THE DIVISION OF MOTOR VEHICLES TO DETERMINE IF THE REQUIREMENT OF REQUIRING A LICENSED DEALER TO INSPECT ALL SALVAGED VEHICLES THAT ARE INOPERABLE AND INCAPABLE OF BEING MADE OPERABLE BEFORE THEY CAN BE SOLD SHOULD BE ELIMINATED OR IF THE REQUIREMENT SHOULD BE EXTENDED TO SALVAGED VEHICLES THAT ARE INOPERABLE AND INCAPABLE OF BEING MADE OPERABLE WHICH ARE SOLD BY INSURANCE COMPANIES THAT ARE ACTING AS BROKERS, WHICH ARE NOT SUBJECT TO THE SAME STRICT REQUIREMENTS AS A LICENSED DEALER, is referred to the Committee on Transportation.

By Representatives Insko, L. Brown, Johnson, and Weiss (Primary Sponsors); Hackney, Hamilton, Harrison, LaRoque, Lucas, Luebke, Parfitt, Pierce, Wainwright, and Wray:

H.B. 218, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE LEGISLATIVE TASK FORCE ON CHILDHOOD OBESITY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives T. Moore, Hager, Cook, and Pridgen (Primary Sponsors); Frye, Hastings, Ingle, Jones, Jordan, and H. Warren:

March 3, 2011

H.B. 219, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PERSON REQUIRED TO REGISTER AS A SEX OFFENDER MUST INDICATE ON THE INITIAL REGISTRATION FORM THE NAME UNDER WHICH THE PERSON WAS CONVICTED FOR THE SEX OFFENSE, TO PROVIDE THAT THE REGISTRANT MUST ALSO NOTIFY THE APPROPRIATE SHERIFF OF ANY NAME CHANGE BY THE REGISTRANT AND INCLUDE NAME CHANGES AS PART OF THE VERIFICATION PROCEDURE, TO DIRECT THE DIVISION OF CRIMINAL STATISTICS TO MAINTAIN THE STATEWIDE REGISTRY SO THAT A MEMBER OF THE PUBLIC MAY CONDUCT SEX OFFENDER SEARCHES USING ANY NAME OR ALIAS OF A REGISTRANT, TO CLARIFY THAT SEX OFFENDERS MAY NOT CHANGE THEIR NAME PURSUANT TO CHAPTER 101 OF THE GENERAL STATUTES, TO AMEND THE LAW REGARDING THE VENUE IN WHICH TO FILE A PETITION TO TERMINATE A SEX OFFENDER REGISTRATION REQUIREMENT, AND TO APPROPRIATE FUNDS TO THE DEPARTMENT OF JUSTICE FOR COMPUTER AND SOFTWARE REPAIRS TO THE STATEWIDE REGISTRY COMPUTER SYSTEM, is referred to Judiciary Subcommittee C and, if favorable, to the Appropriations Subcommittee on Justice and Public Safety.

By Representatives Iler and Hill (Primary Sponsors):

H.B. 220, A BILL TO BE ENTITLED AN ACT TO DESIGNATE THE WACCAMAW RIVER BASIN AS AN ISOLATED RIVER BASIN FOR PURPOSES OF CERTIFICATION OF TRANSFERS OF SURFACE WATER FROM A RIVER BASIN TO AN ISOLATED RIVER BASIN, is referred to the Committee on Environment.

By Representative Moffitt:

H.J.R. 221, A JOINT RESOLUTION REQUESTING THE STATE TREASURER TO USE THE PHRASE "NORTH CAROLINA PUBLIC EMPLOYEE RETIREMENT SYSTEMS" RATHER THAN THE PHRASE "NORTH CAROLINA RETIREMENT SYSTEMS" IN DOCUMENTS WHEN REFERRING TO THE FIVE RETIREMENT SYSTEMS ADMINISTERED BY THE STATE TREASURER'S OFFICE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Lewis, Gibson, and Samuelson (Primary Sponsors); Hackney, Hamilton, Harrison, Jordan, Luebke, McGee, McGrady, T. Moore, H. Warren, Weiss, and Wray:

March 3, 2011

H.B. 222, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PLUG-IN ELECTRIC VEHICLES TO OPERATE IN HIGH OCCUPANCY VEHICLE LANES AND TO EXEMPT PLUG-IN ELECTRIC VEHICLES FROM THE EMISSIONS INSPECTION REQUIREMENT, is referred to the Committee on Transportation.

By Representatives Adams, Hamilton, Insko, Luebke, Pierce, Ross, Wainwright, and Weiss:

H.B. 223, A BILL TO BE ENTITLED AN ACT PROVIDING FOR HEALTHY FAMILIES AND HEALTHY WORKPLACES BY ENSURING THAT ALL WORKERS HAVE PAID SICK DAYS TO ADDRESS THEIR OWN HEALTH NEEDS AND THE HEALTH NEEDS OF THEIR FAMILIES, is referred to the Committee on Commerce and Job Development.

By Representative Boles:

H.B. 224, A BILL TO BE ENTITLED AN ACT TO VALIDATE A SPECIAL ASSESSMENT LEVIED BY FOXFIRE VILLAGE, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

By Representatives Jackson, Ross, and Gill (Primary Sponsors); and Weiss:

H.B. 225, A BILL TO BE ENTITLED AN ACT TO RESTRICT THE NORTH CAROLINA TURNPIKE AUTHORITY'S SELECTION OF TRANSPORTATION CORRIDORS TO EXISTING PROTECTED CORRIDORS OR CORRIDORS SOUTH OF AN EXISTING PROTECTED CORRIDOR EXCEPT IN THE AREA OF INTERSTATE 40 EAST, is referred to the Committee on Transportation.

By Representatives Rapp, Sanderson, Glazier, and Stam (Primary Sponsors); Bordsen, Fisher, Harrison, Hilton, Jackson, Jordan, Luebke, Martin, Parfitt, Steen, and Weiss:

H.B. 226, A BILL TO BE ENTITLED AN ACT TO PROHIBIT SWEEPSTAKES PROMOTERS FROM PROVIDING ANY TYPE OF ELECTRONIC MACHINE OR DEVICE TO SWEEPSTAKES ENTRANTS, is referred to the Committee on Commerce and Job Development and, if favorable, to Judiciary Subcommittee B.

By Representatives Hollo, Gillespie, Hilton, and Jones (Primary Sponsors); Bradley, Cleveland, Collins, Cook, Frye, Hastings, Jordan, Killian, LaRoque, McGrady, T. Moore, Setzer, and Wray:

March 3, 2011

H.B. 227, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PERSON MAY BUY A FIREARM IN ANOTHER STATE, PROVIDED THE PERSON SATISFIES THE APPROPRIATE BACKGROUND CHECKS, is referred to Judiciary Subcommittee A.

By Representatives Owens, Floyd, and Lucas:

H.B. 228, A BILL TO BE ENTITLED AN ACT TO ALLOW VIDEO LOTTERY FOR THE PURPOSE OF PROFIT SHARING WITH THE STATE OF NORTH CAROLINA, is referred to the Committee on Commerce and Job Development and, if favorable, to the Committee on Finance.

By Representatives Owens, Insko, and Wray:

H.B. 229, A BILL TO BE ENTITLED AN ACT TO ALLOW A REGIONAL PUBLIC TRANSPORTATION AUTHORITY TO APPLY FOR ELDERLY AND DISABLED TRANSPORTATION AND ASSISTANCE FUNDS ON BEHALF OF THE COUNTIES THAT THE REGIONAL PUBLIC TRANSPORTATION AUTHORITY SERVES, is referred to the Committee on Transportation.

MESSAGE FROM THE SENATE

The following is received from the Senate:

S.B. 49 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE FINE FOR SPEEDING IN A SCHOOL ZONE, is read the first time and referred to the Committee on Judiciary and, if favorable, to the Committee on Finance.

The House stands adjourned at 12:01 p.m.

TWENTY-THIRD DAY

HOUSE OF REPRESENTATIVES
Monday, March 7, 2011

The House meets at 7:00 p.m. pursuant to adjournment and is called to order by Representative Folwell, Speaker Pro Tempore.

March 7, 2011

The following prayer is offered by Representative Glen Bradley:

"May we all now come before the Lord, each in our own way, and grant us an accord in prayer:

"Oh Gracious Heavenly Father and Almighty God, we come before You tonight bowed of head and bowed in heart, humbling ourselves before the altar of love and truth.

"May it please You, Lord, to open Your face to us as we open our hearts to You, and guide us along the way of mercy, truth, and right; as we represent our constituents who sent us here today.

"May it please You, Lord, to grant us the vision to discern what is true, give us the wisdom to understand the cause and effects of policy, and award us the courage to do what is right for the United States, the State of North Carolina, and for the people of our constituent districts.

"May it please You, Lord, to allow us the humble honor of truly representing the will and the voices of the many peoples of our home districts and work towards creating a government and an environment that every one of us can be proud to leave to future generations.

"A passage in our most common creed teaches that: 'The king's heart is like channels of water in the hand of the LORD; He turns it wherever He wishes,' as recited from Proverbs 21.

"Bless us all together as one family in God, with the lives of North Carolinians in our hearts, and dwelling in the mind of One, whom many of us know as Jesus Christ.

"Here then, in one accord, may we pass our own hearts into the will of God. All ye present now who stand in agreement, let us say, 'Amen.'"

The Chair leads the Body in the Pledge of Allegiance.

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

Leaves of absence are granted Representatives Barnhart and Owens for today.

March 7, 2011

MESSAGE FROM THE GOVERNOR

**STATE OF NORTH CAROLINA
OFFICE OF THE GOVERNOR**
20301 Mail Service Center • Raleigh, NC 27699-0301

Beverly Eaves Perdue
Governor

March 5, 2011

GOVERNOR'S OBJECTIONS AND VETO MESSAGE***House Bill 2, "An Act to Protect the Freedom to Choose Health Care and Health Insurance."***

House Bill 2 is unenforceable because it purports to make North Carolina and its citizens exempt from the requirements of the Patient Protection and Affordable Care Act ("ACA") passed by Congress. No such exemption exists under the ACA. The Supremacy Clause of the United States Constitution provides that state legislatures cannot enact laws that are - like House Bill 2 - contrary to federal law.

Furthermore, the enactment of House Bill 2 has no bearing on the constitutionality of the federal healthcare mandate contained in the ACA. Twenty-seven states have already filed lawsuits challenging the constitutionality of that mandate. That issue will ultimately be decided by the United States Supreme Court.

Finally, the Attorney General has identified conflicts between House Bill 2 and existing State law in a number of important areas. According to the Attorney General, House Bill 2 stands to jeopardize North Carolina's Medicaid program and potentially creates adverse impacts on the Child Health Insurance Program and State laws addressing uninsured motorist coverage and the sale of over-the-counter drugs. The Attorney General has further cautioned that additional unintended consequences resulting from House Bill 2 may come to light, pushing our State into costly and protracted litigation.

For these reasons, House Bill 2 is inconsistent with my responsibility as Governor to protect the welfare of North Carolina's citizens.

Therefore, I veto this bill.

S/ Beverly E. Perdue

March 7, 2011

This bill having been vetoed is returned to the Clerk of the North Carolina House of Representatives on this 5th day of March 2011, at 1:55 p.m. for reconsideration by that body.

BILL PLACED ON CALENDAR

H.B. 2, AN ACT TO PROTECT THE FREEDOM TO CHOOSE HEALTH CARE AND HEALTH INSURANCE, is placed on the Calendar of March 9 for reconsideration of the bill, notwithstanding the objections of the Governor.

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

THE APPOINTMENT OF WILLIAM FRANKLIN MCGUIRT

2011-2012

BY THE GOVERNOR OF THE STATE OF NORTH CAROLINA

A PROCLAMATION

WHEREAS, the Honorable Pryor Gibson, elected Representative from the Sixty-ninth House District 2011-2012 General Assembly, has resigned; and

WHEREAS, the provisions of General Statute § 163-11 require that the vacancy created by the resignation of the Honorable Pryor Gibson be filled by appointment of the person recommended by the Sixty-ninth District State House Executive Committee of the Democratic Party; and

WHEREAS, the Sixty-ninth District State House Executive Committee of the Democratic Party has notified me of its recommendation of William Franklin McGuirt of Union County, North Carolina, to fill the unexpired term,

I do by these presents appoint

WILLIAM FRANKLIN MCGUIRT

as a member of the

March 7, 2011

HOUSE OF REPRESENTATIVES**2011-2012 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 seventh day of March in the year of our Lord two thousand and eleven, and of the Independence of the United States of America the two hundred and thirty-fifth.

S/ Beverly E. Perdue
Governor

ATTEST:

S/ Elaine F. Marshall
Secretary of State

The following oath of office was administered to William Franklin McGuirt by Sarah Parker, Chief Justice of the North Carolina Supreme Court, on Wednesday, March 7, 2011.

**OATH FOR MEMBERS OF THE
HOUSE OF REPRESENTATIVES
2011 SESSION**

"I, FRANK MCGUIRT, 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 MCGUIRT, 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."

The Chair states that Representative McGuirt will occupy Seat 60 and appoints him to the following committees: Banking; Commerce and Job Development; Commerce and Job Development Subcommittee on Alcoholic Beverage Control; Environment; Finance; Insurance; and State Personnel.

March 7, 2011

SPECIAL MESSAGE TO THE SENATE

The Speaker orders a Special Message sent to the Senate informing that Honorable Body of the seating of Representative William Franklin McGuirt as a Member of the 2011 House of Representatives.

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

**STATE OF NORTH CAROLINA
OFFICE OF THE GOVERNOR**
20301 Mail Service Center • Raleigh, NC 27699-0301

Beverly Eaves Perdue
Governor

March 7, 2011

Ms. Denise Weeks
Principal Clerk
North Carolina House of Representatives
Legislative Building
Raleigh, NC 27603-5925

Dear Ms. Weeks:

I hereby officially designate Room 1039 in the Administration Building as the office to which original bills shall be delivered for me.

I hereby designate the following employees of the Office of the Governor as the officials to whom delivery of bills may be made:

- a. Pryor Gibson
- b. Courtney Crowder
- c. Monica Yelverton
- d. Forrest Gilliam

Sincerely,
S/ Bev Perdue

ENROLLED BILLS

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

H.B. 48, AN ACT TO REDUCE SPENDING BY ELIMINATING STATEWIDE STANDARDIZED TESTING IN THE PUBLIC SCHOOLS,

March 7, 2011

EXCEPT AS REQUIRED BY FEDERAL LAW OR AS A CONDITION OF A FEDERAL GRANT.

CHAPTERED BILLS

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

H.B. 18, AN ACT TO CLARIFY THE EFFECTIVE DATE FOR THE LAW REGARDING THE RESTORATION OF FIREARMS RIGHTS AND THE LAW AMENDING THE FELONY FIREARMS ACT TO ALLOW CERTAIN EXCEPTIONS THAT ARE SIMILAR TO THOSE ALLOWED UNDER FEDERAL LAW, AND TO CLARIFY THAT THE INFORMATION OBTAINED PURSUANT TO A CRIMINAL RECORD CHECK OF A PETITIONER FOR THE RESTORATION OF FIREARMS RIGHTS SHALL BE KEPT CONFIDENTIAL BUT IS NOT REQUIRED TO BE KEPT IN A SEPARATE CONFIDENTIAL FILE. (S.L. 2011-2)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives L. Brown and Ingle, Chairs, for the Committee on Government:

H.B. 134, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CARTERET COUNTY OCCUPANCY TAX, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

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

H.B. 140, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE TOWN OF OAK ISLAND TO PROVIDE A PROCEDURE TO RECALL ELECTED OFFICIALS, SUBJECT TO A REFERENDUM, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of March 8. The original bill is placed on the Unfavorable Calendar.

H.B. 152, A BILL TO BE ENTITLED AN ACT RELATING TO THE ORGANIZATION, AUTHORITY, AND RESPONSIBILITIES OF THE NORTH CAROLINA CENTER FOR GEOGRAPHIC INFORMATION ANALYSIS AND THE GEOGRAPHIC INFORMATION COORDINATING

March 7, 2011

COUNCIL, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON INFORMATION TECHNOLOGY, with a favorable report as to the committee substitute bill, unfavorable as to the original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

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

H.B. 167, A BILL TO BE ENTITLED AN ACT TO EXTEND THE PERIOD FOR LOCAL GOVERNMENTS TO REFUND SPECIFIED UNUSED ASSESSMENTS, 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. 170, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF WINSTON-SALEM REGARDING MEETINGS OF THE CITY COUNCIL, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of March 8.

H.B. 171, A BILL TO BE ENTITLED AN ACT TO RESTATE THAT A MUNICIPALITY HAS NO AUTHORITY TO PETITION ITSELF FOR SELF-ANNEXATION OF PROPERTY IT DOES NOT OWN OR HAVE ANY LEGAL INTEREST IN, SUCH AS STATE-MAINTAINED STREETS, 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 McElraft, Samuelson, and West, Chairs, for the Committee on Environment:

S.B. 22 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO LIMIT NEW AGENCY REGULATORY REQUIREMENTS, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the Senate committee substitute bill.

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

March 7, 2011

SUBCOMMITTEE REFERRALS

Representative McComas, Chair, for the Standing Committee on Commerce and Job Development, refers the following bills to the Commerce and Job Development Subcommittee on Alcoholic Beverage Control:

H.B. 90, A BILL TO BE ENTITLED AN ACT TO ALLOW CONFECTIONERS TO PRODUCE CONFECTIONERIES WHICH CONTAIN NO MORE THAN FIVE PERCENT ALCOHOL BY VOLUME.

H.B. 98, A BILL TO BE ENTITLED AN ACT TO ALLOW ALCOHOLIC BEVERAGE PERMITTEES WHO HAVE BEEN ISSUED BREWERY PERMITS TO SELL MALT BEVERAGES BREWED AT THE BREWERY ON THE PREMISES OF THE BREWERY.

H.B. 189, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT COMPLIANCE WITH THE STATE'S TAX LAWS IS A CONDITION OF HOLDING AN ABC PERMIT AND THAT AN ABC PERMIT MAY BE REVOKED FOR FAILURE TO TIMELY FILE A TAX RETURN OR PAY AN OVERDUE TAX DEBT.

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representatives Carney, Hurley, Jeffus, and Farmer-Butterfield (Primary Sponsors); Bordsen, L. Brown, Cook, Cotham, Dollar, Faison, Fisher, Folwell, Gill, Glazier, Hamilton, Harrison, Hastings, Ingle, Jackson, Johnson, Jones, Jordan, LaRoque, Lewis, Lucas, Luebke, Martin, McElraft, Moffitt, R. Moore, T. Moore, Parfitt, Pierce, Pridgen, Randleman, Ross, Sager, Samuelson, Torbett, Weiss, and Wray:

H.R. 230, A HOUSE RESOLUTION HONORING JULIETTE GORDON LOW, FOUNDER OF THE GIRL SCOUTS OF THE UNITED STATES OF AMERICA, DURING GIRL SCOUTS WEEK.

Pursuant to Rule 32(a), the resolution is placed on the Calendar for March 8.

By Representative Brisson:

H.B. 231, A BILL TO BE ENTITLED AN ACT TO EXERCISE THE POWER OF THE GENERAL ASSEMBLY UNDER SECTION 1 OF ARTICLE VII OF THE NORTH CAROLINA CONSTITUTION TO FIX

March 7, 2011

THE BOUNDARIES OF CITIES AND GIVE SUCH POWERS TO CITIES AS IT DEEMS ADVISABLE BY WITHDRAWING THE DELEGATION OF AUTHORITY TO THE CITY OF FAYETTEVILLE TO MAKE A CERTAIN ANNEXATION, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

By Representatives Spear, Faison, and Lucas:

H.B. 232, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THERE SHALL BE NO PREMIUM SURCHARGE OR ASSESSMENT OF POINTS UNDER THE SAFE DRIVER INCENTIVE PLAN FOR ANY CONVICTION OF SPEEDING FIFTEEN MILES PER HOUR OR LESS OVER THE SPEED LIMIT, is referred to the Committee on Insurance.

By Representatives Pierce, Bryant, M. Alexander, and Frye (Primary Sponsors); Bordsen, Brandon, Harrison, Lucas, R. Moore, Parfitt, and Wray:

H.B. 233, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF CORRECTION TO DESIGNATE ITS OFFICE OF RESEARCH AND PLANNING AS THE SINGLE STATE AGENCY RESPONSIBLE FOR THE COORDINATION AND IMPLEMENTATION OF REENTRY POLICY INITIATIVES; AND TO ENCOURAGE THE DEPARTMENT OF CORRECTION TO CONTINUE ITS EFFORTS TO ASSIST OFFENDERS IN SUCCESSFULLY REENTERING SOCIETY, AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON EX-OFFENDER REINTEGRATION INTO SOCIETY, is referred to the Committee on Government.

By Representatives Glazier, Stevens, Parfitt, and Samuelson (Primary Sponsors); Cook, Cotham, Fairecloth, Gill, Hamilton, Harrison, Ingle, Insko, Jones, Lucas, McGrady, R. Moore, and Wray:

H.B. 234, A BILL TO BE ENTITLED AN ACT TO AMEND THE QUALIFICATIONS FOR PROSPECTIVE JURORS IN ORDER TO ALLOW HEARING-IMPAIRED PERSONS TO SERVE AS JURORS AND TO PROVIDE FOR PERSONS WITH DISABILITIES TO APPLY FOR EXEMPTIONS FROM JURY DUTY, is referred to Judiciary Subcommittee A.

By Representatives Haire and Lucas:

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H.B. 235, A BILL TO BE ENTITLED AN ACT TO OFFICIALLY DESIGNATE SENATE BILL 140, SESSION LAW 2010-5, AS "BONNIE'S LAW", is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Moffitt:

H.B. 236, A BILL TO BE ENTITLED AN ACT TO EXERCISE THE POWER OF THE GENERAL ASSEMBLY UNDER SECTION 1 OF ARTICLE VII OF THE NORTH CAROLINA CONSTITUTION TO FIX THE BOUNDARIES OF CITIES AND GIVE SUCH POWERS TO CITIES AS IT DEEMS ADVISABLE BY WITHDRAWING THE DELEGATION OF AUTHORITY TO THE CITY OF ASHEVILLE TO MAKE A CERTAIN ANNEXATION, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

By Representatives Dollar, Rhyne, McElraft, and Folwell (Primary Sponsors); Avila, Brawley, L. Brown, Cook, Faircloth, Hastings, Jones, Moffitt, Murry, Randleman, Stevens, Torbett, and H. Warren:

H.B. 237, A BILL TO BE ENTITLED AN ACT TO REQUIRE ECONOMIC IMPACT STATEMENTS ON ALL BILLS THAT PROPOSE REGULATORY CHANGES, SIMILAR TO THE FISCAL NOTES THAT AGENCIES MUST PREPARE DURING RULE MAKING, is referred to the Committee on Commerce and Job Development.

By Representatives Dollar, Blackwell, Harrison, and Hurley (Primary Sponsors); Cleveland, Faircloth, Folwell, Gill, Hilton, Insko, Jackson, Lucas, R. Moore, Murry, Randleman, Stevens, Weiss, and Wray:

H.B. 238, A BILL TO BE ENTITLED AN ACT TO REPEAL THE BODY MASS INDEX (BMI) AND TOBACCO USE PENALTIES FROM THE NORTH CAROLINA STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES, is referred to the Committee on Health and Human Services and, if favorable, to the Committee on State Personnel.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 33 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REFORM THE LAWS RELATING TO MEDICAL LIABILITY BY PROVIDING LIMITED PROTECTION FROM LIABILITY TO THOSE REQUIRED BY FEDERAL LAW TO PROVIDE EMERGENCY MEDICAL CARE, BY AUTHORIZING THE BIFURCATION OF TRIALS ON ISSUES

March 7, 2011

OF LIABILITY AND DAMAGES IN CERTAIN ACTIONS, BY LIMITING THE AMOUNT OF NONECONOMIC DAMAGES THAT MAY BE AWARDED, BY AUTHORIZING THE PERIODIC PAYMENT OF FUTURE ECONOMIC DAMAGES IN LIEU OF A LUMP-SUM PAYMENT, BY MODIFYING APPEAL BONDS IN MEDICAL MALPRACTICE ACTIONS, BY CLARIFYING THAT COMPLAINTS ALLEGING MEDICAL MALPRACTICE BY HEALTH CARE PROVIDERS MUST ASSERT THAT ALL MEDICAL RECORDS AVAILABLE TO THE PLAINTIFF HAVE BEEN REVIEWED BY AN EXPERT WITNESS, AND BY REQUIRING THAT CERTAIN INFORMATION BE PROVIDED BY EXPERT WITNESSES, is read the first time and referred to Judiciary Subcommittee A.

S.B. 77 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADD MDPV TO THE LIST OF CONTROLLED SUBSTANCES UNDER SCHEDULE I WHICH MAKES THE UNLAWFUL POSSESSION, MANUFACTURE, OR SALE OR DELIVERY OF MDPV CRIMINAL OFFENSES AND TO CREATE THE OFFENSE OF TRAFFICKING IN MDPV, is read the first time and referred to Judiciary Subcommittee B.

S.B. 109, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE GOVERNOR TO CUT SPENDING FOR THE CURRENT FISCAL YEAR, is read the first time and referred to the Committee on Appropriations.

CALENDAR

Action is taken on the following:

H.B. 7 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CONSTITUENT INSTITUTIONS OF THE NORTH CAROLINA COMMUNITY COLLEGE SYSTEM MAY OPT OUT OF PARTICIPATION IN THE WILLIAM D. FORD FEDERAL DIRECT LOAN PROGRAM.

Representative Bordsen offers Amendment No. 1 which fails of adoption by electronic vote (49-69).

Representative Rapp offers Amendment No. 2 which fails of adoption by electronic vote (50-68).

Representative Glazier offers Amendment No. 3 which fails of adoption by electronic vote (50-68).

Representative Glazier offers Amendment No. 4 which fails of adoption by electronic vote (50-68).

March 7, 2011

The bill, as amended, passes its second reading, by electronic vote (70-48), and there being no objection is read a third time.

Representative Faison requests and is granted leave of the House to change his vote from "aye" to "no". The adjusted vote total is (69-49).

Representative Glazier moves that the third reading be postponed until March 8. The motion carries by electronic vote (83-35). The bill remains on the Calendar.

H.B. 92, A BILL TO BE ENTITLED AN ACT TO REPEAL THE LAND TRANSFER TAX, passes its second reading by electronic vote (75-42).

Representative Folwell requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (76-42).

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

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

H.B. 138 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE HEALTH INSURANCE RISK POOL STATUTES, passes its second reading, by electronic vote (114-0), and there being no objection is read a third time.

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

S.B. 76 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND CLARIFYING CHANGES TO THE INDUSTRIAL FACILITIES SALES TAX REFUND, A TECHNICAL CORRECTION TO THE MEMBERSHIP COUNT OF THE UWHARRIE COMMISSION, TO PROVIDE INTEREST ON OVERPAYMENT OF PROPERTY TAX, AND TO PROVIDE DELAY OF THE COLLECTION OF PROPERTY TAX PENDING APPEAL, passes its second reading, by electronic vote (115-1), and there being no objection is read a third time.

Representative Folwell requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (116-1).

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

March 7, 2011

S.B. 97, A BILL TO BE ENTITLED AN ACT TO CLARIFY WHEN THE DEPARTMENT OF REVENUE IS REQUIRED TO INITIATE A REFUND OF AN OVERPAYMENT OF TAX AND TO AUTHORIZE THE ISSUANCE OF REFUNDS OF OVERPAYMENTS THAT HAVE BEEN IDENTIFIED BY THE DEPARTMENT CONSISTENT WITH THIS CLARIFICATION, 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.

INTRODUCTION OF PAGES

Pages for the week of March 7 are introduced to the membership. They are: Madison Blackwell of Wilson; McKenzie Blackwell of Wilson; James Coats, II of Johnston; Morgan Coleman of Wake; Kayla Dunston of Warren; *Rose-Webb Evett of Wilson; Julissa Garcia of New Hanover; *Caroline Hubble of Forsyth; *Brittany Maxfield of Catawba; Teannya Monroe of Cumberland; Ian O'Keefe of Gaston; Brandon Paul of Davidson; *Marcy Pedzwater of New Hanover; *Taylor Pinckney of Mecklenburg; Paige Robinson of Wayne; RoShondra Tedder of Durham; and Zac Wilson of Wake.

**In observance of National Girl Scout Week, these Girl Scouts are serving as House Pages this week and are sponsored by the Speaker.*

VOTE ADJUSTED

Without objection, Representative Torbett is granted leave of the House to be recorded as voting "aye" on March 3, 2011 on **H.B. 25**, A BILL TO BE ENTITLED AN ACT DESIGNATING MARCH SIXTH OF EACH YEAR AS LYMPHEDEMA AWARENESS DAY. The adjusted vote total is (113-0).

APPOINTMENTS BY THE SPEAKER

Pursuant to Rule 26, the Speaker makes the following appointments to the Select Committee on Legislative Program Evaluation: Representative Howard, Chair; Representatives Starnes, LaRoque, Lewis, Randleman, Holloway, Hager, Carney, Crawford, Womble, and Spear.

On motion of Representative LaRoque, seconded by Representative Holloway, the House adjourns at 8:54 p.m. to reconvene March 8 at 3:00 p.m.

March 7, 2011

TWENTY-FOURTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, March 8, 2011

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

Prayer is offered by Representative Alma Adams.

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

A leave of absence is granted Representative Owens for today. Representatives T. Moore and Wainwright are excused for a portion of the Session.

**REPORTS OF STANDING COMMITTEES AND PERMANENT
SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representatives Brubaker, Barnhart, Gillespie, and Johnson, Chairs, for the Committee on Appropriations:

H.B. 22, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR ADDITIONAL FLEXIBILITY FOR VANCE-GRANVILLE COMMUNITY COLLEGE BOND FUNDS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of March 9.

S.B. 109, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE GOVERNOR TO CUT SPENDING FOR THE CURRENT FISCAL YEAR, with a favorable report.

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

By Representatives Langdon and Sager, Chairs, for the Committee on Agriculture:

H.B. 162, A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN ACTIVITIES RELATED TO SMALL-SCALE PROCESSING OF AGRICULTURAL PRODUCTS FROM WASTEWATER PERMIT REQUIREMENTS, with a favorable report.

March 8, 2011

Pursuant to Rule 36(b), the bill is placed on the Calendar of March 9.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative T. Moore and without objection, **H.B. 45** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE USE OF RISK-BASED REMEDIATION TO ACCELERATE THE CLEANUP OF CONTAMINATED INDUSTRIAL SITES FOR THE PURPOSE OF LIMITING HUMAN AND ENVIRONMENTAL EXPOSURE TO SAFE LEVELS, TO PROTECT CURRENT AND LIKELY FUTURE USES OF GROUNDWATER, AND TO ENSURE THE COST-EFFECTIVE APPLICATION OF LIMITED PUBLIC AND PRIVATE RESOURCES, is withdrawn from the Calendar pursuant to Rule 36(b), and re-referred to the Committee on Finance.

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representatives Brisson, Howard, and Hurley (Primary Sponsors); Brandon, L. Brown, Dockham, Faircloth, Iler, Johnson, Justice, LaRoque, Lucas, McElraft, Parmon, Pierce, and Shepard:

H.B. 239, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR AN EXPANSION OF RIGHTS UNDER EXISTING LAW REGARDING GRANDPARENT VISITATION, is referred to Judiciary Subcommittee C.

By Representatives Bradley, Hilton, Jones, Randleman, and H. Warren:

H.B. 240, A BILL TO BE ENTITLED AN ACT PROTECTING INTRASTATE COMMERCE, is referred to the Committee on Commerce and Job Development.

By Representatives Bradley, Cleveland, Cook, Dixon, Frye, Hastings, Hill, Hilton, Iler, Jones, Killian, LaRoque, Lewis, Randleman, Sanderson, Shepard, and H. Warren:

H.B. 241, A BILL TO BE ENTITLED AN ACT EXEMPTING FROM FEDERAL REGULATION UNDER THE COMMERCE CLAUSE OF THE UNITED STATES CONSTITUTION A FIREARM, A FIREARM ACCESSORY, OR AMMUNITION MANUFACTURED AND RETAINED IN NORTH CAROLINA, is referred to the Committee on Judiciary.

March 8, 2011

By Representatives Stone and Gillespie (Primary Sponsors); Harrison and Samuelson:

H.B. 242, A BILL TO BE ENTITLED AN ACT TO INCREASE THE AMOUNT OF THE BOND REQUIRED UPON REGISTRATION IN ORDER TO DRILL FOR OIL OR NATURAL GAS IN THE STATE, is referred to the Committee on Environment.

By Representatives Jackson, Faison, Glazier, and Wray:

H.B. 243, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT THE FEE CHARGED BY THE CLERK OF SUPERIOR COURT FOR CERTIFICATES UNDER SEAL IS WAIVED FOR APPOINTED ATTORNEYS REPRESENTING INDIGENT CLIENTS, is referred to Judiciary Subcommittee B and, if favorable, to the Committee on Finance.

By Representative Murry:

H.B. 244, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE STERLING MONTESSORI ACADEMY AND CHARTER SCHOOL TO ELECT TO PARTICIPATE IN THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES, is referred to the Committee on Insurance.

By Representative Goodman:

H.B. 245, A BILL TO BE ENTITLED AN ACT TO REGULATE DEER HUNTING WITH DOGS IN RICHMOND COUNTY, is referred to the Committee on Agriculture and, if favorable, to the Committee on Appropriations.

By Representatives Adams, Wainwright, and Howard (Primary Sponsors); K. Alexander, Faison, Farmer-Butterfield, Glazier, Hamilton, Harrison, Hill, Ingle, Insko, Jackson, Johnson, McComas, R. Moore, Pierce, Sanderson, Weiss, and Wray:

H.B. 246, A BILL TO BE ENTITLED AN ACT TO INCREASE THE INCOME ELIGIBILITY LIMIT OF THE HOMESTEAD EXCLUSION, is referred to the Committee on Finance.

MESSAGE FROM THE SENATE

The following is received from the Senate:

March 8, 2011

S.B. 83, A BILL TO BE ENTITLED AN ACT TO CHANGE THE DATE THAT MEMBERS OF THE WILSON COUNTY BOARD OF EDUCATION TAKE OFFICE AND TO FIX AN ERROR IN A 1987 LOCAL ACT RELATING TO THAT BOARD, is read the first time and referred to the Committee on Government.

CALENDAR

Action is taken on the following:

H.R. 230, A HOUSE RESOLUTION HONORING JULIETTE GORDON LOW, FOUNDER OF THE GIRL SCOUTS OF THE UNITED STATES OF AMERICA, DURING GIRL SCOUTS WEEK.

The resolution is adopted, by electronic vote (119-0), and ordered printed.

ENROLLED BILLS

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

S.B. 76, AN ACT TO MAKE TECHNICAL AND CLARIFYING CHANGES TO THE INDUSTRIAL FACILITIES SALES TAX REFUND, A TECHNICAL CORRECTION TO THE MEMBERSHIP COUNT OF THE UWHARRIE COMMISSION, TO PROVIDE INTEREST ON OVERPAYMENT OF PROPERTY TAX, AND TO PROVIDE DELAY OF THE COLLECTION OF PROPERTY TAX PENDING APPEAL.

S.B. 97, AN ACT TO CLARIFY WHEN THE DEPARTMENT OF REVENUE IS REQUIRED TO INITIATE A REFUND OF AN OVERPAYMENT OF TAX AND TO AUTHORIZE THE ISSUANCE OF REFUNDS OF OVERPAYMENTS THAT HAVE BEEN IDENTIFIED BY THE DEPARTMENT CONSISTENT WITH THIS CLARIFICATION.

H.B. 3, AN ACT TO PROVIDE FOR THE ADOPTION OF THE GOOD FAITH EXCEPTION TO THE EXCLUSIONARY RULE INTO STATE LAW.

CALENDAR (continued)

H.B. 140 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE TOWN OF OAK ISLAND TO PROVIDE A PROCEDURE TO RECALL ELECTED OFFICIALS, SUBJECT TO A REFERENDUM, passes its second reading by electronic vote (111-4), and there being no objection is read a third time.

March 8, 2011

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

H.B. 170, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF WINSTON-SALEM REGARDING MEETINGS OF THE CITY COUNCIL, 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.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following report from standing committee is presented:

By Representatives Iler and Mills, Chairs, for the Committee on Transportation:

H.B. 159, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO MAKE A NOTATION ON A NORTH CAROLINA DRIVERS LICENSE SHOWING A LICENSE HOLDER'S MILITARY VETERAN STATUS, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of March 9. The original bill is placed on the Unfavorable Calendar.

CALENDAR (continued)

H.B. 7 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CONSTITUENT INSTITUTIONS OF THE NORTH CAROLINA COMMUNITY COLLEGE SYSTEM MAY OPT OUT OF PARTICIPATION IN THE WILLIAM D. FORD FEDERAL DIRECT LOAN PROGRAM.

Representative Weiss offers Amendment No. 5 which fails of adoption by electronic vote (48-68).

The bill passes its third reading, by electronic vote (69-47) and is ordered sent to the Senate.

H.B. 92, A BILL TO BE ENTITLED AN ACT TO REPEAL THE LAND TRANSFER TAX, passes its third reading, by electronic vote (78-38), and is ordered sent to the Senate.

March 8, 2011

On motion of Representative LaRoque, seconded by Representative Mobley, the House adjourns at 4:17 p.m. to reconvene March 9 at 3:00 p.m.

TWENTY-FIFTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, March 9, 2011

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 Representative Jennifer Weiss:

"Let us pray:

 "...We give thanks
 for the gift of life, wonder beyond words;
 for the awareness of soul, our light within;
 for the world around us,
 so filled with beauty;
for the richness of the earth, which day by day sustains us;
for all these and more, we offer thanks.
 Amen."

(The Siddur for Reform Jewish Prayer Services for Shabbat Worship)

Representative T. Moore, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of March 8 has been examined and found correct. Upon his motion, the Journal is approved as written.

A leave of absence is granted Representative Owens for today.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following report from standing committee is presented:

By Representatives Howard, Folwell, Setzer, and Starnes, Chairs, for the Committee on Finance:

March 9, 2011

H.B. 68, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE BRUNSWICK COUNTY TO REQUIRE THE PAYMENT OF DELINQUENT PROPERTY TAXES BEFORE RECORDING DEEDS CONVEYING 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 of March 10. The original bill is placed on the Unfavorable Calendar.

REPRESENTATIVE FOLWELL, SPEAKER PRO TEMPORE, PRESIDING.

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representatives Glazier, Cotham, Rapp, and Lucas (Primary Sponsors); K. Alexander, M. Alexander, Bell, Bordsen, Carney, Fisher, Floyd, Gill, Goodman, Graham, Hackney, Haire, Hall, Hamilton, Hill, Insko, Jackson, Jeffus, Keever, Luebke, Martin, McLawhorn, Michaux, R. Moore, Parfitt, Parmon, Pierce, Ross, Wainwright, Weiss, and Wray:

H.B. 247, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE CAP ON CHARTER SCHOOLS, TO ESTABLISH THE NORTH CAROLINA CHARTER SCHOOL COMMISSION, TO PROVIDE FOR ENHANCED ACCOUNTABILITY FOR CHARTER SCHOOL ACADEMIC PERFORMANCE, AND TO MAKE OTHER CHANGES TO THE CHARTER SCHOOL STATUTES, is referred to the Committee on Education and, if favorable, to the Committee on Finance and, if favorable, to the Committee on Appropriations.

By Representatives Rhyne, Barnhart, Faison, Glazier, Jones, Parfitt, Starnes, and Wray:

H.B. 248, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE TAX MODERNIZATION COMMISSION AND TO ENSURE THAT RECOMMENDATIONS ADOPTED BY THE COMMISSION ARE INTRODUCED AND PLACED ON THE CALENDAR TO BE HEARD IN AN EXPEDITIOUS AND TIMELY MANNER, is referred to the Committee on Finance.

By Representatives Ross, Hamilton, Harrison, Insko, Lucas, and Parfitt:

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H.B. 249, A BILL TO BE ENTITLED AN ACT TO UPDATE CERTAIN TERMINOLOGY IN REFERENCE TO PERSONS WITH DISABILITIES, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is referred to Judiciary Subcommittee A.

By Representatives Ross, Martin, and Hall (Primary Sponsors); Bradley, Harrison, and Lucas:

H.B. 250, A BILL TO BE ENTITLED AN ACT TO MAKE REFERENCES IN CHAPTER 127A OF THE NORTH CAROLINA GENERAL STATUTES TO FEDERAL AND STATE MILITARY ORGANIZATIONS PROPER AND UNIFORM, AS DIRECTED BY SESSION LAW 2009-281, AS AMENDED BY SESSION LAW 2010-152, AND TO MAKE OTHER CLARIFYING, CONFORMING, AND TECHNICAL AMENDMENTS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is referred to Judiciary Subcommittee A.

By Representatives Ross and Lucas:

H.B. 251, A BILL TO BE ENTITLED AN ACT TO APPLY THROUGHOUT THE GENERAL STATUTES THE DEFINITION OF "DEVISEE" FOUND IN CHAPTER 28A OF THE GENERAL STATUTES RELATING TO THE ADMINISTRATION OF DECEDENTS' ESTATES AND TO DEFINE "DEVISE" CONSISTENTLY WITH THAT DEFINITION, TO MAKE THE USAGE OF THESE TERMS MORE UNIFORM THROUGHOUT THE GENERAL STATUTES, AND TO MAKE TECHNICAL CHANGES TO SECTIONS OF THE GENERAL STATUTES OTHERWISE AMENDED BY THIS ACT, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is referred to Judiciary Subcommittee A.

By Representatives Crawford, Glazier, Parfitt, and Wray:

H.B. 252, A BILL TO BE ENTITLED AN ACT TO MODIFY THE UNIVERSITY OF NORTH CAROLINA ENROLLMENT CHANGE FUNDING FORMULA AND TO MAKE ENROLLMENT CHANGE FUNDING FOR EACH CONSTITUENT INSTITUTION CONTINGENT ON THE INSTITUTION'S PERFORMANCE IN ACHIEVING TARGETS ESTABLISHED BY THE BOARD OF GOVERNORS, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE, is referred to the Committee on Appropriations.

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By Representatives Dixon and Cleveland (Primary Sponsors); Blust, Bradley, R. Brown, Cook, Hager, Hilton, Jones, Justice, LaRoque, McComas, McElraft, Sanderson, Stam, and Wray:

H.B. 253, A BILL TO BE ENTITLED AN ACT TO PERMIT HOME SCHOOLED STUDENTS TO PARTICIPATE IN INTERSCHOLASTIC ATHLETICS, is referred to the Committee on Education.

By Representatives Womble, Adams, and Parmon (Primary Sponsors); K. Alexander, M. Alexander, Brandon, Farmer-Butterfield, Floyd, Gill, Hamilton, Lucas, Luebke, R. Moore, Pierce, and Wainwright:

H.B. 254, A BILL TO BE ENTITLED AN ACT TO PROVIDE FUNDING FOR THE AFRICAN-AMERICAN HERITAGE COMMISSION, is referred to the Committee on Appropriations.

By Representatives McLawhorn, M. Alexander, Carney, Fisher, Glazier, Jeffus, Lucas, Luebke, Parfitt, Parmon, Pierce, Wainwright, Weiss, and Wray:

H.B. 255, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR VARIOUS PURPOSES PURSUANT TO RECOMMENDATIONS FROM THE JOINT LEGISLATIVE COMMITTEE ON DOMESTIC VIOLENCE, is referred to the Committee on Appropriations.

By Representative Blackwell:

H.B. 256, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE VILLAGE OF LAKE JAMES, is referred to the Committee on Government.

By Representatives Jeffus, Faircloth, Adams, and Blust (Primary Sponsors); M. Alexander, Brandon, Gill, Hackney, and Parmon:

H.B. 257, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA TO PROVIDE ADDITIONAL RESOURCES FOR THE JOINT SCHOOL OF NANOSCIENCE AND NANOENGINEERING ON THE CAMPUS OF THE GATEWAY UNIVERSITY RESEARCH PARK OF THE UNIVERSITY OF NORTH CAROLINA AT GREENSBORO AND NORTH CAROLINA AGRICULTURAL AND TECHNICAL STATE UNIVERSITY, is referred to the Committee on Appropriations.

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By Representatives E. Warren and McLawhorn:

H.R. 258, A HOUSE RESOLUTION HONORING THE LIFE AND MEMORY OF CHARLES DOUGLAS "CHARLIE" BROWN, JR., FALLEN MARTIN COUNTY SHERIFF'S DEPUTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Hilton:

H.B. 259, A BILL TO BE ENTITLED AN ACT TO EXPAND THE TERRITORIAL JURISDICTION OF COMPANY POLICE AGENCIES TO ALLOW THE AGENCIES TO ENFORCE MOTOR VEHICLE AND CRIMINAL LAWS ON PUBLIC STREETS AND HIGHWAYS THAT PASS THROUGH OR ARE ADJACENT TO THE PRIVATE PROPERTY UNDER CONTRACT WITH THE COMPANY POLICE AGENCY, is referred to the Committee on Government and, if favorable, to the Committee on Judiciary.

By Representative Hilton:

H.B. 260, A BILL TO BE ENTITLED AN ACT TO ALLOW COMPANY POLICE OFFICERS WHO ARE OFF PRIVATE PROPERTY CONTRACTED BY THE COMPANY POLICE AGENCY AND IN TRANSIT TO ANOTHER PROPERTY UNDER CONTRACT WITH THE COMPANY POLICE AGENCY TO OPERATE EMERGENCY EQUIPMENT AT CRASH SCENES AND PUBLIC SAFETY EMERGENCIES THAT PRESENT A PUBLIC DANGER, is referred to the Committee on Government and, if favorable, to the Committee on Judiciary.

By Representatives McComas and Lucas:

H.B. 261, A BILL TO BE ENTITLED AN ACT TO REQUIRE INTRASTATE MOTOR CARRIERS TO BE MARKED, is referred to the Committee on Transportation.

By Representatives Ross, Martin, and Hall (Primary Sponsors); Bradley, Harrison, Lucas, and Pierce:

H.B. 262, A BILL TO BE ENTITLED AN ACT TO MAKE REFERENCES IN THE NORTH CAROLINA GENERAL STATUTES TO FEDERAL AND STATE MILITARY ORGANIZATIONS PROPER AND UNIFORM, AS DIRECTED BY SESSION LAW 2009-281, AS AMENDED

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BY SESSION LAW 2010-152, AND TO MAKE CONFORMING CHANGES AND OTHER TECHNICAL CORRECTIONS TO THOSE SECTIONS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is referred to Judiciary Subcommittee A.

By Representatives Cook, Dixon, LaRoque, and Starnes:

H.B. 263, A BILL TO BE ENTITLED AN ACT TO ALLOW CERTAIN RETIRED MEMBERS OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM WHO REMARRIED PRIOR TO THE EFFECTIVE DATE OF A TECHNICAL CORRECTION TO THE RETIREMENT LAWS TO NOMINATE THEIR NEW SPOUSES TO RECEIVE THE SURVIVOR BENEFITS IN ACCORDANCE WITH THAT TECHNICAL CORRECTION, is referred to the Committee on State Personnel.

By Representatives Glazier, Faison, Gill, Lucas, Pierce, and Wray:

H.B. 264, A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA SCHOOL OF AGRISCIENCE AND BIOTECHNOLOGY, AS RECOMMENDED BY THE JOINT LEGISLATIVE JOINING OUR BUSINESSES AND SCHOOLS (JOBS) STUDY COMMISSION UPON THE RECOMMENDATIONS OF THE AGRISCIENCE AND BIOTECHNOLOGY REGIONAL SCHOOL PLANNING COMMISSION, is referred to the Committee on Education.

By Representative Spear:

H.B. 265, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A SEASON FOR TAKING FOXES WITH WEAPONS AND BY TRAPPING IN CHOWAN COUNTY, is referred to the Committee on Agriculture.

By Representatives Weiss, Dollar, Jackson, and Martin (Primary Sponsors); Harrison and Ross:

H.B. 266, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWNS OF APEX, CARY, FUQUAY-VARINA, GARNER, HOLLY SPRINGS, KNIGHTDALE, MORRISVILLE, ROLESVILLE, WAKE FOREST, WENDELL, AND ZEBULON TO ENTER INTO LEASES FOR THE SITING AND OPERATION OF A RENEWABLE ENERGY FACILITY FOR UP TO TWENTY YEARS WITHOUT TREATING IT AS A SALE AND WITHOUT GIVING NOTICE BY PUBLICATION, AND EXEMPTING THOSE MUNICIPALITIES UNTIL JUNE 30, 2015, FROM

March 9, 2011

COMPETITIVE BIDDING REQUIREMENTS WHEN LETTING CONTRACTS FOR USE AS PART OF LOCAL PILOT PROGRAMS AIMED AT INCREASING ENERGY EFFICIENCY, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 27 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ADOPT A MORATORIUM ON INVOLUNTARY ANNEXATIONS, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 31 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PENALTY FOR THE UNAUTHORIZED PRACTICE OF MEDICINE, is read the first time and referred to Judiciary Subcommittee B.

SPEAKER TILLIS PRESIDING.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committee and permanent subcommittee are presented:

By Representatives Howard, Folwell, Setzer, and Starnes, Chairs, for the Committee on Finance:

H.B. 49 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE PUNISHMENT FOR DWI OFFENDERS WITH THREE OR MORE GROSSLY AGGRAVATING FACTORS, TO AUTHORIZE THE COURT TO REQUIRE CONTINUOUS ALCOHOL MONITORING FOR CERTAIN OFFENDERS, AND TO INCREASE THE COURT COSTS FOR DWI OFFENDERS, 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 March 10. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

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By Representatives T. Moore and Rhyne, Chairs, for Judiciary Subcommittee C, with approval of standing committee Chair for report to be made directly to the floor of the House:

H.B. 219, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PERSON REQUIRED TO REGISTER AS A SEX OFFENDER MUST INDICATE ON THE INITIAL REGISTRATION FORM THE NAME UNDER WHICH THE PERSON WAS CONVICTED FOR THE SEX OFFENSE, TO PROVIDE THAT THE REGISTRANT MUST ALSO NOTIFY THE APPROPRIATE SHERIFF OF ANY NAME CHANGE BY THE REGISTRANT AND INCLUDE NAME CHANGES AS PART OF THE VERIFICATION PROCEDURE, TO DIRECT THE DIVISION OF CRIMINAL STATISTICS TO MAINTAIN THE STATEWIDE REGISTRY SO THAT A MEMBER OF THE PUBLIC MAY CONDUCT SEX OFFENDER SEARCHES USING ANY NAME OR ALIAS OF A REGISTRANT, TO CLARIFY THAT SEX OFFENDERS MAY NOT CHANGE THEIR NAME PURSUANT TO CHAPTER 101 OF THE GENERAL STATUTES, TO AMEND THE LAW REGARDING THE VENUE IN WHICH TO FILE A PETITION TO TERMINATE A SEX OFFENDER REGISTRATION REQUIREMENT, AND TO APPROPRIATE FUNDS TO THE DEPARTMENT OF JUSTICE FOR COMPUTER AND SOFTWARE REPAIRS TO THE STATEWIDE REGISTRY COMPUTER SYSTEM, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

The serial referral to the Appropriations Subcommittee on Justice and Public Safety is stricken.

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

CHAPTERED BILLS

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

S.B. 76, AN ACT TO MAKE TECHNICAL AND CLARIFYING CHANGES TO THE INDUSTRIAL FACILITIES SALES TAX REFUND, A TECHNICAL CORRECTION TO THE MEMBERSHIP COUNT OF THE UWHARRIE COMMISSION, TO PROVIDE INTEREST ON OVERPAYMENT OF PROPERTY TAX, AND TO PROVIDE DELAY OF THE COLLECTION OF PROPERTY TAX PENDING APPEAL. (S.L. 2011-3)

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S.B. 97, AN ACT TO CLARIFY WHEN THE DEPARTMENT OF REVENUE IS REQUIRED TO INITIATE A REFUND OF AN OVERPAYMENT OF TAX AND TO AUTHORIZE THE ISSUANCE OF REFUNDS OF OVERPAYMENTS THAT HAVE BEEN IDENTIFIED BY THE DEPARTMENT CONSISTENT WITH THIS CLARIFICATION. (S.L. 2011-4)

CALENDAR

Action is taken on the following:

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

H.R. 69, A HOUSE RESOLUTION HONORING THE LIFE AND MEMORY OF IRENE PACE HAIRSTON, FORSYTH COUNTY EDUCATOR AND CIVIC LEADER.

The resolution is adopted, by electronic vote (117-0), and ordered printed.

H.B. 22, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR ADDITIONAL FLEXIBILITY FOR VANCE-GRANVILLE COMMUNITY COLLEGE BOND 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 sent to the Senate.

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

H.B. 146 (Committee Substitute), A BILL TO BE ENTITLED AN ACT DESIGNATING THE MONTH OF MARCH OF EACH YEAR AS KIDNEY MONTH IN NORTH CAROLINA, passes its second reading, by electronic vote (118-0), and there being no objection is read a third time.

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

H.B. 159 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO MAKE A NOTATION ON A NORTH CAROLINA DRIVERS LICENSE SHOWING A LICENSE HOLDER'S MILITARY VETERAN STATUS.

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

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Representatives Haire and McGrady request and are granted leave of the House to be recorded as voting "aye". The adjusted vote total is (118-0).

The bill, as amended, passes its second reading, by electronic vote (115-1), and there being no objection is read a third time.

The bill, as amended, passes its third reading, by electronic vote (114-2), and is ordered engrossed and sent to the Senate.

H.B. 162, A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN ACTIVITIES RELATED TO SMALL-SCALE PROCESSING OF AGRICULTURAL PRODUCTS FROM WASTEWATER PERMIT REQUIREMENTS, passes its second reading, by electronic vote (118-0), and there being no objection is read a third time.

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

S.B. 22 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO LIMIT NEW AGENCY REGULATORY REQUIREMENTS THAT RESULT IN SUBSTANTIAL ADDITIONAL COSTS.

Representative Insko moves that the bill be removed from the Calendar and re-referred to the Committee on Health and Human Services. The motion fails by electronic vote (49-69).

Representative Insko offers Amendment No. 1 which fails of adoption by electronic vote (50-68).

Representative Harrison offers Amendment No. 2 which fails of adoption by electronic vote (47-70).

The bill passes its second reading by electronic vote (80-39).

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

H.B. 2, AN ACT TO PROTECT THE FREEDOM TO CHOOSE HEALTH CARE AND HEALTH INSURANCE, is before the Body.

Representative Stam moves that the House pass the bill, notwithstanding the objections of the Governor.

The motion fails for lack of a three-fifths majority roll call vote:

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Those voting in the affirmative are: Speaker Tillis; Representatives Avila, Barnhart, Blackwell, Blust, Boles, Bradley, Brawley, L. Brown, R. Brown, Brubaker, Burr, Cleveland, Collins, Cook, Current, Daughtry, Dixon, Dockham, Dollar, Faircloth, Folwell, Frye, Gillespie, Guice, Hager, Hastings, Hilton, Hollo, Holloway, Horn, Howard, Hurley, Iler, Ingle, Johnson, Jones, Jordan, Justice, Killian, Langdon, LaRoque, Lewis, McComas, McCormick, McElraft, McGee, McGrady, Mills, Moffitt, T. Moore, Murry, Pridgen, Randleman, Rhyne, Sager, Samuelson, Sanderson, Setzer, Shepard, Stam, Starnes, Steen, Stevens, Stone, Torbett, H. Warren, and West - 68.

Voting in the negative: Representatives Adams, K. Alexander, M. Alexander, Bell, Bordsen, Brandon, Brisson, Bryant, Carney, Cotham, Crawford, Earle, Faison, Farmer-Butterfield, Fisher, Floyd, Gill, Glazier, Goodman, Graham, Hackney, Haire, Hall, Hamilton, Harrison, Hill, Insko, Jackson, Jeffus, Keever, Lucas, Luebke, Martin, McGuirt, McLawhorn, Michaux, Mobley, R. Moore, Parfitt, Parmon, Pierce, Rapp, Ross, Spear, Tolson, Wainwright, E. Warren, Weiss, Wilkins, Womble, and Wray - 51.

Excused absence: Representative Owens.

SPECIAL MESSAGE FROM THE SENATE

2011 GENERAL ASSEMBLY FIRST SESSION 2011

Senate Chamber
March 9, 2011

Mr. Speaker:

It is ordered that a message be sent your Honorable Body that the Senate has passed **S.B. 13 (Ratified)**, AN ACT TO ENACT THE BALANCED BUDGET ACT OF 2011, notwithstanding the objections of the Governor.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committee and permanent subcommittee are presented:

March 9, 2011

By Representatives Stam and Stevens, Chairs for Judiciary Subcommittee B, with approval of standing committee Chair for report to be made directly to the floor of the House:

H.B. 54, A BILL TO BE ENTITLED AN ACT TO CREATE THE STATUS OFFENSE OF HABITUAL MISDEMEANOR LARCENY, 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. 7 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADD MEPHEDRONE, METHYENEDIOXYPROVALERONE AND CERTAIN DERIVATIVES OF 2-AMINO-1-PHENYL-1-PROPANONE TO THE LIST OF CONTROLLED SUBSTANCES, 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 March 10. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

Representative Daughtry, Chair, for the Committee on Judiciary submits the following bill with a favorable report for introduction.

A BILL TO BE ENTITLED AN ACT TO PROVIDE THE NORTH CAROLINA GENERAL ASSEMBLY SPECIAL POLICE WITH STATE-WIDE LAW ENFORCEMENT JURISDICTION.

Notwithstanding Rule 31(a) and pursuant to Rule 32(a), the bill is filed, assigned the number **H.B. 316**, read the first time and referred to Judiciary Subcommittee A.

CALENDAR (continued)

Representative T. Moore is recognized and states that he has placed **H.R. 314**, A HOUSE RESOLUTION TO ESTABLISH THE PROCEDURE FOR NOMINATING AND ELECTING MEMBERS OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA, with the Clerk for consideration by the Body.

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Upon his motion Rule 31(a) is suspended and the resolution is read the first time.

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

The resolution is adopted, by electronic vote (118-0), and ordered printed.

Representative LaRoque moves, seconded by Representative McComas, that the House adjourn, subject to the receipt of Committee Reports, the receipt of Messages from the Senate, and the re-referral of bills, to reconvene March 10 at 10:00 a.m.

The motion carries.

No Committee Reports, Messages from the Senate, or re-referrals of bills having been received, the House stands adjourned at 6:15 p.m.

TWENTY-SIXTH DAY

HOUSE OF REPRESENTATIVES
Thursday, March 10, 2011

The House meets at 10:00 a.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Deborah Ross.

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

Leaves of absence are granted Representatives Bordsen, Owens, and Womble for today. Representatives Adams, Bradley, Harrison, Lewis, and E. Warren are excused for a portion of the Session.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative T. Moore and without objection, **S.B. 109**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE GOVERNOR TO CUT SPENDING FOR THE CURRENT FISCAL YEAR, is withdrawn from the Calendar and placed on the Calendar of March 15.

March 10, 2011

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following report from standing committee is presented:

By Representatives Howard, Folwell, Setzer, and Starnes, Chairs, for the Committee on Finance:

H.B. 45 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE USE OF RISK-BASED REMEDIATION TO ACCELERATE THE CLEANUP OF CONTAMINATED INDUSTRIAL SITES FOR THE PURPOSE OF LIMITING HUMAN AND ENVIRONMENTAL EXPOSURE TO SAFE LEVELS, TO PROTECT CURRENT AND LIKELY FUTURE USES OF GROUNDWATER, AND TO ENSURE THE COST-EFFECTIVE APPLICATION OF LIMITED PUBLIC AND PRIVATE RESOURCES, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

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

REPRESENTATIVE FOLWELL, SPEAKER PRO TEMPORE,
PRESIDING.

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representatives Bell, Brandon, Insko, Lucas, Parfitt, Parmon, Pierce, and Wray:

H.B. 267, A BILL TO BE ENTITLED AN ACT TO ENACT THE MENTAL HEALTH WORKERS' BILL OF RIGHTS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Gillespie, K. Alexander, and Avila (Primary Sponsors):

H.B. 268, A BILL TO BE ENTITLED AN ACT TO DISAPPROVE CERTAIN REVISIONS TO THE RECLAIMED WATER RULES, is referred to the Committee on Environment.

By Representatives Guice, Bryant, and Pierce (Primary Sponsors); Adams, M. Alexander, Bordsen, Gill, Glazier, Lucas, Luebke, Ross, Womble, and Wray:

March 10, 2011

H.B. 269, A BILL TO BE ENTITLED AN ACT TO REESTABLISH THE JOINT SELECT COMMITTEE ON EX-OFFENDER REINTEGRATION INTO SOCIETY, AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON EX-OFFENDER REINTEGRATION INTO SOCIETY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Guice, Horn, Ingle, and Faircloth (Primary Sponsors); Gill, Glazier, Lucas, Sanderson, and Stam:

H.B. 270, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW ESTABLISHING THE REGULAR AND SPECIAL CONDITIONS OF PROBATION AND TO REPEAL THE LAW TOLLING THE PROBATION PERIOD WHILE CRIMINAL CHARGES ARE PENDING THAT MIGHT RESULT IN REVOCATION PROCEEDINGS, is referred to Judiciary Subcommittee B.

By Representatives Guice, Horn, Ingle, and Faircloth (Primary Sponsors); Burr, Cook, Faison, Hilton, and Sanderson:

H.B. 271, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE PROHIBITION AGAINST CARRYING A CONCEALED WEAPON DOES NOT APPLY TO STATE PROBATION AND PAROLE CERTIFIED OFFICERS WHEN THEY ARE OFF-DUTY, is referred to Judiciary Subcommittee A.

By Representatives Bryant, Guice, Frye, and Pierce (Primary Sponsors); Adams, M. Alexander, Glazier, Harrison, Luebke, Womble, and Wray:

H.B. 272, A BILL TO BE ENTITLED AN ACT TO DIRECT THE ADMINISTRATIVE OFFICE OF THE COURTS TO STUDY ISSUES RELATED TO THE SALE OF COURT RECORDS AND TO MAKE RECOMMENDATIONS ON DEFINING THE TERM "CRIMINAL RECORD" BY STATE LAW, AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON EX-OFFENDER REINTEGRATION INTO SOCIETY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Bryant, Guice, and Pierce (Primary Sponsors); Adams, M. Alexander, Bordsen, Floyd, Glazier, Graham, Harrison, Lucas, Luebke, Parmon, and Womble:

H.B. 273, A BILL TO BE ENTITLED AN ACT TO APPOINT A STUDY COMMITTEE TO REVIEW CURRENT EXPUNCTION STATUTES, AS

March 10, 2011

RECOMMENDED BY THE JOINT SELECT COMMITTEE ON EX-OFFENDER REINTEGRATION INTO SOCIETY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Bryant, Guice, Pierce, and M. Alexander (Primary Sponsors); Adams, Bordsen, Brandon, Floyd, Gill, Glazier, Hamilton, Harrison, Lucas, Luebke, Parmon, Ross, and Wray:

H.B. 274, A BILL TO BE ENTITLED AN ACT TO DIRECT THE NORTH CAROLINA DEPARTMENT OF CORRECTION TO UTILIZE CERTAIN DATA TO EVALUATE THE EFFECTIVENESS OF ITS PROGRAMS; AND TO REQUIRE THE SENTENCING AND POLICY ADVISORY COMMISSION TO STUDY THE BEST METHODS AND PROCEDURES FOR ENSURING THAT A DEFENDANT WHO ENTERS A GUILTY PLEA UNDERSTANDS THE COLLATERAL CONSEQUENCES OF THE PLEA, AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON EX-OFFENDER REINTEGRATION INTO SOCIETY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Bryant, Pierce, M. Alexander, and Brandon (Primary Sponsors); Adams, Floyd, Harrison, Lucas, Luebke, R. Moore, Parmon, Womble, and Wray:

H.B. 275, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE OFFICE OF STATE PERSONNEL TO DEVELOP PROTOCOLS AND POLICIES REGARDING THE HIRING OF EX-OFFENDERS IN STATE GOVERNMENT, AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON EX-OFFENDER REINTEGRATION INTO SOCIETY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Pierce, M. Alexander, Bryant, and Brandon (Primary Sponsors); Adams, Luebke, R. Moore, Parmon, and Womble:

H.B. 276, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE GOVERNOR'S CRIME COMMISSION OF THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY TO PROMOTE FUNDING AVAILABILITY TO CERTAIN LOCAL AND NONPROFIT GROUPS, AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON EX-OFFENDER REINTEGRATION INTO SOCIETY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Pierce, Bryant, Guice, and M. Alexander (Primary Sponsors); Adams, Floyd, Glazier, Lucas, Luebke, and Womble:

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H.B. 277, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE GENERAL STATUTES COMMISSION TO IDENTIFY THE COLLATERAL CONSEQUENCES FOR ALL CRIMINAL CONVICTIONS, AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON EX-OFFENDER REINTEGRATION INTO SOCIETY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Hastings and Stam:

H.B. 278, A BILL TO BE ENTITLED AN ACT TO UPDATE THE PAYROLL SAVINGS PROGRAM FOR SAVINGS BONDS TO REFLECT RECENT CHANGES MADE BY THE UNITED STATES TREASURY DEPARTMENT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Jackson, Dollar, Weiss, and Martin (Primary Sponsors); Bordsen, Gill, Ross, and Stam:

H.B. 279, A BILL TO BE ENTITLED AN ACT TO ALLOW MUNICIPALITIES IN WAKE COUNTY TO EXEMPT BONA FIDE FARMS FROM OBTAINING BUILDING PERMITS FOR ACCESSORY BUILDINGS IN ITS EXTRATERRITORIAL JURISDICTION, is referred to the Committee on Government.

By Representatives Brawley and Murry (Primary Sponsors):

H.B. 280, A BILL TO BE ENTITLED AN ACT TO CHANGE THE QUALIFICATION REQUIREMENT FOR A COUNTY SERVICE DISTRICT ESTABLISHED FOR LAW ENFORCEMENT, is referred to the Committee on Government.

By Representatives LaRoque, Faison, and Stone:

H.B. 281, A BILL TO BE ENTITLED AN ACT TO ELIMINATE EXTRATERRITORIAL PLANNING JURISDICTION WHEN COUNTY-WIDE ZONING IS IN EFFECT, AND WHEN COUNTYWIDE ZONING IS NOT IN EFFECT, TO ALLOW RESIDENTS OF THE ETJ TO RUN FOR MUNICIPAL OFFICE AND VOTE IN ELECTIONS FOR MUNICIPAL OFFICE, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

By Representatives K. Alexander, R. Moore, Hall, and Harrison (Primary Sponsors); Faison and Lucas:

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H.B. 282, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT HOMEOWNERS ASSOCIATIONS MAY NOT PROHIBIT THE INSTALLATION OF CERTAIN WATER AND ENERGY EFFICIENCY IMPROVEMENTS BY HOMEOWNERS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Hamilton, Justice, and R. Moore:

H.B. 283, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF CASTLE HAYNE, SUBJECT TO A REFERENDUM, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

By Representatives Sager and LaRoque (Primary Sponsors):

H.B. 284, A BILL TO BE ENTITLED AN ACT TO PERMIT THE COUNTY OF WAYNE TO UTILIZE THE DESIGN-BUILD METHOD OF CONSTRUCTION AND RENOVATION OF COUNTY BUILDINGS, is referred to the Committee on Government.

By Representatives Killian and Martin (Primary Sponsors); Cook, Earle, Faison, Goodman, Graham, Harrison, Ingle, Jones, McLawhorn, Samuelson, H. Warren, and Wray:

H.B. 285, A BILL TO BE ENTITLED AN ACT TO PROVIDE ACTIVE DUTY NATIONAL GUARD MEMBERS WITH A MOTOR VEHICLE REGISTRATION PLATE AT NO COST, is referred to the Committee on Transportation and, if favorable, to the Committee on Finance.

By Representative E. Warren:

H.B. 286, A BILL TO BE ENTITLED AN ACT ADOPTING THE HERRING FESTIVAL HELD IN THE TOWN OF JAMESVILLE AS THE OFFICIAL HERRING FESTIVAL OF THE STATE OF NORTH CAROLINA, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Bell, M. Alexander, Brandon, Bryant, Gill, Glazier, Insko, Lucas, Luebke, Parfitt, Ross, and Wray:

H.B. 287, A BILL TO BE ENTITLED AN ACT TO ENACT THE MENTAL HEALTH WORKERS' BILL OF RIGHTS, is referred to the Committee on Health and Human Services and, if favorable, to the Committee on Commerce and Job Development.

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By Representatives Glazier, Weiss, Parmon, and Michaux (Primary Sponsors); M. Alexander, Faison, Fisher, Gill, Graham, Hackney, Insko, Lucas, Parfitt, Pierce, and Wray:

H.B. 288, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO EXPAND THE NORTH CAROLINA SCIENCE OLYMPIAD TO ALL ONE HUNDRED COUNTIES, is referred to the Committee on Appropriations.

By Representatives Gillespie, Cook, Hilton, Hollo, Justice, Killian, Samuelson, Spear, Stam, and Wray:

H.B. 289, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE VARIOUS SPECIAL REGISTRATION PLATES, is referred to the Committee on Transportation and, if favorable, to the Committee on Finance.

By Representative McGuirt:

H.B. 290, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF MARSHVILLE, is referred to the Committee on Government.

By Representative Cook:

H.B. 291, A BILL TO BE ENTITLED AN ACT TO ALLOW RECALL OF OFFICERS OF THE TOWN OF BELHAVEN, is referred to the Committee on Government.

By Representative Wilkins:

H.B. 292, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF ROUGEMONT, SUBJECT TO A REFERENDUM, is referred to the Committee on Government.

By Representatives Floyd, Glazier and Lucas:

H.B. 293, A BILL TO BE ENTITLED AN ACT PROVIDING THAT THE SUMMONS AND COMPLAINTS IN A SUMMARY EJECTMENT ACTION IF AFFIXED TO THE DEMISED PREMISES SHALL BE PLACED IN AN ENVELOPE CONTAINING A WINDOW THROUGH WHICH THE NAME AND ADDRESS OF THE TENANT ARE DISPLAYED, is referred to Judiciary Subcommittee A.

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By Representatives Bell and Langdon (Primary Sponsors):

H.B. 294, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT SAMPSON COUNTY MAY PROHIBIT THE ISSUANCE OF A PERMIT BY THE INSPECTIONS DEPARTMENT TO A PERSON WHO OWES DELINQUENT PROPERTY TAXES, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

By Representatives Bell and Langdon (Primary Sponsors):

H.B. 295, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT SAMPSON COUNTY MAY PROHIBIT THE ISSUANCE OF A LAND-USE PERMIT OR A BUILDING PERMIT TO A DELINQUENT TAX-PAYER, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

By Representatives Bell and Langdon (Primary Sponsors):

H.B. 296, A BILL TO BE ENTITLED AN ACT TO ALLOW THE SAMPSON COUNTY BOARD OF COMMISSIONERS TO ADOPT A RESOLUTION DISALLOWING RECORDATION BY THE REGISTER OF DEEDS ABSENT A CERTIFICATION OF NO DELINQUENT AD VALOREM TAXES ON THE PROPERTY, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

By Representatives Starnes, Bradley, Faison, Jones, Lucas, H. Warren, and Wray:

H.B. 297, A BILL TO BE ENTITLED AN ACT TO MAKE IT UNLAWFUL FOR ANY BUSINESS TO REQUIRE THAT A LICENSED DRIVER RELINQUISH HIS OR HER DRIVERS LICENSE, is referred to the Committee on Commerce and Job Development and, if favorable, to Judiciary Subcommittee A.

By Representatives Dockham and Wray:

H.B. 298, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN THE INSURANCE LAWS TO PRIVATIZE ONLINE AND ADMINISTRATIVE PROCESSES FOR LICENSE APPLICANTS, ENSURE ACCURACY IN CERTIFICATES OF INSURANCE, REQUIRE PRIOR APPROVAL OF SMALL GROUP HEALTH INSURANCE RATES AND ENCOURAGE THE SALE OF CHILD-ONLY HEALTH INSURANCE POLICIES, AMEND THE RISK-BASED CAPITAL LAW TO MAINTAIN NAIC ACCREDITATION, PROVIDE AN EXEMPTION FOR LICENSING

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OF CLAIMS INPUT EMPLOYEES FOR PORTABLE ELECTRONIC DEVICES, PROHIBIT FEDERAL PREEMPTION OF CROP ADJUSTERS' REGULATION, AND EASE THE REGULATORY BURDEN ON THE ASSOCIATION AGGREGATE SECURITY SYSTEM, is referred to the Committee on Insurance and, if favorable, to the Committee on Finance.

By Representative Dockham:

H.B. 299, A BILL TO BE ENTITLED AN ACT TO CONFORM PROVISIONS OF NORTH CAROLINA SURPLUS LINES INSURANCE LAWS TO THE FEDERAL NONADMITTED AND REINSURANCE REFORM ACT OF 2010 AND TO PREVENT ANY LOSS OF PREMIUM TAX REVENUE TO THE STATE, is referred to the Committee on Insurance and, if favorable, to the Committee on Finance.

By Representatives Jones and Hager (Primary Sponsors); Bradley, Cleveland, Cook, Folwell, Gill, Goodman, Jordan, Pridgen, and Sager:

H.B. 300, A BILL TO BE ENTITLED AN ACT TO ROTATE THE ORDER OF CANDIDATES AND POLITICAL PARTIES AS THEY APPEAR ON BALLOTS, TO ELIMINATE STRAIGHT-PARTY TICKET VOTING, AND TO PROVIDE PARTISAN BALANCE ON THE STATE BOARD OF ELECTIONS, is referred to the Committee on Elections.

By Representative Bradley:

H.B. 301, A BILL TO BE ENTITLED AN ACT ESTABLISHING A JOINT LEGISLATIVE STUDY COMMITTEE ON ALTERNATIVE CURRENCY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Earle and Samuelson (Primary Sponsors); Adams, M. Alexander, and Harrison:

H.B. 302, A BILL TO BE ENTITLED AN ACT TO BROADEN THE EXEMPTION FROM CHARITABLE SOLICITATION LICENSING REQUIREMENTS FOR CERTAIN NONPROFIT ADULT RESIDENTIAL TREATMENT FACILITIES, is referred to the Committee on Health and Human Services and, if favorable, to the Committee on Finance.

By Representatives Earle, Mobley, Farmer-Butterfield, and Weiss (Primary Sponsors); Adams, K. Alexander, M. Alexander, Bell, Bordsen, Fisher, Glazier, Goodman, Graham, Hall, Lucas, McLawhorn, Parmon, Rapp, and Wray:

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H.B. 303, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF PUBLIC HEALTH, TO PROVIDE STATEWIDE POISON CONTROL SERVICES THROUGH THE CAROLINAS POISON CENTER, AS RECOMMENDED BY THE CHILD FATALITY TASK FORCE, is referred to the Committee on Appropriations.

By Representatives Earle, Adams, M. Alexander, McLawhorn, R. Moore, and Weiss:

H.B. 304, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO IMPROVE CHILD DEATH RESEARCH AND INVESTIGATION IN NORTH CAROLINA, AS RECOMMENDED BY THE CHILD FATALITY TASK FORCE, is referred to the Committee on Appropriations.

By Representatives Earle, Parmon, Hall, and Mobley (Primary Sponsors); Adams, K. Alexander, M. Alexander, Bell, Bordsen, Faison, Farmer-Butterfield, Fisher, Glazier, Graham, Hamilton, Jeffus, Lucas, McLawhorn, R. Moore, Pierce, Ross, Weiss, and Wray:

H.B. 305, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE NORTH CAROLINA FOOD BANKS, is referred to the Committee on Appropriations.

By Representatives Ross and Glazier:

H.B. 306, A BILL TO BE ENTITLED AN ACT TO (1) ALLOW SERVICE BY SIGNATURE CONFIRMATION OR DESIGNATED DELIVERY SERVICE IN SMALL CLAIM ACTIONS ASSIGNED TO MAGISTRATES AND IN ADMINISTRATIVE CASES, (2) CLARIFY THAT THE SIXTY-DAY TIME FRAME FOR SERVING A SUMMONS UNDER RULE 4 OF THE RULES OF CIVIL PROCEDURE APPLIES TO ALL SUMMONSES UNDER RULE 4(J) AND (J1), (3) REQUIRE THAT A COPY OF A MOTION TO TERMINATE PARENTAL RIGHTS THAT IS SERVED ON A PARENT BE SENT TO THAT PARENT'S ATTORNEY OF RECORD, IF ANY, (4) REQUIRE THAT A PARTY'S ATTORNEY OF RECORD, IF ANY, MUST BE SERVED WHEN SERVICE IS MADE UNDER RULE 5(B) OF THE RULES OF CIVIL PROCEDURE, IN ADDITION TO ANY SERVICE ON THE PARTY, AND (5) CLARIFY THAT AN ATTORNEY MAY BE SERVED UNDER RULE 5(B) BY MAIL, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is referred to Judiciary Subcommittee A.

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By Representatives Dollar, Jackson, and Murry (Primary Sponsors); Gill, McGrady, and Stam:

H.B. 307, A BILL TO BE ENTITLED AN ACT TO ALLOW THE COUNTY OF WAKE AND THE TOWNS OF CARY, CLAYTON, WENDELL, AND ZEBULON TO USE ELECTRONIC MEANS TO PROVIDE PUBLIC NOTICE IN LIEU OF PUBLICATION, is referred to the Committee on Government.

By Representatives LaRoque, Guice, Tolson, and Glazier (Primary Sponsors); and Wray:

H.B. 308, A BILL TO BE ENTITLED AN ACT TO REFORM THE PROCESS OF TICKETING, SELLING, AND RESELLING ADMISSION TICKETS, is referred to the Committee on Commerce and Job Development and, if favorable, to the Committee on Judiciary.

By Representatives LaRoque, T. Moore, Crawford, and Bell (Primary Sponsors); Brisson, Burr, Dockham, Floyd, Johnson, Lucas, Setzer, and Wray:

H.B. 309, A BILL TO BE ENTITLED AN ACT TO ESTABLISH CERTAIN STATUTORY STANDARDS FOR SELECTIVE VEGETATION REMOVAL WITHIN THE RIGHTS-OF-WAY OF THE STATE HIGHWAY SYSTEM AND FOR THE ERECTION OF OUTDOOR ADVERTISING, is referred to the Committee on Transportation and, if favorable, to the Committee on Finance.

By Representative LaRoque:

H.B. 310, A BILL TO BE ENTITLED AN ACT TO GIVE A VETO OF KINSTON CITY COUNCIL ACTIONS TO THE MAYOR, is referred to the Committee on Government.

By Representatives Fisher, Samuelson, Jeffus, and McComas (Primary Sponsors):

H.B. 311, A BILL TO BE ENTITLED AN ACT REQUIRING THAT MOTOR CARRIERS OF HOUSEHOLD GOODS MARK OR IDENTIFY THEIR VEHICLES AND MAKING IT UNLAWFUL FOR A PERSON NOT CERTIFIED BY THE UTILITIES COMMISSION AS A MOTOR CARRIER OF HOUSEHOLD GOODS TO ADVERTISE OR OTHERWISE REPRESENT THAT THE PERSON IS AUTHORIZED TO ENGAGE IN THE TRANSPORTATION OF HOUSEHOLD GOODS FOR COMPENSATION IN THIS STATE, is referred to the Committee on Transportation and, if favorable, to the Committee on Finance.

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By Representatives Haire, Stevens, Stam, and Spear (Primary Sponsors); Horn, Hurley, Jones, Shepard, and Wray:

H.B. 312, A BILL TO BE ENTITLED AN ACT AMENDING THE METHODS FOR RECORDING SATISFACTION OF A SECURITY INSTRUMENT WITH THE REGISTER OF DEEDS, CLARIFYING THE REQUIREMENTS FOR ELECTRONICALLY REGISTERING PLATS WITH THE REGISTER OF DEEDS, AND AMENDING RESTRICTIONS ON ACCESS TO MILITARY DISCHARGE DOCUMENTS RECORDED WITH THE REGISTER OF DEEDS, is referred to Judiciary Subcommittee A.

By Representatives Hastings and T. Moore (Primary Sponsors):

H.B. 313, A BILL TO BE ENTITLED AN ACT TO REPEAL THE PAYROLL SAVINGS PROGRAM FOR SAVINGS BONDS DUE TO RECENT CHANGES MADE BY THE UNITED STATES TREASURY DEPARTMENT, is referred to the Committee on State Personnel and, if favorable, to the Committee on Finance.

MESSAGE FROM THE SENATE

The following is received from the Senate:

S.B. 18 (Committee Substitute), A BILL TO BE ENTITLED AN ACT CLARIFYING THE DEFINITION OF JUDICIAL DISTRICTS UNDER THE LAWS REGULATING THE NORTH CAROLINA STATE BAR, is read the first time and referred to the Committee on Judiciary.

SPEAKER TILLIS PRESIDING.

ENROLLED BILLS

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

H.B. 123, AN ACT TO REVISE THE BUSINESS ENTITY OWNERSHIP REQUIREMENTS OF LAND AT PRESENT-USE VALUE.

CALENDAR

Action is taken on the following:

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H.B. 68 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ALAMANCE, BRUNSWICK, BUNCOMBE, AND YANCEY COUNTIES TO REQUIRE THE PAYMENT OF DELINQUENT PROPERTY TAXES BEFORE RECORDING DEEDS CONVEYING PROPERTY, passes its second reading, and there being no objection is read a third time.

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

H.B. 49 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE PUNISHMENT FOR DWI OFFENDERS WITH THREE OR MORE GROSSLY AGGRAVATING FACTORS, TO AUTHORIZE THE COURT TO REQUIRE CONTINUOUS ALCOHOL MONITORING FOR CERTAIN OFFENDERS, AND TO INCREASE THE COURT COSTS FOR DWI OFFENDERS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Tillis; Representatives Adams, K. Alexander, M. Alexander, Avila, Barnhart, Bell, Blackwell, Blust, Boles, Brandon, Brawley, Brisson, L. Brown, R. Brown, Brubaker, Bryant, Burr, Carney, Cleveland, Collins, Cook, Cotham, Crawford, Current, Daughtry, Dixon, Dockham, Dollar, Earle, Faircloth, Faison, Farmer-Butterfield, Fisher, Floyd, Folwell, Frye, Gill, Gillespie, Glazier, Goodman, Graham, Guice, Hackney, Hager, Haire, Hall, Hamilton, Harrison, Hastings, Hill, Hilton, Hollo, Holloway, Horn, Howard, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Jordan, Justice, Keever, Killian, Langdon, LaRoque, Lewis, Lucas, Luebke, Martin, McComas, McCormick, McElraft, McGee, McGrady, McGuirt, McLawhorn, Michaux, Mills, Mobley, Moffitt, R. Moore, T. Moore, Murry, Parfitt, Parmon, Pierce, Pridgen, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Wainwright, E. Warren, H. Warren, Weiss, West, Wilkins, and Wray - 116.

Voting in the negative: None.

Excused absences: Representatives Bordsen, Bradley, Owens, and Womble - 4.

S.B. 22 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO LIMIT NEW AGENCY REGULATORY REQUIREMENTS THAT RESULT IN SUBSTANTIAL ADDITIONAL COSTS.

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Representative Luebke offers Amendment No. 3 which fails of adoption by electronic vote (47-66).

Representative Jones requests and is granted leave of the House to change his vote from "aye" to "no". The adjusted vote total is (46-67).

Representative Martin moves that the bill be removed from the Calendar and re-referred to the Committee on Judiciary. The motion fails by electronic vote (44-71).

REPRESENTATIVE FOLWELL, SPEAKER PRO TEMPORE, PRESIDING.

The bill passes its third reading, by electronic vote (74-40), and is ordered sent to the Senate for concurrence in the House committee substitute bill.

Representative T. Moore moves that the House recess, to reconvene at 1:45 p.m. The motion carries by electronic vote (63-49). The House recesses at 11:21 a.m.

RECESS

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

CALENDAR (continued)

H.B. 219 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PERSON REQUIRED TO REGISTER AS A SEX OFFENDER MUST INDICATE ON THE INITIAL REGISTRATION FORM THE NAME UNDER WHICH THE PERSON WAS CONVICTED FOR THE SEX OFFENSE, TO PROVIDE THAT THE REGISTRANT MUST ALSO NOTIFY THE APPROPRIATE SHERIFF OF ANY NAME CHANGE BY THE REGISTRANT AND INCLUDE NAME CHANGES AS PART OF THE VERIFICATION PROCEDURE, TO DIRECT THE DIVISION OF CRIMINAL STATISTICS TO MAINTAIN THE STATEWIDE REGISTRY SO THAT A MEMBER OF THE PUBLIC MAY CONDUCT SEX OFFENDER SEARCHES USING ANY NAME OR ALIAS OF A REGISTRANT, TO CLARIFY THAT SEX OFFENDERS MAY NOT CHANGE THEIR NAME PURSUANT TO CHAPTER 101 OF THE GENERAL STATUTES, TO AMEND THE LAW REGARDING THE VENUE IN WHICH TO FILE A PETITION TO TERMINATE A SEX OFFENDER REGISTRATION REQUIREMENT, 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.

**REPORTS OF STANDING COMMITTEES AND PERMANENT
SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representatives Brubaker, Barnhart, Gillespie, and Johnson, Chairs, for the Committee on Appropriations:

S.B. 32 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR HOSPITAL ASSESSMENTS TO BE USED TO OBTAIN MATCHING FEDERAL MEDICAID FUNDS TO REDUCE THE LOSSES HOSPITALS SUSTAIN WHEN TREATING MEDICAID AND UNINSURED PATIENTS, TO REDUCE THE INEQUITY IN MEDICAID PAYMENTS BETWEEN PUBLIC AND NONPUBLIC HOSPITALS, AND TO PROVIDE FORTY-THREE MILLION DOLLARS IN ADDITIONAL FUNDING FOR THE STATE OF NORTH CAROLINA, with a favorable report.

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

S.B. 58, A BILL TO BE ENTITLED AN ACT MODIFYING THE FMAP CUTS IN THE 2010-2011 STATE BUDGET AND AUTHORIZING THE GOVERNOR TO ADDRESS MEDICAID LIABILITIES INCURRED IN THE 2009-2010 FISCAL YEAR, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the original bill.

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

By Representative Burr, Vice Chair, for the Committee on Elections:

H.B. 21, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE ADMINISTRATION OF NONPARTISAN MUNICIPAL ELECTIONS BY COUNTY BOARDS OF ELECTIONS SINCE GENERAL ABOLITION OF MUNICIPAL BOARDS OF ELECTIONS IN 2001, 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 March 14. The original bill is placed on the Unfavorable Calendar.

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SUBCOMMITTEE REFERRALS

Representative McComas, Chair, for the Standing Committee on Commerce and Job Development, refers the following bills to the Commerce and Job Development Subcommittee on Science and Technology:

H.B. 91, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET PROVISION PERTAINING TO THE E-NC AUTHORITY, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON HIGH SPEED INTERNET ACCESS IN RURAL AND URBAN AREAS.

H.B. 101, A BILL TO BE ENTITLED AN ACT PROVIDING THAT COUNTIES HAVE THE SAME AUTHORITY AS CITIES TO ENGAGE IN PUBLIC ENTERPRISES RELATED TO CABLE TELEVISION SYSTEMS, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON HIGH-SPEED INTERNET ACCESS IN RURAL AND URBAN AREAS.

Representative McComas, Chair, for the Standing Committee on Commerce and Job Development, refers the following bills to the Commerce and Job Development Subcommittee on Business and Labor:

H.B. 94, A BILL TO BE ENTITLED AN ACT TO PERMIT LOCAL BOARDS OF EDUCATION TO SET SCHOOL CALENDARS FOR THEIR LOCAL SCHOOL ADMINISTRATIVE UNITS.

H.B. 174, A BILL TO BE ENTITLED AN ACT TO ENACT THE COMMERCIAL REAL ESTATE BROKER LIEN ACT.

H.B. 181, A BILL TO BE ENTITLED AN ACT TO ADD THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION TO THE ECONOMIC DEVELOPMENT BOARD, AS RECOMMENDED BY THE JOINT LEGISLATIVE JOINING OUR BUSINESSES AND SCHOOLS (JOBS) STUDY COMMISSION.

H.B. 187, A BILL TO BE ENTITLED AN ACT TO DIRECT THE GASOLINE AND OIL INSPECTION BOARD TO ADOPT RULES RELATED TO THE LABELING OF DISPENSING PUMPS AND OTHER DISPENSING DEVICES THAT OFFER ETHANOL-BLENDED GASOLINE FOR RETAIL SALE IN NORTH CAROLINA.

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CALENDAR (continued)

S.B. 7 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ADD MEPHEDRONE, METHYENEDIOXYPROVALERONE AND CERTAIN DERIVATIVES OF 2-AMINO-1-PHENYL-1-PROPANONE, AND SYNTHETIC CANNABINOIDS TO THE LIST OF CONTROLLED SUBSTANCES, passes its second reading, by electronic vote (110-1), and there being no objection is read a third time.

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

RE-REFERRAL

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 61**, A BILL TO BE ENTITLED AN ACT AMENDING THE NORTH CAROLINA CONSTITUTION TO LIMIT THE TERMS OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT PRO TEMPORE OF THE SENATE TO TWO GENERAL ASSEMBLIES, is withdrawn from the Committee on Judiciary and re-referred to Judiciary Subcommittee A.

MOTION TO SUSPEND RULES

Representative Stam moves to suspend Rule 18 for **H.B. 2**, AN ACT TO PROTECT THE FREEDOM TO CHOOSE HEALTH CARE AND HEALTH INSURANCE, to the end that a motion to reconsider the vote by which the House failed to pass the bill notwithstanding the veto of the Governor, may be made and considered on a date subsequent to today. The motion carries by electronic vote (112-0).

SPECIAL MESSAGE FROM THE SENATE

The following Special Message is received from the Senate:

S.B. 165, A BILL TO BE ENTITLED AN ACT TO RESTRICT THE NORTH CAROLINA TURNPIKE AUTHORITY'S SELECTION OF TRANSPORTATION CORRIDORS TO EXISTING PROTECTED CORRIDORS OR CORRIDORS SOUTH OF AN EXISTING PROTECTED CORRIDOR EXCEPT IN THE AREA OF INTERSTATE 40 EAST, is read the first time and referred to the Committee on Transportation.

On motion of Representative LaRoque, seconded by Representative Hackney, the House adjourns at 2:10 p.m. to reconvene Monday, March 14, 2011, at 7:00 p.m.

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TWENTY-SEVENTH DAY

HOUSE OF REPRESENTATIVES
Monday, March 14, 2011

The House meets at 7:00 p.m. pursuant to adjournment and is called to order by Representative Folwell, Speaker Pro Tempore.

The following prayer is offered by Representative William Brawley.

"Father, we give You thanks for this glorious day. Help us to see the beauty You give us every day and to remember, as we feel the warm sun on our face, to accept the joys You give us.

"As we gather in this Chamber tonight, we ask that You clear our hearts and minds so that we can see Your will and do it. Grant us the wisdom to serve our State in such a manner that when we leave this place, North Carolina will be better for our having been here.

"We each come to You in our own way, many of us in the name of Jesus. Amen."

The Chair leads the Body in the Pledge of Allegiance.

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

A leave of absence is granted Representative Owens for today.

ENROLLED BILLS

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

H.B. 124, AN ACT TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE.

INTRODUCTION OF BILLS AND RESOLUTIONS

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

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By Representatives Pridgen, Folwell, Collins, and Stone (Primary Sponsors); Blust, L. Brown, Cleveland, Cook, Faircloth, Faison, Hamilton, Hastings, Hilton, Jones, Jordan, McCormick, McGee, Mills, Moffitt, T. Moore, Murry, Stevens, Torbett, and H. Warren:

H.B. 315, A BILL TO BE ENTITLED AN ACT TO REQUIRE DISCLOSURE ON THE BALLOT OF THE ESTIMATED AMOUNT OF INTEREST THAT WOULD BE INCURRED ON INDEBTEDNESS, is referred to the Committee on Finance.

By Representatives T. Moore, Gillespie, Mobley, and Avila (Primary Sponsors); and Faison:

H.R. 317, A HOUSE RESOLUTION HONORING NORTH CAROLINA FAMILY AND CONSUMER SCIENCES ON THE 100TH ANNIVERSARY OF ITS FOUNDING, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives McGee and Folwell (Primary Sponsors); L. Brown and Collins:

H.B. 318, A BILL TO BE ENTITLED AN ACT TO MODIFY THE STATE TREASURER INVESTMENT STATUTE, is referred to the Committee on Finance.

By Representatives McGee, Cook and Luebke:

H.B. 319, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE ENFORCEMENT OF THE CIGARETTE EXCISE TAX AND TO DETER THE UNLAWFUL SALE OF NON-TAX-PAID CIGARETTES BY REINSTATING THE REQUIREMENT THAT CIGARETTES BEAR A STAMP INDICATING PAYMENT OF THE TAX, is referred to the Committee on Commerce and Job Development and, if favorable, to the Committee on Finance.

By Representatives McGee, Ross, McComas, and Carney (Primary Sponsors); M. Alexander, Glazier, and R. Moore:

H.B. 320, A BILL TO BE ENTITLED AN ACT TO CONTINUE THE STUDY OF PUBLIC-PRIVATE PARTNERSHIPS BY A LEGISLATIVE STUDY COMMISSION, is referred to the Committee on Rules, Calendar, and Operations of the House.

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By Representatives McLawhorn, E. Warren, and Cook (Primary Sponsors):

H.B. 321, A BILL TO BE ENTITLED AN ACT ADOPTING THE TOWN OF GRIFTON'S SHAD FESTIVAL AS THE OFFICIAL SHAD FESTIVAL OF THE STATE OF NORTH CAROLINA, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Rapp and Haire (Primary Sponsors):

H.B. 322, A BILL TO BE ENTITLED AN ACT TO ALLOW THE HAYWOOD COUNTY BOARD OF ELECTIONS TO EXTEND THE FILING PERIOD IF NO PERSON FILES FOR A SEAT ON THE HAYWOOD COUNTY BOARD OF EDUCATION, is referred to the Committee on Government.

By Representatives Torbett, Jordan, and Stone (Primary Sponsors); Blust, Bradley, Burr, Collins, Folwell, Hager, Hastings, Howard, Hurley, Jones, McCormick, McGee, Mills, Moffitt, T. Moore, Sager, Sanderson, Starnes, Stevens, and H. Warren:

H.B. 323, A BILL TO BE ENTITLED AN ACT TO REDUCE THE CORPORATE INCOME TAX RATE IN NORTH CAROLINA, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives K. Alexander and Hall (Primary Sponsors); Harrison and Luebke:

H.B. 324, A BILL TO BE ENTITLED AN ACT TO AMEND THE PENALTY IMPOSED FOR POSSESSION OF CERTAIN QUANTITIES OF MARIJUANA AND TO PROVIDE FOR THE EXPUNCTION OF A CLASS 3 MISDEMEANOR CONVICTION OF POSSESSION OF MARIJUANA THAT OCCURRED PRIOR TO DECEMBER 1, 2011, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Rhyne, M. Alexander, Stam, and Glazier (Primary Sponsors); Carney, Faircloth, Harrison, Hurley, Ingle, Jackson, Lucas, and McGee:

H.B. 325, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO PROVIDE FOR GUBERNATORIAL APPOINTMENT OF APPELLATE JUSTICES AND JUDGES AND CONFIRMATION BY VOTE OF THE PEOPLE, TO PROVIDE FOR THE SELECTION OF THE CHIEF JUSTICE OF THE SUPREME COURT FROM AMONG THE JUSTICES, AND TO MAKE STATUTORY

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CONFORMING CHANGES TO IMPLEMENT THE CONSTITUTIONAL AMENDMENTS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Moffitt:

H.B. 326, A BILL TO BE ENTITLED AN ACT TO ADOPT A MORATORIUM ON INVOLUNTARY ANNEXATIONS, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

By Representative Fisher:

H.B. 327, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF LEICESTER, SUBJECT TO A REFERENDUM, is referred to the Committee on Government.

By Representatives Sager and LaRoque (Primary Sponsors):

H.B. 328, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A VACANCY IN THE OFFICE OF SHERIFF IN WAYNE COUNTY IS FILLED BY RECOMMENDATION OF THE EXECUTIVE COMMITTEE OF THE POLITICAL PARTY OF THE VACATING SHERIFF, is referred to the Committee on Government.

By Representatives Horn, Dixon, Faircloth, and Burr (Primary Sponsors); Cook, Faison, Ingle, and Torbett:

H.B. 329, A BILL TO BE ENTITLED AN ACT TO EXPAND THE EXEMPTION FROM BUILDING RULES FOR FARM BUILDINGS TO INCLUDE FARM BUILDINGS USED FOR SPECTATOR EVENTS, is referred to the Committee on Agriculture.

By Representatives Current, Cleveland, and Harrison (Primary Sponsors); Burr, Cook, Faircloth, Hilton, Hurley, Jordan, McGee, Stam, and Torbett:

H.B. 330, A BILL TO BE ENTITLED AN ACT TO REPEAL THE LAW THAT AUTHORIZES IN-STATE TUITION STATUS FOR OUT-OF-STATE STUDENTS WHO ARE AWARDED FULL SCHOLARSHIPS, is referred to the Committee on Education.

By Representatives Hollo, Brubaker, Dollar, and Justice (Primary Sponsors); K. Alexander, Cleveland, Faircloth, Hilton, Jackson, Jones, Jordan, McCormick, Sager, Setzer, and Torbett:

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H.B. 331, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PHYSICIAN ASSISTANTS AND NURSE PRACTITIONERS TO COMPLETE MEDICAL CERTIFICATIONS AS TO THE CAUSE OF DEATH FOR DEATH REGISTRATION, is referred to Judiciary Subcommittee A.

By Representatives Mills, Killian, Crawford, and Hamilton (Primary Sponsors); Bradley, Brawley, R. Brown, Collins, Hurley, Ingle, McCormick, R. Moore, Sager, and H. Warren:

H.B. 332, A BILL TO BE ENTITLED AN ACT CLARIFYING THAT A LOCAL GOVERNMENT MAY NOT IMPOSE A MORATORIUM ON DEVELOPMENT APPROVALS FOR THE PURPOSE OF DEVELOPING AND ADOPTING A NEW OR REVISED DEVELOPMENT ORDINANCE, is referred to the Committee on Government.

By Representatives Mills, Johnson, Steen, and Owens (Primary Sponsors); Barnhart and Burr:

H.B. 333, A BILL TO BE ENTITLED AN ACT TO ADOPT STOCK CAR RACING AS THE OFFICIAL SPORT OF NORTH CAROLINA, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Insko, Bell, Harrison, and LaRoque (Primary Sponsors); Adams, M. Alexander, Bordsen, Carney, Faison, Glazier, and Weiss:

H.B. 334, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE STATE BOARD OF EDUCATION TO REPORT ON THE RESULTS OF FITNESS TESTING IN EACH LOCAL SCHOOL ADMINISTRATIVE UNIT, is referred to the Committee on Education.

By Representatives Guice, Horn, Burr, and Daughtry (Primary Sponsors); Faircloth, McGee, and Samuelson:

H.B. 335, A BILL TO BE ENTITLED AN ACT TO REPEAL THE PROHIBITION ON CONTRACTING FOR THE MAINTENANCE OF PRISON FACILITIES AND TO DIRECT THE DEPARTMENT OF CORRECTION TO EXPAND THE SCOPE OF A CURRENT MAINTENANCE REQUEST FOR PROPOSALS, is referred to the Committee on Government.

By Representatives Lewis and Frye (Primary Sponsors):

H.B. 336, A BILL TO BE ENTITLED AN ACT TO ALLOW THE HAULING OF READY-MIXED CONCRETE IN EXCESS OF WEIGHT LIMITS SO LONG AS CERTAIN CONDITIONS ARE MET, is referred to the Committee on Transportation.

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MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 81, A BILL TO BE ENTITLED AN ACT TO REPEAL A LOCAL ACT CONCERNING FINANCIAL DISCLOSURE BY MEMBERS OF THE BOARD OF COMMISSIONERS OF ORANGE COUNTY SINCE A GENERAL LAW NOW PROVIDES FOR AN ETHICS POLICY, is read the first time and referred to the Committee on Government.

S.B. 82, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE TOWN OF ATKINSON TO ALLOW THE QUALIFIED VOTERS OF THE ENTIRE TOWN TO ELECT THE TOWN OFFICERS, TO CHANGE THE NAME OF THE GOVERNING BODY, AND TO EXTEND THE TERM OF OFFICE OF THE MEMBERS OF THE GOVERNING BODY FROM TWO TO FOUR YEARS AND STAGGERING THOSE TERMS, is read the first time and referred to the Committee on Government.

CALENDAR

Action is taken on the following:

H.B. 49 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO INCREASE THE PUNISHMENT FOR DWI OFFENDERS WITH THREE OR MORE GROSSLY AGGRAVATING FACTORS, TO AUTHORIZE THE COURT TO REQUIRE CONTINUOUS ALCOHOL MONITORING FOR CERTAIN OFFENDERS, AND TO INCREASE THE COURT COSTS FOR DWI OFFENDERS, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Speaker Tillis; Representatives Adams, K. Alexander, M. Alexander, Avila, Barnhart, Bell, Blackwell, Blust, Boles, Bordsen, Bradley, Brandon, Brawley, Brisson, L. Brown, R. Brown, Brubaker, Bryant, Burr, Carney, Cleveland, Collins, Cook, Cotham, Crawford, Current, Daughtry, Dixon, Dockham, Dollar, Earle, Faircloth, Faison, Farmer-Butterfield, Fisher, Floyd, Folwell, Frye, Gill, Gillespie, Glazier, Goodman, Graham, Guice, Hackney, Hager, Haire, Hall, Hamilton, Harrison, Hastings, Hill, Hilton, Hollo, Holloway, Horn, Howard, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Jordan, Justice, Keever, Killian, Langdon, LaRoque, Lewis, Lucas, Luebke, Martin, McCormick, McElraft, McGee, McGrady, McGuirt, McLawhorn, Michaux,

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Mills, Mobley, Moffitt, R. Moore, T. Moore, Murry, Parfitt, Parmon, Pierce, Pridgen, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Wainwright, E. Warren, H. Warren, Weiss, West, Wilkins, Womble, and Wray - 118.

Voting in the negative: None.

Excused absence: Representative Owens.

H.B. 21 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE ADMINISTRATION OF NONPARTISAN MUNICIPAL ELECTIONS BY COUNTY BOARDS OF ELECTIONS, passes its second reading by electronic vote (118-0).

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

RE-REFERRALS

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **S.B. 49** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE FINE FOR SPEEDING IN A SCHOOL ZONE, is withdrawn from the Committee on Judiciary and re-referred to Judiciary Subcommittee B.

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 33** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ONLY IDENTIFICATIONS APPROVED BY THE STATE MAY BE USED TO DETERMINE THE RELIABILITY OF A PERSON'S IDENTIFICATION FOR GOVERNMENTAL AND LAW ENFORCEMENT PURPOSES, is withdrawn from the Committee on Judiciary and re-referred to Judiciary Subcommittee A.

INTRODUCTION OF PAGES

Pages for the week of March 14 are introduced to the membership. They are: Alan Bridges of Cleveland; William Brooks of Cumberland; Frances Cayton of Wake; Lacey Chambless of Cleveland; KristopherImani Faheem of Wake; Tiara Jones of Forsyth; Shanell Jones of Cumberland; Shonthini McNeill of Scotland; Zinaha Minnigan of Robeson; Tah-leel Minnigan of Robeson; Mary Scott Norris of Rowan; Katherine Styers of Montgomery; and Brooke Wilson of Edgecombe.

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On motion of Representative LaRoque, seconded by Representative Current, the House adjourns at 7:25 p.m., in memory of those who lost their lives in the disaster in Japan, to reconvene March 15 at 1:00 p.m.

TWENTY-EIGHTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, March 15, 2011

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 Representative Ray Rapp:

"The Lord be with you.

Response: "And also with you.

"Let us pray:

"God of Love...

"Spirit of understanding...

"Creator of the Universe...

"Give us wisdom and strength to do Your will.

"Grant us unwavering commitments to justice, stewardship and service,

"And make us ever mindful of the needs of others.

"In Your name we pray. Amen."

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

Leaves of absence are granted Representatives McComas and Owens for today.

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representatives Tolson and Johnson (Primary Sponsors); M. Alexander, Gill, Glazier, Hill, Lewis, Lucas, Parfitt, Rapp, and Sager:

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H.B. 337, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA SMART CARD PILOT PROGRAM TO UTILIZE BIOMETRICS TO COMBAT FRAUD, is referred to the Committee on Health and Human Services and, if favorable, to the Committee on Appropriations.

By Representative Blackwell:

H.B. 338, A BILL TO BE ENTITLED AN ACT TO ALLOW RECALL OF MEMBERS OF THE BURKE COUNTY BOARD OF EDUCATION, is referred to the Committee on Government.

By Representatives Cook and L. Brown:

H.B. 339, A BILL TO BE ENTITLED AN ACT AUTHORIZING A HOUSING AUTHORITY TO COLLECT UNPAID RENT BY SETTING OFF THE DEBT AGAINST A STATE INCOME TAX REFUND DUE A TENANT OR FORMER TENANT OF THE HOUSING AUTHORITY, is referred to Judiciary Subcommittee A.

By Representatives Steen and Hager (Primary Sponsors); Cook, Faircloth, Faison, Hastings, Hurley, Jones, McGee, Samuelson, Torbett, and H. Warren:

H.B. 340, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE UTILITIES COMMISSION TO OBTAIN CRIMINAL HISTORY RECORD CHECKS OF APPLICANTS FOR AND CURRENT HOLDERS OF A CERTIFICATE TO TRANSPORT HOUSEHOLD GOODS, is referred to the Committee on Public Utilities and, if favorable, to the Committee on Judiciary.

By Representatives Weiss, Luebke, Glazier, and Womble (Primary Sponsors); M. Alexander, Bordsen, Carney, Fisher, Floyd, Insko, Jackson, R. Moore, and Parfitt:

H.B. 341, A BILL TO BE ENTITLED AN ACT TO PROTECT HEALTH AND TO PREVENT DEATH, DISABILITY, AND DISEASE AMONG NORTH CAROLINA RESIDENTS BY INCREASING THE TAX ON TOBACCO PRODUCTS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Blackwell and Holloway (Primary Sponsors); Avila, Cook, Dollar, and Stam:

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H.B. 342, A BILL TO BE ENTITLED AN ACT PROHIBITING ANY PUBLIC INSTITUTION OF HIGHER EDUCATION FROM SOLICITING OR USING INFORMATION REGARDING THE ACCREDITATION OF A SECONDARY SCHOOL ATTENDED BY A STUDENT AS A FACTOR AFFECTING ADMISSIONS, LOANS, SCHOLARSHIPS, OR OTHER EDUCATIONAL ACTIVITY AT THE PUBLIC INSTITUTION, UNLESS THE ACCREDITATION WAS CONDUCTED BY A STATE AGENCY; AUTHORIZING THE STATE BOARD OF EDUCATION TO ACCREDIT SCHOOLS IN A LOCAL SCHOOL ADMINISTRATIVE UNIT AT THE REQUEST OF AND AT THE EXPENSE OF THAT UNIT; AND MODIFYING THE BUDGET OF THE DEPARTMENT OF PUBLIC INSTRUCTION ACCORDINGLY, is referred to the Committee on Education and, if favorable, to the Committee on Appropriations.

By Representatives Cleveland, Blust, and Hilton (Primary Sponsors); Cook, Justice, and Randleman:

H.B. 343, A BILL TO BE ENTITLED AN ACT TO ENACT THE SUPPORT OUR LAW ENFORCEMENT AND SAFE NEIGHBORHOODS ACT, is referred to Judiciary Subcommittee A and, if favorable, to the Committee on Commerce and Job Development.

By Representatives Stam, Randleman, Jordan, and Jones (Primary Sponsors); Avila, Bradley, Cook, Dixon, Dollar, Faison, Hilton, Hurley, Ingle, Justice, McGee, Moffitt, T. Moore, Murry, Rapp, Sager, Samuelson, and H. Warren:

H.B. 344, A BILL TO BE ENTITLED AN ACT TO ALLOW AN INDIVIDUAL INCOME TAX CREDIT FOR CHILDREN WITH DISABILITIES WHO REQUIRE SPECIAL EDUCATION AND TO CREATE A FUND FOR SPECIAL EDUCATION AND RELATED SERVICES, is referred to the Committee on Education and, if favorable, to the Committee on Finance.

By Representatives Randleman, Lewis, and McGee:

H.B. 345, A BILL TO BE ENTITLED AN ACT TO MODIFY THE MOVE OVER LAW TO INCLUDE ALL HIGHWAY MAINTENANCE VEHICLES AND UTILITY VEHICLES, is referred to the Committee on Commerce and Job Development and, if favorable, to the Committee on Transportation and, if favorable, to Judiciary Subcommittee B.

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By Representative Randleman:

H.B. 346, A BILL TO BE ENTITLED AN ACT RELATING TO POLITICAL ACTION COMMITTEE TREASURER TRAINING AND TO REQUIRE THE FILING OF AN ORGANIZATIONAL REPORT PRIOR TO BEING PLACED ON THE BALLOT, is referred to the Committee on Elections.

By Representatives Randleman, Hurley, and Avila (Primary Sponsors); Cook, Hilton, Samuelson, and Starnes:

H.B. 347, A BILL TO BE ENTITLED AN ACT REQUIRING PHYSICIANS TO NOTIFY THE PARENT OR GUARDIAN OF A MINOR TWELVE YEARS OF AGE OR YOUNGER AFTER TREATING THE MINOR FOR VENEREAL DISEASE, PREGNANCY, ABUSE OF CONTROLLED SUBSTANCES OR ALCOHOL, OR EMOTIONAL DISTURBANCE, is referred to the Committee on Health and Human Services and, if favorable, to Judiciary Subcommittee A.

By Representatives Randleman and Faison:

H.B. 348, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT OFFENDERS ARE PROHIBITED FROM OBTAINING PUBLIC EMPLOYEES' PERSONNEL RECORDS, TO PROVIDE CRIMINAL PENALTIES FOR PROVIDING SUCH PROHIBITED INFORMATION TO OFFENDERS, AND TO MAKE IT A MISDEMEANOR FOR OFFENDERS TO POSSESS SUCH INFORMATION, is referred to Judiciary Subcommittee C.

By Representatives K. Alexander, Harrison, Cotham, and Goodman (Primary Sponsors); Bordsen, Carney, Faison, Fisher, Gill, R. Moore, Parfitt, and Wray:

H.B. 349, A BILL TO BE ENTITLED AN ACT TO PROMOTE GREEN ROOFS IN ORDER TO REDUCE STORMWATER RUNOFF, MITIGATE THE SIGNIFICANT WARMING THAT OCCURS IN METROPOLITAN AREAS RELATIVE TO THE SURROUNDING RURAL AREAS, AND REDUCE ENERGY CONSUMPTION, BY CREATING CERTAIN INCENTIVES TO INSTALL GREEN ROOFS, is referred to the Committee on Environment and, if favorable, to the Committee on Finance.

By Representatives McGrady, Starnes, Brubaker, and Harrison (Primary Sponsors); Cook, Current, Faison, Fisher, Haire, Hamilton, Hill, Ingle, Lucas, McComas, McGee, Rapp, Samuelson, and Wray:

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H.B. 350, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CLASSES OF PROPERTY EXCLUDED FROM THE TAX BASE, is referred to the Committee on Finance.

By Representatives Lewis, T. Moore, and Killian (Primary Sponsors); Avila, Blust, Burr, Cleveland, Cook, Current, Dockham, Dollar, Folwell, Hastings, Hilton, Hollo, Horn, Hurley, Iler, Johnson, Jones, Jordan, Justice, LaRoque, McComas, McCormick, McGee, Moffitt, Randleman, Sager, Setzer, Shepard, Stone, and Torbett:

H.B. 351, A BILL TO BE ENTITLED AN ACT TO RESTORE CONFIDENCE IN GOVERNMENT BY (1) REQUIRING THAT VOTERS PROVIDE PHOTO IDENTIFICATION BEFORE VOTING; (2) REQUIRING CANDIDATES AND TREASURERS TO TAKE IMMEDIATE ACTION TO CORRECT CAMPAIGN FINANCE VIOLATIONS AND REQUIRING LIABILITY OF CANDIDATES FOR CIVIL PENALTIES FOR CAMPAIGN FINANCE VIOLATIONS OF CANDIDATE CAMPAIGN COMMITTEES; (3) LIMITING THE CHAIR OF THE STATE BOARD OF ELECTIONS TO TWO TWO-YEAR TERMS IN THAT OFFICE; (4) PROHIBITING PIECE-WORK PAYMENT FOR VOTER REGISTRATION DRIVES; (5) PREVENTING CONFLICT OF INTEREST AND ITS APPEARANCE INVOLVING POLITICAL CONTRIBUTIONS BY STATE CONTRACTORS; AND (6) ALLOWING VOTERS MORE FLEXIBILITY IN APPLYING FOR ABSENTEE BALLOTS, is referred to the Committee on Elections.

By Representatives Steen, Barnhart, Dockham, Howard, Johnson, Moffitt, and H. Warren:

H.B. 352, A BILL TO BE ENTITLED AN ACT AT THE REQUEST OF THE CITY OF KANNAPOLIS TO DELAY FOR TWO YEARS THE LEGISLATIVE ANNEXATION OF THE SOUTHLAND DEVELOPMENT TRACTS IN SOUTHERN ROWAN COUNTY, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

MESSAGE FROM THE SENATE

The following is received from the Senate:

S.B. 51, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT CERTAIN ORGANIZATIONS OF EDUCATIONAL INSTITUTIONS ARE COVERED BY THE EDUCATIONAL INSTITUTION EXEMPTION FROM CHARITABLE SOLICITATION LICENSING REQUIREMENTS, is read the first time and referred to the Committee on Finance.

March 15, 2011

CALENDAR

Action is taken on the following:

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

H.B. 45 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ALLOW THE USE OF RISK-BASED REMEDIATION TO ACCELERATE THE CLEANUP OF CONTAMINATED INDUSTRIAL SITES FOR THE PURPOSE OF LIMITING HUMAN AND ENVIRONMENTAL EXPOSURE TO SAFE LEVELS, TO PROTECT CURRENT AND LIKELY FUTURE USES OF GROUNDWATER, AND TO ENSURE THE COST-EFFECTIVE APPLICATION OF LIMITED PUBLIC AND PRIVATE RESOURCES, passes its second reading, by electronic vote (90-27), and there being no objection is read a third time.

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

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

S.B. 32 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR HOSPITAL ASSESSMENTS TO BE USED TO OBTAIN MATCHING FEDERAL MEDICAID FUNDS TO REDUCE THE LOSSES HOSPITALS SUSTAIN WHEN TREATING MEDICAID AND UNINSURED PATIENTS, TO REDUCE THE INEQUITY IN MEDICAID PAYMENTS BETWEEN PUBLIC AND NONPUBLIC HOSPITALS, AND TO PROVIDE FORTY-THREE MILLION DOLLARS IN ADDITIONAL FUNDING FOR THE STATE OF NORTH CAROLINA, 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, Barnhart, Bell, Blackwell, Blust, Boles, Bordsen, Bradley, Brandon, Brawley, Brisson, L. Brown, R. Brown, Brubaker, Bryant, Burr, Carney, Collins, Cook, Cotham, Crawford, Daughtry, Dixon, Dockham, Dollar, Earle, Faircloth, Faison, Farmer-Butterfield, Fisher, Floyd, Folwell, Frye, Gill, Gillespie, Glazier, Goodman, Graham, Guice, Hackney, Hager, Haire, Hall, Hamilton, Harrison, Hastings, Hill, Hilton, Hollo, Holloway, Horn, Howard, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Jordan, Justice, Keever, Killian, Langdon, LaRoque, Lewis, Lucas, Luebke, Martin, McCormick, McElraft, McGee, McGrady, McGuirt, McLawhorn, Michaux, Mills, Mobley, Moffitt, R. Moore, T. Moore, Murry, Parfitt, Parmon, Pierce, Pridgen, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Wainwright, E. Warren, H. Warren, Weiss, West, Wilkins, Womble, and Wray - 115.

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

Excused absences: Representatives McComas and Owens - 2.

H.B. 21 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE ADMINISTRATION OF NONPARTISAN MUNICIPAL ELECTIONS BY COUNTY BOARDS OF ELECTIONS, passes its third reading, by electronic vote (117-0), and is ordered sent to the Senate.

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

S.B. 58 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT MODIFYING THE FEDERAL MEDICAL ASSISTANCE PERCENTAGES CUTS IN THE 2010-2011 STATE BUDGET, 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. 109, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE GOVERNOR TO CUT SPENDING FOR THE CURRENT FISCAL YEAR, passes its second reading, by electronic vote (79-37), 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.

MOTION TO SUSPEND RULES

Representative Hackney moves that Rule 61 be suspended in order for Representatives McGuirt, Wray, and Bryant to be reassigned seats. The motion carries by a two-thirds majority electronic vote (117-0).

RE-REFERRAL

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 331**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PHYSICIAN ASSISTANTS AND NURSE PRACTITIONERS TO COMPLETE MEDICAL CERTIFICATIONS AS TO THE CAUSE OF DEATH FOR DEATH REGISTRATION, is withdrawn from Judiciary Subcommittee A and re-referred to the Committee on Health and Human Services.

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Representative LaRoque moves, seconded by Representative T. Moore, that the House adjourn, subject to committee assignments, the introduction of bills and resolutions, the receipt of Committee Reports, and the receipt of Messages from the Senate, to reconvene March 16 at 2:00 p.m.

The motion carries.

No committee assignments, introduction of bills and resolutions, Committee Reports, or Messages from the Senate, having been received, the House stands adjourned at 4:08 p.m.

TWENTY-NINTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, March 16, 2011

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

Prayer is offered by Representative Rick Glazier.

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

A leave of absence is granted Representative Owens for today.

ENROLLED BILLS

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

S.B. 7, AN ACT TO ADD MEPHEDRONE, METHYENEDIOXY-PROVALERONE AND CERTAIN DERIVATIVES OF 2-AMINO-1-PHENYL-1-PROPANONE, AND SYNTHETIC CANNABINOIDS TO THE LIST OF CONTROLLED SUBSTANCES.

S.B. 22, AN ACT TO LIMIT NEW AGENCY REGULATORY REQUIREMENTS THAT RESULT IN SUBSTANTIAL ADDITIONAL COSTS.

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S.B. 109, AN ACT TO REQUIRE THE GOVERNOR TO CUT SPENDING FOR THE CURRENT FISCAL YEAR.

H.B. 6, AN ACT TO ALLOW THE STATUTORY DUTIES OF THE HOUSE COMMITTEE ON PENSIONS AND RETIREMENT TO BE CARRIED OUT BY THE HOUSE COMMITTEE ON STATE PERSONNEL.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

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

By Representatives Stam and Stevens, Chairs, for Judiciary Subcommittee B, with approval of standing committee Chair for report to be made directly to the floor of the House:

H.B. 243, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT THE FEE CHARGED BY THE CLERK OF SUPERIOR COURT FOR CERTIFICATES UNDER SEAL IS WAIVED FOR APPOINTED ATTORNEYS REPRESENTING INDIGENT CLIENTS, 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 Iler and Mills, Chairs, for the Committee on Transportation:

H.B. 145, 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, 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 Judiciary Subcommittee A.

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The committee substitute bill is re-referred to Judiciary Subcommittee A. The original bill is placed on the Unfavorable Calendar.

S.B. 165, A BILL TO BE ENTITLED AN ACT TO RESTRICT THE NORTH CAROLINA TURNPIKE AUTHORITY'S SELECTION OF TRANSPORTATION CORRIDORS TO EXISTING PROTECTED CORRIDORS OR CORRIDORS SOUTH OF AN EXISTING PROTECTED CORRIDOR EXCEPT IN THE AREA OF INTERSTATE 40 EAST, with a favorable report.

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

By Representatives Howard, Folwell, Setzer, and Starnes, Chairs, for the Committee on Finance:

H.B. 26, A BILL TO BE ENTITLED AN ACT TO ALLOW HENDERSON COUNTY TO INCLUDE ALL UNINCORPORATED AREAS IN A FIRE PROTECTION DISTRICT, with a favorable report.

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

H.B. 171, A BILL TO BE ENTITLED AN ACT TO RESTATE THAT A MUNICIPALITY HAS NO AUTHORITY TO PETITION ITSELF FOR SELF-ANNEXATION OF PROPERTY IT DOES NOT OWN OR HAVE ANY LEGAL INTEREST IN, SUCH AS STATE-MAINTAINED STREETS, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

The committee substitute bill changes the bill from local to public.

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

S.B. 99, A BILL TO BE ENTITLED AN ACT TO EXPEDITE THE ANALYSIS OF THE TAX STRUCTURE FOR UNEMPLOYMENT INSURANCE IN NORTH CAROLINA GIVEN THE SUBSTANTIAL NEGATIVE BALANCE IN THE STATE'S UNEMPLOYMENT INSURANCE TRUST FUND AND THE SUBSTANTIAL FEDERAL LOAN BALANCE OWED BY THE STATE FOR PAYMENT OF UNEMPLOYMENT INSURANCE BENEFITS, with a favorable report as to the House committee substitute bill, unfavorable as to the original bill.

March 16, 2011

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 McCormick, Chair, for the Commerce and Job Development Subcommittee on Business and Labor, with approval of standing committee Chair for report to be made directly to the floor of the House:

H.B. 181, A BILL TO BE ENTITLED AN ACT TO ADD THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION TO THE ECONOMIC DEVELOPMENT BOARD, AS RECOMMENDED BY THE JOINT LEGISLATIVE JOINING OUR BUSINESSES AND SCHOOLS (JOBS) STUDY COMMISSION, with a favorable report.

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

H.B. 187, A BILL TO BE ENTITLED AN ACT TO DIRECT THE GASOLINE AND OIL INSPECTION BOARD TO ADOPT RULES RELATED TO THE LABELING OF DISPENSING PUMPS AND OTHER DISPENSING DEVICES THAT OFFER ETHANOL-BLENDED GASOLINE FOR RETAIL SALE IN NORTH CAROLINA, with a favorable report.

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

By Representative Blust, Chair, for Judiciary Subcommittee A, with approval of standing committee Chair for report to be made directly to the floor of the House:

H.B. 61, A BILL TO BE ENTITLED AN ACT AMENDING THE NORTH CAROLINA CONSTITUTION TO LIMIT THE TERMS OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT PRO TEMPORE OF THE SENATE TO TWO GENERAL ASSEMBLIES, with a favorable report.

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

H.B. 234, A BILL TO BE ENTITLED AN ACT TO AMEND THE QUALIFICATIONS FOR PROSPECTIVE JURORS IN ORDER TO ALLOW HEARING-IMPAIRED PERSONS TO SERVE AS JURORS AND TO PROVIDE FOR PERSONS WITH DISABILITIES TO APPLY FOR EXEMPTIONS FROM JURY DUTY, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

March 16, 2011

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

Representatives LaRoque and T. Moore, for the Committee on Rules, Calendar, and Operations of the House submit the following bill with a favorable report for introduction.

A BILL TO BE ENTITLED AN ACT TO PREVENT THE RECLAIMED WATER RULES ADOPTED BY THE ENVIRONMENTAL MANAGEMENT COMMISSION FROM BECOMING EFFECTIVE.

Notwithstanding Rule 31(a) and pursuant to Rule 32(a), the bill is filed, assigned the number **H.B. 388**, read the first time and referred to the Committee on Environment.

Representative LaRoque and T. Moore, for the Committee on Rules, Calendar, and Operations of the House submit the following bill with a favorable report for introduction.

A BILL TO BE ENTITLED AN ACT TO REQUIRE THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE TO STUDY THE NEED FOR A MOTOR VEHICLE REGISTRATION, INSPECTION, AND FINANCIAL RESPONSIBILITY PROGRAM FOR MOPEDS.

Notwithstanding Rule 31(a) and pursuant to Rule 32(a), the bill is filed, assigned the number **H.B. 389**, read the first time and referred to Rules, Calendar, and Operations of the House.

CALENDAR

Action is taken on the following:

S.B. 32 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR HOSPITAL ASSESSMENTS TO BE USED TO OBTAIN MATCHING FEDERAL MEDICAID FUNDS TO REDUCE THE LOSSES HOSPITALS SUSTAIN WHEN TREATING MEDICAID AND UNINSURED PATIENTS, TO REDUCE THE INEQUITY IN MEDICAID PAYMENTS BETWEEN PUBLIC AND NONPUBLIC HOSPITALS, AND TO PROVIDE FORTY-THREE MILLION DOLLARS IN ADDITIONAL FUNDING FOR THE STATE OF NORTH CAROLINA, passes its third reading, by the following vote, and is ordered enrolled and presented to the Governor.

March 16, 2011

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Avila, Barnhart, Bell, Blackwell, Blust, Boles, Bordsen, Bradley, Brandon, Brawley, Brisson, L. Brown, R. Brown, Brubaker, Bryant, Burr, Carney, Collins, Cook, Cotham, Crawford, Daughtry, Dixon, Dockham, Dollar, Earle, Faircloth, Faison, Farmer-Butterfield, Fisher, Floyd, Folwell, Frye, Gill, Gillespie, Glazier, Goodman, Graham, Guice, Hackney, Hager, Haire, Hall, Hamilton, Harrison, Hastings, Hill, Hilton, Hollo, Holloway, Horn, Howard, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Jordan, Justice, Keever, Killian, Langdon, LaRoque, Lucas, Luebke, Martin, McComas, McCormick, McElraft, McGee, McGrady, McGuirt, McLawhorn, Michaux, Mills, Mobley, Moffitt, R. Moore, T. Moore, Murry, Parfitt, Parmon, Pierce, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Wainwright, E. Warren, H. Warren, Weiss, West, Wilkins, Womble, and Wray - 114.

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

Excused absence: Representative Owens.

S.B. 99 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXPEDITE THE ANALYSIS OF THE TAX STRUCTURE FOR UNEMPLOYMENT INSURANCE IN NORTH CAROLINA GIVEN THE SUBSTANTIAL NEGATIVE BALANCE IN THE STATE'S UNEMPLOYMENT INSURANCE TRUST FUND AND THE SUBSTANTIAL FEDERAL LOAN BALANCE OWED BY THE STATE FOR PAYMENT OF UNEMPLOYMENT INSURANCE BENEFITS, passes its second reading, by electronic vote (79-39), and there being no objection is read a third time.

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

RE-REFERRAL

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 312**, A BILL TO BE ENTITLED AN ACT AMENDING THE METHODS FOR RECORDING SATISFACTION OF A SECURITY INSTRUMENT WITH THE REGISTER OF DEEDS, CLARIFYING THE REQUIREMENTS FOR ELECTRONICALLY REGISTERING PLATS WITH THE REGISTER OF DEEDS, AND AMENDING RESTRICTIONS ON ACCESS TO MILITARY DISCHARGE DOCUMENTS RECORDED WITH THE REGISTER OF DEEDS, is withdrawn from Judiciary Subcommittee A and re-referred to Judiciary Subcommittee B.

March 16, 2011

**REPORTS OF STANDING COMMITTEES AND PERMANENT
SUBCOMMITTEES**

The following report from standing committee is presented:

By Representatives Holloway and Langdon, Chairs, for the Committee on Education:

S.B. 8 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE EDUCATIONAL OPPORTUNITIES FOR THE CHILDREN OF NORTH CAROLINA BY REMOVING THE CAP ON CHARTER SCHOOLS; AND BY CREATING A NEW PUBLIC CHARTER SCHOOLS COMMISSION TO APPROVE AND MONITOR CHARTER SCHOOLS; AND BY STRENGTHENING THE STANDARDS FOR GRANTING AND RETAINING A CHARTER FOR A CHARTER SCHOOL; AND BY AUTHORIZING LOCAL BOARDS OF EDUCATION TO CONVERT SCHOOLS TO CHARTER SCHOOLS WITHOUT FORMING A NON-PROFIT CORPORATION; AND BY CLARIFYING THE FUNDING FORMULA FOR CHARTER SCHOOLS; AND BY PROVIDING THAT COUNTIES MAY PROVIDE FUNDING FOR CHARTER SCHOOLS IN THEIR JURISDICTIONS; AND TO MAKE OTHER CHANGES TO THE STATUTES GOVERNING CHARTER SCHOOLS, 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.

Representative LaRoque moves, seconded by Representative Killian, that the House adjourn, in memory of Betty Black, wife of former Speaker Jim Black, subject to the introduction of bills and resolutions, the receipt of Committee Reports, and the receipt of Messages from the Senate, to reconvene March 17 at 1:00 p.m.

The motion carries.

INTRODUCTION OF BILLS AND RESOLUTIONS

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

March 16, 2011

By Representatives McCormick, Glazier, Ingle, and Samuelson (Primary Sponsors); Bordsen, Hamilton, Hill, Jackson, Lucas, Luebke, McComas, McGrady, McLawhorn, T. Moore, Rapp, Ross, Steen, H. Warren, Wilkins, and Wray:

H.B. 353, A BILL TO BE ENTITLED AN ACT TO DESIGNATE RED DRUM, SPOTTED SEA TROUT, AND STRIPED BASS AS COASTAL GAME FISH; TO PROHIBIT THE TAKING OF COASTAL GAME FISH OTHER THAN BY HOOK-AND-LINE; TO PROHIBIT THE SALE OF COASTAL GAME FISH; AND TO COMPENSATE COMMERCIAL FISHERMEN FOR CERTAIN LOSSES DUE TO THE DESIGNATION AND PROHIBITION, is referred to the Commerce and Job Development Subcommittee on Business and Labor.

By Representatives Hill, Iler, and Justice (Primary Sponsors); and Wray:

H.B. 354, A BILL TO BE ENTITLED AN ACT TO CONTINUE THE PILOT PROGRAM REGARDING INSPECTIONS OF ANIMAL OPERATIONS THAT ARE SUBJECT TO A GENERAL PERMIT FOR AN ANIMAL WASTE MANAGEMENT SYSTEM AS A PERMANENT PROGRAM BY REMOVING THE SUNSET FOR THE PILOT PROGRAM AND TO CODIFY THE PERMANENT PROGRAM, is referred to the Committee on Environment.

By Representatives Justice and Jordan (Primary Sponsors); McComas and McGee:

H.B. 355, 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, is referred to the Committee on Finance.

By Representatives M. Alexander, Cotham, and Killian (Primary Sponsors); Earle, Lucas, and Samuelson:

H.B. 356, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR PSYCHOLOGICAL COUNSELING FOR JURORS WHO ARE EXPOSED TO GRAPHIC EVIDENCE OR TESTIMONY, is referred to the Committee on Judiciary.

By Representatives Cook, McLawhorn, and E. Warren (Primary Sponsors); Shepard and Wray:

March 16, 2011

H.B. 357, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT STUDENTS ACCEPTED FOR ADMISSION IN THE SCHOOL OF DENTISTRY AT EAST CAROLINA UNIVERSITY ARE ELIGIBLE FOR THE BOARD OF GOVERNORS' DENTAL SCHOLARSHIP PROGRAM, is referred to the Committee on Education and, if favorable, to the Committee on Appropriations.

By Representatives Hackney and Stam (Primary Sponsors); Gill, Moffitt, and Murry:

H.B. 358, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE APPROVAL OF THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY BEFORE THE TOWNS OF APEX OR CARY MAY MAKE AN INVOLUNTARY ANNEXATION INTO CHATHAM COUNTY, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

By Representatives Michaux, Wilkins, Hall, and Luebke (Primary Sponsors); and Floyd:

H.B. 359, A BILL TO BE ENTITLED AN ACT TO INCREASE THE CITY AND COUNTY RETAIL BEER AND WINE LICENSE TAXES FOR THE CITY AND COUNTY OF DURHAM TO TWO HUNDRED FIFTY DOLLARS AND TO INCREASE THE CITY WHOLESALER LICENSE FEE TO TWO HUNDRED FIFTY DOLLARS, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

By Representatives Owens and Floyd:

H.B. 360, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF COLUMBIA TO HAVE LIMITED ONE-STOP EARLY VOTING FOR MUNICIPAL ELECTIONS WHEN NO OTHER ELECTIONS ARE ON THE BALLOT, is referred to the Committee on Government.

By Representatives Owens and Floyd:

H.B. 361, A BILL TO BE ENTITLED AN ACT TO ALLOW CURRITUCK COUNTY TO PROVIDE ELECTRONIC NOTICE OF PUBLIC HEARINGS, is referred to the Committee on Government.

By Representative Owens:

H.B. 362, A BILL TO BE ENTITLED AN ACT TO REGULATE HUNTING WITH CENTERFIRE RIFLES IN PASQUOTANK COUNTY, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

March 16, 2011

By Representatives Adams and Harrison (Primary Sponsors); Floyd and Gill:

H.B. 363, A BILL TO BE ENTITLED AN ACT TO LIMIT A PARTY NOMINEE FROM FILING AS AN UNAFFILIATED CANDIDATE FOR ANOTHER OFFICE EXCEPT IN CERTAIN CIRCUMSTANCES, is referred to the Committee on Elections.

By Representatives Adams, M. Alexander, Gill, Insko, Mobley, Rapp, and Weiss:

H.B. 364, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DIVISION OF AGING AND ADULT SERVICES OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES FOR THE PROJECT CAREGIVER ALTERNATIVES TO RUNNING ON EMPTY PROGRAM, is referred to the Committee on Appropriations.

By Representative LaRoque:

H.B. 365, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE TOWN OF PINK HILL TO PROVIDE A FOUR-YEAR TERM FOR THE MAYOR AND STAGGERED FOUR-YEAR TERMS FOR THE TOWN COMMISSIONERS, is referred to the Committee on Government.

By Representatives H. Warren, Cleveland, Brawley, and Bradley (Primary Sponsors); Jordan and Starnes:

H.B. 366, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT EXCEPT IN THE CASE OF AN EMERGENCY COUNTY SPECIAL ELECTIONS MAY BE HELD ONLY ON THE DATE OF THE GENERAL ELECTION AND MUNICIPAL SPECIAL ELECTIONS MAY BE HELD ONLY ON THE DATE OF THE GENERAL ELECTION OR THE DATE OF THE MUNICIPAL GENERAL ELECTION, is referred to the Committee on Elections.

By Representatives Bradley and Bryant (Primary Sponsors):

H.B. 367, A BILL TO BE ENTITLED AN ACT TO DEANNEX CERTAIN PARCELS PREVIOUSLY ANNEXED BY A LEGISLATIVE ANNEXATION, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

By Representatives Johnson and Daughtry (Primary Sponsors); Hamilton, Harrison, Steen, and Torbett:

March 16, 2011

H.B. 368, A BILL TO BE ENTITLED AN ACT ESTABLISHING THE STATE HISTORIC SITES FUND IN THE DIVISION OF STATE HISTORIC SITES, is referred to the Committee on Finance.

By Representatives Bryant and Bradley (Primary Sponsors); and Floyd:

H.B. 369, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF ROANOKE RAPIDS TO LEVY A ONE CENT LOCAL SALES AND USE TAX TO REPAY TAX INCREMENT FINANCING BONDS, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

By Representatives E. Warren, McLawhorn, Cook, and Tolson (Primary Sponsors); Glazier, Sanderson, Spear, and Wray:

H.B. 370, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA FOR THE SCHOOL OF DENTAL MEDICINE AT EAST CAROLINA UNIVERSITY, is referred to the Committee on Appropriations.

MESSAGES FROM THE SENATE

The following is received from the Senate:

S.B. 110 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE PERMITTING AND CONSTRUCTION OF TERMINAL GROINS AT INLETS UNDER CERTAIN CONDITIONS, is read the first time and referred to the Committee on Environment.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

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

By Representative Blust, Chair, for Judiciary Subcommittee A, with approval of standing committee Chair for report to be made directly to the floor of the House:

H.B. 316, A BILL TO BE ENTITLED AN ACT TO PROVIDE THE NORTH CAROLINA GENERAL ASSEMBLY SPECIAL POLICE WITH STATEWIDE LAW ENFORCEMENT JURISDICTION, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

March 16, 2011

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

By Representatives LaRoque and T. Moore, Chairs, for the Committee on Rules, Calendar, and Operations of the House:

H.R. 42, A HOUSE RESOLUTION HONORING THE LIFE AND MEMORY OF JOHN ALLEN GARWOOD, FORMER MEMBER OF THE GENERAL ASSEMBLY, with a favorable report.

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

H.B. 173, A BILL TO BE ENTITLED AN ACT TO MAKE THE SNEADS FERRY SHRIMP FESTIVAL THE OFFICIAL STATE SHRIMP FESTIVAL, with a favorable report.

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

H.R. 258, A HOUSE RESOLUTION HONORING THE LIFE AND MEMORY OF CHARLES DOUGLAS "CHARLIE" BROWN, JR., FALLEN MARTIN COUNTY SHERIFF'S DEPUTY, with a favorable report.

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

H.B. 87, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR GOVERNMENT IN THE SUNSHINE BY AMENDING THE NORTH CAROLINA CONSTITUTION, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

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

The House stands adjourned at 4:43 p.m.

THIRTIETH DAY

HOUSE OF REPRESENTATIVES
Thursday, March 17, 2011

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

March 16, 2011

The following prayer is offered by Representative Ken Goodman:

"May the Strength of God pilot us.
"May the Power of God preserve us.
"May the Wisdom of God instruct us.
"May the Hand of God protect us.
"May the Way of God direct us.
"May the Shield of God defend us.
"May the Host of God guard us.
"Against the snares of the evil ones.
"Against temptations of the world
"This day, O Lord, and evermore. Amen."

(Adapted from St. Patrick's prayer for the faithful)

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

Leaves of absence are granted Representatives Horn and Owens for today. Representative Hastings is excused for a portion of the Session.

ENROLLED BILLS

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

S.B. 32, AN ACT TO PROVIDE FOR HOSPITAL ASSESSMENTS TO BE USED TO OBTAIN MATCHING FEDERAL MEDICAID FUNDS TO REDUCE THE LOSSES HOSPITALS SUSTAIN WHEN TREATING MEDICAID AND UNINSURED PATIENTS, TO REDUCE THE INEQUITY IN MEDICAID PAYMENTS BETWEEN PUBLIC AND NONPUBLIC HOSPITALS, AND TO PROVIDE FORTY-THREE MILLION DOLLARS IN ADDITIONAL FUNDING FOR THE STATE OF NORTH CAROLINA.

S.B. 99, AN ACT TO EXPEDITE THE ANALYSIS OF THE TAX STRUCTURE FOR UNEMPLOYMENT INSURANCE IN NORTH CAROLINA GIVEN THE SUBSTANTIAL NEGATIVE BALANCE IN THE STATE'S UNEMPLOYMENT INSURANCE TRUST FUND AND THE SUBSTANTIAL FEDERAL LOAN BALANCE OWED BY THE STATE FOR PAYMENT OF UNEMPLOYMENT INSURANCE BENEFITS.

March 16, 2011

**REPORTS OF STANDING COMMITTEES AND PERMANENT
SUBCOMMITTEES**

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

By Representatives Cleveland and Killian, Chairs, for the Committee on Homeland Security, Military, and Veterans Affairs:

H.B. 172, A BILL TO BE ENTITLED AN ACT TO ENCOURAGE STATE AND LOCAL GOVERNMENT TO USE MILITARY VETERAN CONTRACTORS, with a favorable report and recommendation that the bill be re-referred to the Committee on Government.

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

By Representative Boles, Chair, for the Commerce and Job Development Subcommittee on Alcoholic Beverage Control, with approval of standing committee Chair for report to be made directly to the floor of the House:

H.B. 90, A BILL TO BE ENTITLED AN ACT TO ALLOW CONFECTIONERS TO PRODUCE CONFECTIONERIES WHICH CONTAIN NO MORE THAN FIVE PERCENT ALCOHOL BY VOLUME, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

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

By Representative McCormick, Chair, for the Commerce and Job Development Subcommittee on Business and Labor, with approval of standing committee Chair for report to be made directly to the floor of the House:

H.B. 174, A BILL TO BE ENTITLED AN ACT TO ENACT THE COMMERCIAL REAL ESTATE BROKER LIEN ACT, 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 Judiciary Subcommittee A.

The committee substitute bill is re-referred to Judiciary Subcommittee A. The original bill is placed on the Unfavorable Calendar.

By Representatives Stam and Stevens, Chairs, for Judiciary Subcommittee B, with approval of standing committee Chair for report to be made directly to the floor of the House:

March 16, 2011

H.B. 270, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW ESTABLISHING THE REGULAR AND SPECIAL CONDITIONS OF PROBATION AND TO REPEAL THE LAW TOLLING THE PROBATION PERIOD WHILE CRIMINAL CHARGES ARE PENDING THAT MIGHT RESULT IN REVOCATION PROCEEDINGS, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

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

By Representatives LaRoque and T. Moore, Chairs, for the Committee on Rules, Calendar, and Operations of the House:

H.B. 205, A BILL TO BE ENTITLED AN ACT DESIGNATING THE MONTH OF MAY AS MOTORCYCLE AWARENESS MONTH, with a favorable report.

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

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representatives Parmon, Womble, and L. Brown (Primary Sponsors):

H.B. 371, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF WINSTON-SALEM TO RECEIVE BIDS ELECTRONICALLY IN ADDITION TO OR INSTEAD OF PAPER BIDS WHEN LETTING CONTRACTS ON INFORMAL BIDS, is referred to the Committee on Government.

By Representatives Parmon and Womble (Primary Sponsors):

H.B. 372, A BILL TO BE ENTITLED AN ACT CONCERNING UTILITY FRANCHISES IN THE CITY OF WINSTON-SALEM, is referred to the Committee on Public Utilities.

By Representatives Dockham, McCormick, and Wray:

H.B. 373, A BILL TO BE ENTITLED AN ACT TO FACILITATE THE PAYMENT OF INSURANCE PREMIUMS USING CREDIT CARDS AND TO PERMIT THE COMMISSIONER OF INSURANCE TO APPROVE NONTRADITIONAL GROUPS FOR GROUP LIFE INSURANCE, is referred to the Committee on Insurance.

March 16, 2011

By Representatives Womble and Parmon (Primary Sponsors); Bradley, Gill, Harrison, Luebke, and Mobley:

H.B. 374, A BILL TO BE ENTITLED AN ACT TO PROTECT THOSE IMPACTED BY THE NORTH CAROLINA EUGENICS BOARD PROGRAM FROM 1929 TO 1975 BY PROVIDING THAT CERTAIN INFORMATION PERTAINING TO THEM IS NOT A PUBLIC RECORD, is referred to the Committee on Judiciary.

By Representative Bradley:

H.B. 375, A BILL TO BE ENTITLED AN ACT TO MAKE ALL CHECKING STATIONS UNLAWFUL UNLESS THEY ARE ESTABLISHED TO CAPTURE A PARTICULAR NAMED OFFENDER IN A MANHUNT, is referred to the Committee on Judiciary.

By Representative McGee:

H.B. 376, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE STATUTES GOVERNING THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, is referred to the Committee on State Personnel and, if favorable, to the Committee on Finance.

By Representatives Brisson and M. Alexander:

H.B. 377, A BILL TO BE ENTITLED AN ACT STRENGTHENING MENTAL HEALTH RESIDENTIAL PLACEMENT UNDER THE MEDICAID PROGRAM, is referred to the Committee on Health and Human Services.

By Representatives Parmon and Womble (Primary Sponsors):

H.B. 378, A BILL TO BE ENTITLED AN ACT TO AMEND THE EXCLUSIONS FOR POST-CONSTRUCTION PRACTICES TO INCLUDE PUBLIC AND PRIVATE LINEAR TRANSPORTATION PROJECTS FOR THE CITY OF WINSTON-SALEM, is referred to the Committee on Transportation.

By Representatives Glazier, Rhyne, Ross, and McGrady (Primary Sponsors); Faison, Harrison, Lucas, and McGuirt:

March 16, 2011

H.B. 379, A BILL TO BE ENTITLED AN ACT TO ENACT THE NORTH CAROLINA INTERSTATE DEPOSITIONS AND DISCOVERY ACT AND TO MAKE CONFORMING AMENDMENTS TO THE NORTH CAROLINA RULES OF CIVIL PROCEDURE, is referred to Judiciary Subcommittee A.

By Representatives Glazier, T. Moore, Ross, and Jordan (Primary Sponsors); and Faison:

H.B. 380, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PROCEDURE FOR DISCOVERY OF ELECTRONICALLY STORED INFORMATION AND TO MAKE CONFORMING CHANGES TO THE NORTH CAROLINA RULES OF CIVIL PROCEDURE, is referred to Judiciary Subcommittee A.

By Representatives Torbett, Folwell, and Jordan:

H.B. 381, A BILL TO BE ENTITLED AN ACT TO PREVENT LAW ENFORCEMENT AGENCIES FROM ESTABLISHING PATTERNS FOR VEHICLE STOPS AT CHECKING STATIONS BASED ON A PARTICULAR TYPE OF VEHICLE, is referred to Judiciary Subcommittee B.

By Representatives Jordan, Glazier, Randleman, and Stevens (Primary Sponsors); Cotham, Harrison, and Lucas:

H.B. 382, A BILL TO BE ENTITLED AN ACT AMENDING THE JUVENILE CODE UNDER THE LAWS PERTAINING TO ABUSE, NEGLECT, AND DEPENDENCY, is referred to Judiciary Subcommittee C.

By Representatives Brubaker, McComas, Wainwright, and Tolson (Primary Sponsors); Adams, Cotham, Earle, Gill, Hilton, Jackson, Jeffus, LaRoque, Lucas, Michaux, Mobley, T. Moore, Pierce, Steen, and H. Warren:

H.B. 383, A BILL TO BE ENTITLED AN ACT ESTABLISHING THE COMMUNICATIONS REGULATORY REFORM AND INVESTMENT ACT OF 2011, is referred to the Committee on Commerce and Job Development.

By Representatives Howard, West, Rapp, and Wilkins (Primary Sponsors); Faison, Mobley, and Wray:

H.B. 384, A BILL TO BE ENTITLED AN ACT TO SIMPLIFY THE FEES CHARGED FOR REGISTERING INSTRUMENTS WITH A REGISTER OF DEEDS IN THIS STATE, is referred to the Committee on Finance.

March 16, 2011

By Representatives Howard and Brubaker (Primary Sponsors); and Dockham:

H.B. 385, A BILL TO BE ENTITLED AN ACT MAKING OMNIBUS AMENDMENTS TO THE LABOR LAWS OF NORTH CAROLINA, is referred to the Committee on Commerce and Job Development.

By Representatives Howard and Brubaker (Primary Sponsors); and Dockham:

H.B. 386, A BILL TO BE ENTITLED AN ACT TO MODERNIZE THE NORTH CAROLINA REAL ESTATE LICENSE LAW, is referred to the Committee on Commerce and Job Development and, if favorable, to the Committee on Finance.

By Representatives Glazier, Stevens, and Parfitt (Primary Sponsors); M. Alexander, Gill, Harrison, Lucas, and McGuirt:

H.B. 387, A BILL TO BE ENTITLED AN ACT CLARIFYING WHEN, TO WHOM, AND UNDER WHAT CIRCUMSTANCES THE IDENTITY OF A PERSON REPORTING CHILD ABUSE OR NEGLECT MAY BE RELEASED; AND CLARIFYING WHAT INFORMATION THE DIVISION OF SOCIAL SERVICES IS REQUIRED TO MAINTAIN IN THE FOSTER CARE REGISTRY AND UNDER WHAT CIRCUMSTANCES INFORMATION IN THE REGISTRY MAY BE WITHHELD, is referred to Judiciary Subcommittee C.

By Representatives Wray and Hilton (Primary Sponsors); Cleveland and Faison:

H.B. 390, A BILL TO BE ENTITLED AN ACT TO REPEAL THE STATE LAW THAT REQUIRES A PERSON TO OBTAIN A LICENSE OR PERMIT TO PURCHASE, SELL, GIVE AWAY, RECEIVE, OR OTHERWISE TRANSFER A PISTOL OR CROSSBOW, is referred to the Committee on Judiciary.

By Representatives Avila and Torbett (Primary Sponsors); Bradley, Faircloth, and Hurley:

H.B. 391, A BILL TO BE ENTITLED AN ACT TO MODERNIZE PROCUREMENT METHODS USED BY THE SECRETARY OF ADMINISTRATION AND STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, is referred to the Committee on Commerce and Job Development and, if favorable, to the Committee on Finance.

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By Representatives Hastings, T. Moore, and McCormick (Primary Sponsors); Bradley, Hill, Sager, and Torbett:

H.B. 392, A BILL TO BE ENTITLED AN ACT TO REPEAL THE REQUIREMENT THAT A PERSON WHO IS EIGHTEEN YEARS OLD OR OLDER WEAR A HELMET WHILE OPERATING A MOTORCYCLE ON A PUBLIC STREET OR HIGHWAY OR PUBLIC VEHICULAR AREA, is referred to the Committee on Transportation.

By Representatives Hastings and McGee (Primary Sponsors); and Bradley:

H.B. 393, A BILL TO BE ENTITLED AN ACT TO MODIFY THE INTERNAL AUDITING STATUTES APPLICABLE TO LARGE STATE DEPARTMENTS AND THE UNIVERSITY SYSTEM, is referred to the Committee on Government.

By Representatives Hurley and Hamilton:

H.B. 394, A BILL TO BE ENTITLED AN ACT PROVIDING FOR VOLUNTARY FLEXIBLE WORK SCHEDULES FOR STATE EMPLOYEES DURING THE 2011-2013 FISCAL BIENNIUM, is referred to the Committee on State Personnel.

By Representatives McGrady, Hurley, Ingle, and Burr (Primary Sponsors); Cotham, Hamilton, and Harrison:

H.B. 395, A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE LAW PROHIBITING COCKFIGHTING AND RELATED ACTIVITIES, is referred to Judiciary Subcommittee B.

By Representatives Brubaker, Howard, McComas, and Hurley (Primary Sponsors); Cook, Iler, Ingle, Johnson, Jordan, Justice, Stone, Torbett, and H. Warren:

H.B. 396, A BILL TO BE ENTITLED AN ACT TO INCREASE PUBLIC SAFETY BY REQUIRING AN APPLICANT FOR A DRIVERS LICENSE TO BE ABLE TO SPEAK OR READ AND WRITE ENGLISH WITH ENOUGH PROFICIENCY THAT THE PRODUCTION OF MULTIPLE TESTS AND HANDBOOKS BY THE DIVISION OF MOTOR VEHICLES IS NOT NECESSARY THEREBY NETTING A COST SAVINGS TO THE STATE, is referred to the Committee on Transportation and, if favorable, to the Committee on Finance.

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By Representative Lewis:

H.B. 397, A BILL TO BE ENTITLED AN ACT REVISING PENALTIES AND REMEDIES CONCERNING HEALTH FACILITIES, is referred to Judiciary Subcommittee A and, if favorable, to the Committee on Finance.

By Representative Hastings:

H.B. 398, A BILL TO BE ENTITLED AN ACT TO ALLOW CLEVELAND COUNTY WATER, A SANITARY DISTRICT, TO CONDUCT AN ADVISORY REFERENDUM ON WHETHER OR NOT A RESERVOIR SHOULD BE CONSTRUCTED IN UPPER CLEVELAND COUNTY IN THE DISTRICT, is referred to the Committee on Government.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives L. Brown and Ingle, Chairs, for the Committee on Government:

H.B. 56, A BILL TO BE ENTITLED AN ACT TO EXERCISE THE POWER OF THE GENERAL ASSEMBLY UNDER SECTION 1 OF ARTICLE VII OF THE NORTH CAROLINA CONSTITUTION TO FIX THE BOUNDARIES OF CITIES AND GIVE SUCH POWERS TO CITIES AS IT DEEMS ADVISABLE BY WITHDRAWING THE DELEGATION OF AUTHORITY TO THE CITY OF ROCKY MOUNT TO MAKE CERTAIN ANNEXATIONS, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

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

H.B. 180, A BILL TO BE ENTITLED AN ACT TO EXERCISE THE POWER OF THE GENERAL ASSEMBLY UNDER SECTION 1 OF ARTICLE VII OF THE NORTH CAROLINA CONSTITUTION TO FIX THE BOUNDARIES OF CITIES AND GIVE SUCH POWERS TO CITIES AS IT DEEMS ADVISABLE, BY SUSPENDING THE DELEGATION OF AUTHORITY TO THE CITY OF WILMINGTON TO MAKE A CERTAIN ANNEXATION, 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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H.B. 192, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF GREENSBORO TO PROVIDE THAT THE CITY SHALL COLLECT PAST-DUE CHARGES FOR UTILITY SERVICES OWED BY A TENANT WHO IS LIABLE FOR THE CHARGES IN THE MANNER PROVIDED BY GENERAL LAW INSTEAD OF PLACING A LIEN UPON THE RENTAL PROPERTY, with a favorable report.

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

H.B. 224, A BILL TO BE ENTITLED AN ACT TO VALIDATE A SPECIAL ASSESSMENT LEVIED BY FOXFIRE VILLAGE, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

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

H.B. 231, A BILL TO BE ENTITLED AN ACT TO EXERCISE THE POWER OF THE GENERAL ASSEMBLY UNDER SECTION 1 OF ARTICLE VII OF THE NORTH CAROLINA CONSTITUTION TO FIX THE BOUNDARIES OF CITIES AND GIVE SUCH POWERS TO CITIES AS IT DEEMS ADVISABLE BY WITHDRAWING THE DELEGATION OF AUTHORITY TO THE CITY OF FAYETTEVILLE TO MAKE A CERTAIN ANNEXATION, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

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

H.B. 236, A BILL TO BE ENTITLED AN ACT TO EXERCISE THE POWER OF THE GENERAL ASSEMBLY UNDER SECTION 1 OF ARTICLE VII OF THE NORTH CAROLINA CONSTITUTION TO FIX THE BOUNDARIES OF CITIES AND GIVE SUCH POWERS TO CITIES AS IT DEEMS ADVISABLE BY WITHDRAWING THE DELEGATION OF AUTHORITY TO THE CITY OF ASHEVILLE TO MAKE A CERTAIN ANNEXATION, 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.

CAUCUS LEADERS ANNOUNCED

The Speaker announces the following caucus leaders:

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North Carolina Black Caucus

- Senator McKissick, Chair
- Representative Womble, 1st Vice Chair
- Representative Bell, 2nd Vice Chair

Business Caucus

- Representative Setzer, Chair
- Representative Crawford, Vice Chair

Motorsports Industry Caucus

- Representative Steen, Chair
- Representative Owens, Vice Chair

Sportsman Industry Caucus

- Representative West, Chair
- Representative Wray, Vice Chair

Wineries & Vineyards Industry Caucus

- Representative Howard, Chair
- Representative Hill, Vice Chair

CALENDAR

Action is taken on the following:

H.R. 42, A HOUSE RESOLUTION HONORING THE LIFE AND MEMORY OF JOHN ALLEN GARWOOD, FORMER MEMBER OF THE GENERAL ASSEMBLY.

The resolution is adopted, by electronic vote (118-0), and ordered printed.

Without objection, **S.B. 165**, A BILL TO BE ENTITLED AN ACT TO RESTRICT THE NORTH CAROLINA TURNPIKE AUTHORITY'S SELECTION OF TRANSPORTATION CORRIDORS TO EXISTING PROTECTED CORRIDORS OR CORRIDORS SOUTH OF AN EXISTING PROTECTED CORRIDOR EXCEPT IN THE AREA OF INTERSTATE 40 EAST, is moved up on today's Calendar.

The bill 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 enrolled and presented to the Governor by Special Message.

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H.B. 26, A BILL TO BE ENTITLED AN ACT TO ALLOW HENDERSON COUNTY TO INCLUDE ALL UNINCORPORATED AREAS IN A FIRE PROTECTION DISTRICT, 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, Barnhart, Bell, Blackwell, Blust, Boles, Bordsen, Bradley, Brandon, Brawley, Brisson, L. Brown, R. Brown, Brubaker, Bryant, Burr, Carney, Cleveland, Collins, Cook, Cotham, Crawford, Current, Daughtry, Dixon, Dockham, Dollar, Earle, Faircloth, Faison, Farmer-Butterfield, Fisher, Floyd, Folwell, Frye, Gill, Gillespie, Glazier, Goodman, Graham, Guice, Hackney, Hager, Haire, Hall, Hamilton, Harrison, Hill, Hilton, Hollo, Holloway, Howard, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Jordan, Justice, Keever, Killian, Langdon, LaRoque, Lewis, Lucas, Luebke, Martin, McComas, McCormick, McElraft, McGee, McGrady, McGuirt, McLawhorn, Michaux, Mills, Mobley, Moffitt, R. Moore, T. Moore, Murry, Parfitt, Parmon, Pierce, Pridgen, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Wainwright, E. Warren, H. Warren, Weiss, West, Wilkins, Womble, and Wray - 116.

Voting in the negative: None.

Excused absences: Representatives Hastings, Horn, and Owens - 3.

H.B. 61, A BILL TO BE ENTITLED AN ACT AMENDING THE NORTH CAROLINA CONSTITUTION TO LIMIT THE TERMS OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT PRO TEMPORE OF THE SENATE TO TWO GENERAL ASSEMBLIES.

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

H.B. 87 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR GOVERNMENT IN THE SUNSHINE BY AMENDING THE NORTH CAROLINA CONSTITUTION.

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

Representative Faison offers Amendment No. 2.

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On motion of Representative Faison, the bill is temporarily displaced, with Amendment No. 2 pending.

H.B. 171 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT A MUNICIPALITY HAS NO AUTHORITY TO PETITION ITSELF FOR SELF-ANNEXATION OF PROPERTY IT DOES NOT OWN OR HAVE ANY LEGAL INTEREST IN, SUCH AS STATE-MAINTAINED STREETS, AND TO CLARIFY THAT A PETITION FOR VOLUNTARY SATELLITE ANNEXATION MUST BE SIGNED AND, IF NO SIGNATURE IS REQUIRED FOR CERTAIN PROPERTY, THE PROPERTY MAY NOT BE INCLUDED IN THE PETITION OVER THE OWNER'S OBJECTION, passes its second reading, by electronic vote (113-1), and there being no objection is read a third time.

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

ENROLLED BILLS

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

S.B. 165, AN ACT TO RESTRICT THE NORTH CAROLINA TURNPIKE AUTHORITY'S SELECTION OF TRANSPORTATION CORRIDORS TO EXISTING PROTECTED CORRIDORS OR CORRIDORS SOUTH OF AN EXISTING PROTECTED CORRIDOR EXCEPT IN THE AREA OF INTERSTATE 40 EAST.

CALENDAR (continued)

H.B. 173, A BILL TO BE ENTITLED AN ACT TO MAKE THE SNEADS FERRY SHRIMP FESTIVAL THE OFFICIAL STATE SHRIMP FESTIVAL, 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.

H.B. 181, A BILL TO BE ENTITLED AN ACT TO ADD THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION TO THE ECONOMIC DEVELOPMENT BOARD, AS RECOMMENDED BY THE JOINT LEGISLATIVE JOINING OUR BUSINESSES AND SCHOOLS (JOBS) STUDY COMMISSION, passes its second reading, by electronic vote (111-5), and there being no objection is read a third time.

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

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H.B. 87 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR GOVERNMENT IN THE SUNSHINE BY AMENDING THE NORTH CAROLINA CONSTITUTION.

On motion of Representative LaRoque and without objection, the bill, which was temporarily displaced with Amendment No. 2 pending, is withdrawn from the Calendar and placed on the Calendar of March 22.

RE-REFERRALS

On motion of Representative LaRoque, pursuant to Rule 39.2 and without objection, **H.B. 383**, A BILL TO BE ENTITLED AN ACT ESTABLISHING THE COMMUNICATIONS REGULATORY REFORM AND INVESTMENT ACT OF 2011, is withdrawn from the Committee on Commerce and Job Development and re-referred to the Committee on Public Utilities.

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 259**, A BILL TO BE ENTITLED AN ACT TO EXPAND THE TERRITORIAL JURISDICTION OF COMPANY POLICE AGENCIES TO ALLOW THE AGENCIES TO ENFORCE MOTOR VEHICLE AND CRIMINAL LAWS ON PUBLIC STREETS AND HIGHWAYS THAT PASS THROUGH OR ARE ADJACENT TO THE PRIVATE PROPERTY UNDER CONTRACT WITH THE COMPANY POLICE AGENCY, is withdrawn from the Committee on Government and re-referred to Judiciary Subcommittee B.

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 260**, A BILL TO BE ENTITLED AN ACT TO ALLOW COMPANY POLICE OFFICERS WHO ARE OFF PRIVATE PROPERTY CONTRACTED BY THE COMPANY POLICE AGENCY AND IN TRANSIT TO ANOTHER PROPERTY UNDER CONTRACT WITH THE COMPANY POLICE AGENCY TO OPERATE EMERGENCY EQUIPMENT AT CRASH SCENES AND PUBLIC SAFETY EMERGENCIES THAT PRESENT A PUBLIC DANGER, is withdrawn from the Committee on Government and re-referred to Judiciary Subcommittee B.

CALENDAR (continued)

H.B. 187, A BILL TO BE ENTITLED AN ACT TO DIRECT THE GASOLINE AND OIL INSPECTION BOARD TO ADOPT RULES RELATED TO THE LABELING OF DISPENSING PUMPS AND OTHER DISPENSING DEVICES THAT OFFER ETHANOL-BLENDED GASOLINE FOR RETAIL SALE IN NORTH CAROLINA, passes its second reading, by electronic vote (115-1), and there being no objection is read a third time.

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

H.B. 234 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE QUALIFICATIONS FOR PROSPECTIVE JURORS IN ORDER TO ALLOW HEARING-IMPAIRED PERSONS TO SERVE AS JURORS AND TO PROVIDE FOR PERSONS WITH DISABILITIES TO APPLY FOR EXEMPTIONS FROM JURY DUTY.

Representative Weiss offers Amendment No. 1.

Representative Weiss withdraws Amendment No. 1.

The bill passes its second reading by electronic vote (92-24).

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

H.B. 316 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THE NORTH CAROLINA GENERAL ASSEMBLY SPECIAL POLICE WITH STATEWIDE LAW ENFORCEMENT JURISDICTION.

Representative Daughtry offers Amendment No. 1 which is adopted by electronic vote (114-2).

The bill, as amended, passes its second reading, by electronic vote (113-3), 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.

WITHDRAWAL OF BILLS FROM CALENDAR

On motion of Representative T. Moore and without objection, the following bills are withdrawn from the Calendar of March 21 and placed on the Calendar of March 22.

H.B. 234 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE QUALIFICATIONS FOR PROSPECTIVE JURORS IN ORDER TO ALLOW HEARING-IMPAIRED PERSONS TO SERVE AS JURORS AND TO PROVIDE FOR PERSONS WITH DISABILITIES TO APPLY FOR EXEMPTIONS FROM JURY DUTY.

H.B. 26, A BILL TO BE ENTITLED AN ACT TO ALLOW HENDERSON COUNTY TO INCLUDE ALL UNINCORPORATED AREAS IN A FIRE PROTECTION DISTRICT.

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On motion of Representative LaRoque, seconded by Representative Murry, the House adjourns at 2:45 p.m. to reconvene Monday, March 21, 2011, at 7:00 p.m.

THIRTY-FIRST DAY

HOUSE OF REPRESENTATIVES
Monday, March 21, 2011

The House meets at 7:00 p.m. pursuant to adjournment and is called to order by Representative Folwell, Speaker Pro Tempore.

The following prayer is offered by Representative Craig Horn:

"Dear Lord, Father in Heaven:

"We again gather in this House to do the people's business. It is therefore Your business that we do, O Lord. We humbly ask that You grant us objectivity and sound realism that will guide us to a clear path of that which seems the best.

"Grant that we may not deviate from what is right for the good of all in favor of what is easy or unjust. Grant us an unwavering loyalty to our people, to be firm to our adherence to the principles that we openly profess, to the noble resolve to stand above ourselves, and be without corruption and selfish ambition.

"Help us to be calm in our deliberations, immune from passion except that which is inspired by truth. We seek Your guidance for the challenges ahead and beg forgiveness for our missteps of the past. Our hearts are filled with sorrow and grief for the events of this past week. We pray for those in Japan that have suffered and continue to suffer, those in Libya that are caught up in a civil war born out of oppression and lust for power. Our hearts are with our brave young men and women in service to our country and the cause of freedom around the world, most especially in armed conflict in Afghanistan and Iraq among many other places about which we are not aware.

"We are commanded to do what is revealed to us in the Old Testament, Micah 6:8: 'Do justice, love mercy and walk humbly with thy God.'

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"In our own little way, Dear God, we endeavor to imitate the rectitude which thy Providence does direct and govern for Thy greater glory and for the well-being of human society. Hear us, O Lord, in order that our minds may never be without Thy light nor our wills without Thy strength. Keep us far from human ambition and inspire in us a regard for justice.

"And finally, O Lord, we ask that You guide and direct us as You hold each of us in the hollow of Your hand. Amen."

The Chair leads the Body in the Pledge of Allegiance.

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

Leaves of absence are granted Representatives M. Alexander, Glazier, Jordan, Mills, R. Moore, Parmon, Sager, and Womble for today.

ENROLLED BILLS

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

S.B. 58, ACT MODIFYING THE FEDERAL MEDICAL ASSISTANCE PERCENTAGES CUTS IN THE 2010-2011 STATE BUDGET.

H.B. 60, AN ACT TO EXTEND THE TASK FORCE DEVELOPING GUIDELINES FOR CONSUMERS TO USE WHEN PURCHASING A HEARING AID, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING.

CHAPTERED BILLS

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

H.B. 124, AN ACT TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE. (S.L. 2011-5)

H.B. 3, AN ACT TO PROVIDE FOR THE ADOPTION OF THE GOOD FAITH EXCEPTION TO THE EXCLUSIONARY RULE INTO STATE LAW. (S.L. 2011-6)

S.B. 165, AN ACT TO RESTRICT THE NORTH CAROLINA TURNPIKE AUTHORITY'S SELECTION OF TRANSPORTATION CORRIDORS TO EXISTING PROTECTED CORRIDORS OR CORRIDORS SOUTH

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OF AN EXISTING PROTECTED CORRIDOR EXCEPT IN THE AREA OF INTERSTATE 40 EAST. (S.L. 2011-7)

H.B. 48, AN ACT TO REDUCE SPENDING BY ELIMINATING STATEWIDE STANDARDIZED TESTING IN THE PUBLIC SCHOOLS, EXCEPT AS REQUIRED BY FEDERAL LAW OR AS A CONDITION OF A FEDERAL GRANT. (S.L. 2011-8) [Became law without the approval of the Governor.]

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following report from standing committee is presented:

By Representatives L. Brown and Ingle, Chairs, for the Committee on Government:

H.B. 168, A BILL TO BE ENTITLED AN ACT PROVIDING A ZONING EXEMPTION FOR ANY AGRICULTURAL INTEREST ANNEXED BY A MUNICIPALITY AND EXEMPTING COVERAGE OF ANY AGRICULTURAL INTEREST IN THE EXTRATERRITORIAL PLANNING JURISDICTION OF A MUNICIPALITY, 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:

S.B. 75 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROMOTE THE USE OF ELECTRICITY DEMAND REDUCTION TO SATISFY RENEWABLE ENERGY PORTFOLIO STANDARDS, is read the first time and referred to the Committee on Finance.

S.B. 133, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE REQUIREMENT THAT THE ADDRESS OF EACH QUALIFIED PERSON SELECTED FOR THE JURY LIST APPEAR ON THE LIST FILED WITH THE REGISTER OF DEEDS, IN ORDER TO ALLAY JUROR PRIVACY CONCERNS, is read the first time and referred to Judiciary Subcommittee C.

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S.B. 146, A BILL TO BE ENTITLED AN ACT TO MAKE THE SNEADS FERRY SHRIMP FESTIVAL THE OFFICIAL STATE SHRIMP FESTIVAL, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 155, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWNS OF GARNER, KNIGHTDALE, MORRISVILLE, WENDELL, AND ZEBULON TO COLLECT DELINQUENT STORMWATER UTILITY FEES IN THE SAME MANNER AS THEY MAY COLLECT DELINQUENT PERSONAL AND REAL PROPERTY TAXES, is read the first time and referred to the Committee on Government and, if favorable, to the Committee on Finance.

S.B. 182, A BILL TO BE ENTITLED AN ACT PROVIDING THAT A LIST OF E-MAIL ADDRESSES OF PERSONS SUBSCRIBING TO E-MAIL LISTS KEPT BY THE CITY OF GREENVILLE SHALL BE OPEN TO PUBLIC INSPECTION BUT THE CITY IS NOT REQUIRED TO PROVIDE A COPY OF THE LIST, AND PROVIDING THAT THE CITY MAY USE THE LIST ONLY FOR THE PURPOSES THAT IT WAS SUBSCRIBED TO, is read the first time and referred to the Committee on Government.

S.B. 194 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PLUG-IN ELECTRIC VEHICLES TO OPERATE IN HIGH OCCUPANCY VEHICLE LANES AND TO EXEMPT PLUG-IN ELECTRIC VEHICLES FROM THE EMISSIONS INSPECTION REQUIREMENT, is read the first time and referred to the Committee on Commerce and Job Development.

S.B. 212, A BILL TO BE ENTITLED AN ACT ALLOWING THE REGISTER OF DEEDS TO REGISTER A MAP OF A CEMETERY THAT LACKS A SURVEYOR'S STAMP OR SEAL AND THE ORIGINAL SIGNATURE OF THE SURVEYOR UNDER CERTAIN CIRCUMSTANCES, is read the first time and referred to the Committee on Government.

S.B. 261, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A SEASON FOR TAKING FOXES WITH WEAPONS AND BY TRAPPING IN CHOWAN COUNTY, is read the first time and referred to the Committee on Government.

S.B. 263, A BILL TO BE ENTITLED AN ACT TO ALLOW MUNICIPALITIES IN WAKE COUNTY TO EXEMPT BONA FIDE FARMS FROM OBTAINING BUILDING PERMITS FOR ACCESSORY BUILDINGS IN ITS EXTRATERRITORIAL JURISDICTION, is read the first time and referred to the Committee on Government.

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S.B. 270, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A LIST OF THE E-MAIL ADDRESSES OF PERSONS SUBSCRIBING TO E-MAIL LISTS KEPT BY THE TOWN OF HUNTERSVILLE ARE OPEN TO PUBLIC INSPECTION BUT ARE NOT REQUIRED TO BE PROVIDED, AND TO PROVIDE THAT THE LOCAL GOVERNMENT MAY USE THAT LIST ONLY FOR THE PURPOSE THAT IT WAS SUBSCRIBED TO, is read the first time and referred to the Committee on Government.

S.B. 308 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT STATE AGENCIES FROM ADOPTING, IMPLEMENTING, OR ENFORCING A RULE THAT REGULATES GREENHOUSE GAS EMISSIONS OR LIMITS HUMAN ACTIVITY FOR THE PURPOSE OF REDUCING GREENHOUSE GAS EMISSIONS IF THE RULE IS NOT REQUIRED BY A FEDERAL LAW OR REGULATION OR IS MORE STRINGENT THAN A CORRESPONDING FEDERAL REGULATION OR LAW, is read the first time and referred to the Committee on Environment.

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representatives McElraft, Killian, Hager, and Stone (Primary Sponsors); Avila, Blust, Bradley, Brawley, L. Brown, Dockham, Faircloth, Hilton, Hollo, Hurley, Iler, Ingle, Jones, Jordan, LaRoque, Moffitt, Randleman, Sager, Shepard, Starnes, Stevens, and H. Warren:

H.B. 399, A BILL TO BE ENTITLED AN ACT TO PROVIDE A STATUTORY CAP FOR THE MOTOR FUEL EXCISE TAX RATE, is referred to the Committee on Finance.

By Representatives McElraft, Blackwell, Blust, and Avila (Primary Sponsors); Bradley, L. Brown, Cleveland, Dollar, Faircloth, Folwell, Frye, Glazier, Hastings, Hilton, Hurley, Iler, Ingle, Jordan, Justice, Killian, Moffitt, T. Moore, Murry, Randleman, Samuelson, Sanderson, Shepard, Steen, Stevens, Stone, Torbett, and H. Warren:

H.B. 400, A BILL TO BE ENTITLED AN ACT TO CREATE A SEARCHABLE BUDGET DATABASE FOR STATE SPENDING, is referred to the Committee on Finance.

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By Representative Rapp:

H.B. 401, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE HAYWOOD COMMUNITY COLLEGE TO ENTER INTO LEASES FOR THE SITING AND OPERATION OF A RENEWABLE ENERGY FACILITY FOR UP TO TWENTY YEARS WITHOUT TREATING IT AS A SALE AND WITHOUT GIVING NOTICE BY PUBLICATION, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

By Representatives Carney, West, McComas, and Fisher (Primary Sponsors); Glazier, Hamilton, Harrison, Hill, Jeffus, and McLawhorn:

H.B. 402, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO PRODUCE A SPECIAL PLATE FOR ARTS NORTH CAROLINA, INC., is referred to the Committee on Transportation and, if favorable, to the Committee on Finance.

By Representatives Hamilton and Brisson:

H.B. 403, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF WILMINGTON TO APPLY THE CITY'S DEMOLITION BY NEGLECT ORDINANCES TO CONTRIBUTING STRUCTURES LOCATED IN NATIONAL REGISTER HISTORIC DISTRICTS WITHIN THE CITY'S CENTRAL BUSINESS DISTRICT, is referred to the Committee on Government.

By Representatives Dollar, Earle, and LaRoque (Primary Sponsors); M. Alexander, Avila, L. Brown, Cotham, Dockham, Faircloth, Fisher, Gill, Glazier, Hamilton, Harrison, Hilton, Hollo, Ingle, Jones, Martin, Murry, Pierce, Shepard, and Wray.

H.R. 404, A HOUSE RESOLUTION RECOGNIZING DIABETES ALERT DAY IN NORTH CAROLINA.

Pursuant to Rule 32(a), the bill is placed on the Calendar of March 22.

By Representatives Spear, West, Mobley, and Stevens (Primary Sponsors); Frye and Randleman:

H.B. 405, A BILL TO BE ENTITLED AN ACT TO ENSURE A MINIMUM NUMBER OF CLERK OF SUPERIOR COURT STAFF POSITIONS IN EACH CLERK'S OFFICE, is referred to the Committee on Appropriations.

By Representatives Jordan, Hill, Randleman, and Mobley (Primary Sponsors); Bradley, L. Brown, Fisher, Hamilton, Harrison, Ingle, Sager, and Wray:

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H.B. 406, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT LAND THAT IS ENGAGED IN AGRICULTURE MAY QUALIFY FOR ENROLLMENT IN A VOLUNTARY AGRICULTURAL DISTRICT EVEN THOUGH IT DOES NOT QUALIFY FOR TAXATION AT ITS PRESENT-USE VALUE, AND TO PROVIDE THAT RESIDENTIAL LOTS CREATED ON LAND THAT IS THE SUBJECT OF A CONSERVATION AGREEMENT MUST MEET MUNICIPAL ZONING AND SUBDIVISION REGULATIONS, AND TO PROVIDE THAT REVOCABLE VOLUNTARY AGRICULTURAL DISTRICT CONSERVATION AGREEMENTS ARE NOT REQUIRED TO BE RECORDED, is referred to the Committee on Finance.

By Representatives T. Moore and LaRoque (Primary Sponsors); Faircloth, Hilton, and Spear:

H.B. 407, A BILL TO BE ENTITLED AN ACT TO MODIFY THE REQUIREMENT THAT A PERSON WHO IS EIGHTEEN YEARS OLD OR OLDER WEAR A HELMET WHILE OPERATING AN ALL-TERRAIN VEHICLE, is referred to the Committee on Transportation.

By Representatives T. Moore, Spear, and Shepard (Primary Sponsors); Faircloth, Hilton, and Ingle:

H.B. 408, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING DISCOVERY IN CRIMINAL CASES, is referred to Judiciary Subcommittee C.

By Representatives Jeffus, Harrison, Adams, and Faircloth (Primary Sponsors):

H.B. 409, A BILL TO BE ENTITLED AN ACT TO ALLOW GUILFORD TECHNICAL COMMUNITY COLLEGE TO LEASE A PORTION OF ITS PROPERTY TO THE NORTH CAROLINA CENTER FOR GLOBAL LOGISTICS, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

By Representative Boles:

H.B. 410, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF PINEBLUFF TO PRESERVE CERTAIN UNDEVELOPED PROPERTY OWNED BY THE TOWN FOR PARK LAND, is referred to the Committee on Government.

March 21, 2011

INTRODUCTION OF PAGES

Pages for the week of March 21 are introduced to the membership. They are: Maria Duclos of Moore; Samantha Enochs of Iredell; David Farrow of Mecklenburg; Melinda Hall of Nash; Elise Karsten of Wake; Nicholas Krenitsky of Orange; Catherine McCabe of Carteret; Mary MoDrak of Iredell; Sidney Parham of Swain; Carter Phillips of Wake; and Gregory Reaves of Moore.

On motion of Representative T. Moore, seconded by Representative Owens, the House adjourns at 7:17 p.m. to reconvene March 22 at 2 p.m.

THIRTY-SECOND DAY

HOUSE OF REPRESENTATIVES
Tuesday, March 22, 2011

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

Prayer is offered by Representative Grier Martin.

Representative T. Moore, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of March 21 has been examined and found correct. Upon his motion, the Journal is approved as written.

A leave of absence is granted Representative Womble for today.

ENROLLED BILLS

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

H.B. 92, AN ACT TO REPEAL THE LAND TRANSFER TAX.

**REPORTS OF STANDING COMMITTEES AND PERMANENT
SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representatives Holloway and Langdon, Chairs, for the Committee on Education:

March 22, 2011

H.B. 334, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE STATE BOARD OF EDUCATION TO REPORT ON THE RESULTS OF FITNESS TESTING IN EACH LOCAL SCHOOL ADMINISTRATIVE UNIT, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of March 23.

S.B. 20 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGULATING PROPRIETARY SCHOOLS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of March 23.

By Representatives Current, Dollar, and Hollo, Chairs, for the Committee on Health and Human Services:

H.B. 302, A BILL TO BE ENTITLED AN ACT TO BROADEN THE EXEMPTION FROM CHARITABLE SOLICITATION LICENSING REQUIREMENTS FOR CERTAIN NONPROFIT ADULT RESIDENTIAL TREATMENT FACILITIES, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

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

H.B. 331, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PHYSICIAN ASSISTANTS AND NURSE PRACTITIONERS TO COMPLETE MEDICAL CERTIFICATIONS AS TO THE CAUSE OF DEATH FOR DEATH REGISTRATION, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of March 23. The original bill is placed on the Unfavorable Calendar.

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representative Howard:

H.B. 411, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE IREDELL COUNTY SHERIFF MAY LEASE THE FORMER IREDELL CORRECTIONAL FACILITY FROM THE DEPARTMENT OF TRANSPORTATION FOR ONE DOLLAR UPON THE PAYMENT OF SEVENTY-FIVE THOUSAND DOLLARS BY THE IREDELL COUNTY SHERIFF

March 22, 2011

TO THE DEPARTMENT OF TRANSPORTATION FOR THE RENOVATION OF THE NEWTON STORAGE FACILITY FOR THE DEPARTMENT OF TRANSPORTATION, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

By Representatives Farmer-Butterfield, Parmon, and Hall (Primary Sponsors); Earle, Fisher, Harrison, Insko, Kever, Lucas, and Parfitt:

H.B. 412, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF PUBLIC HEALTH, TO STUDY THE BENEFITS AND RISKS ASSOCIATED WITH ALLOWING LICENSED HEALTH CARE PRACTITIONERS TO USE ALTERNATIVE MEDICINE IN TREATING PATIENTS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Parmon and Womble (Primary Sponsors); and Earle:

H.B. 413, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE WINSTON-SALEM/FORSYTH COUNTY BOARD OF EDUCATION IS ELECTED ON A NONPARTISAN PLURALITY BASIS AND TO CHANGE THE PROCEDURE FOR FILLING VACANCIES ON THE WINSTON-SALEM/FORSYTH COUNTY BOARD OF EDUCATION, is referred to the Committee on Government.

By Representative Hager:

H.B. 414, A BILL TO BE ENTITLED AN ACT TO MODIFY THE RUTHERFORD COUNTY OCCUPANCY TAX, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

By Representative Justice:

H.B. 415, A BILL TO BE ENTITLED AN ACT PRESERVING LITTORAL RIGHTS IN THE TOWN OF TOPSAIL BEACH AFTER PUBLICLY FINANCED BEACH NOURISHMENT PROJECTS, is referred to the Committee on Government.

By Representative Owens:

H.B. 416, A BILL TO BE ENTITLED AN ACT TO ALLOW CAMDEN COUNTY TO EXPAND WATERSHED IMPROVEMENT COMMISSIONS FROM THREE TO FIVE MEMBERS, is referred to the Committee on Government.

March 22, 2011

By Representatives McGrady and R. Moore:

H.B. 417, A BILL TO BE ENTITLED AN ACT TO EXTEND THE TIME PERIOD FOR HOLDING REAL PROPERTY AS A FUTURE SITE FOR HOUSING FOR LOW- OR MODERATE-INCOME INDIVIDUALS AND FAMILIES, is referred to the Committee on Commerce and Job Development.

By Representative L. Brown:

H.B. 418, A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF WINSTON-SALEM, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

By Representatives Harrison, Samuelson, Glazier, and McGrady (Primary Sponsors); Adams, Cotham, Gill, Hamilton, Insko, Jackson, Jeffus, Keever, Luebke, Martin, and R. Moore:

H.B. 419, A BILL TO BE ENTITLED AN ACT TO ENACT THE NORTH CAROLINA BENEFIT CORPORATION ACT, is referred to the Committee on Commerce and Job Development and, if favorable, to Judiciary Subcommittee C.

By Representative Iler:

H.B. 420, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF OAK ISLAND TO USE WHEEL LOCKS TO ENFORCE PARKING REGULATIONS, is referred to the Committee on Government.

By Representatives Iler, Cook, Justice, McComas, and Spear:

H.B. 421, A BILL TO BE ENTITLED AN ACT TO ALLOW A MARINA TO OBTAIN A QUARTERLY REFUND OF THE EXCISE TAX ON GASOLINE SOLD FOR USE IN A BOAT OR OTHER MARINE VESSEL, is referred to the Committee on Commerce and Job Development and, if favorable, to the Committee on Finance.

By Representatives Killian, Frye, and Shepard (Primary Sponsors); Barnhart, Bradley, R. Brown, Collins, Cook, Pridgen, Starnes, Steen, Stevens, and H. Warren:

March 22, 2011

H.B. 422, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE DEPARTMENT OF TRANSPORTATION FROM ACCEPTING FEDERAL FUNDS FOR A HIGH-SPEED RAIL PROJECT WITHOUT EXPLICIT AUTHORIZATION FROM THE GENERAL ASSEMBLY, AND TO PROVIDE A PENALTY FOR THE DEPARTMENT OF TRANSPORTATION FOR NONCOMPLIANCE, is referred to the Committee on Transportation and, if favorable, to the Committee on Commerce and Job Development and, if favorable, to the Committee on Finance.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 118, A BILL TO BE ENTITLED AN ACT TO EXPAND THE DEFINITION OF DOWNTOWN REVITALIZATION IN THE MUNICIPAL SERVICE DISTRICT LAW, is read the first time and referred to the Committee on Government and, if favorable, to the Committee on Finance.

S.B. 154, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE HIGHER EDUCATION BOND OVERSIGHT COMMITTEE, WHICH HAS COMPLETED ITS WORK, is read the first time and referred to the Committee on Education.

S.B. 227 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE BOARD OF TRUSTEES OF HAYWOOD COMMUNITY COLLEGE TO ENTER INTO LEASES FOR THE SITING AND OPERATION OF A RENEWABLE ENERGY FACILITY FOR UP TO TWENTY YEARS WITHOUT TREATING IT AS A SALE AND WITHOUT GIVING NOTICE BY PUBLICATION, is read the first time and referred to the Committee on Government and, if favorable, to the Committee on Finance.

S.B. 248, A BILL TO BE ENTITLED AN ACT TO UPDATE CERTAIN TERMINOLOGY IN REFERENCE TO PERSONS WITH DISABILITIES, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is read the first time and referred to Judiciary Subcommittee A.

S.B. 269, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF HILLSBOROUGH TO LEVY A ROOM OCCUPANCY TAX, is read the first time and referred to the Committee on Finance.

March 22, 2011

WITHDRAWAL OF BILLS FROM CALENDAR

H.B. 61, A BILL TO BE ENTITLED AN ACT AMENDING THE NORTH CAROLINA CONSTITUTION TO LIMIT THE TERMS OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT PRO TEMPORE OF THE SENATE TO TWO GENERAL ASSEMBLIES.

On motion of Representative T. Moore and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of March 29.

H.B. 87 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR GOVERNMENT IN THE SUNSHINE BY AMENDING THE NORTH CAROLINA CONSTITUTION.

On motion of Representative T. Moore and without objection, the bill, with Amendment No. 2 pending, is withdrawn from the Calendar and placed on the Calendar of March 24.

H.R. 258, A HOUSE RESOLUTION HONORING THE LIFE AND MEMORY OF CHARLES DOUGLAS "CHARLIE" BROWN, JR., FALLEN MARTIN COUNTY SHERIFF'S DEPUTY.

On motion of Representative T. Moore and without objection, the resolution is withdrawn from the Calendar pursuant to Rule 36(b), and placed on the Calendar of March 29.

RE-REFERRALS

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 52**, A BILL TO BE ENTITLED AN ACT TO CLARIFY WHEN A PERSON MAY USE DEFENSIVE FORCE TO PROTECT AGAINST THE UNLAWFUL AND FORCIBLE ENTRY INTO THE PERSON'S DWELLING BY ANOTHER, TO PREVENT THE REMOVAL OF A PERSON AGAINST HIS OR HER WILL FROM THE PERSON'S DWELLING, AND TO PROVIDE THAT A PERSON IS JUSTIFIED IN USING DEFENSIVE FORCE IN THESE CIRCUMSTANCES AND SO IS IMMUNE FROM CRIMINAL PROSECUTION AND CIVIL ACTION FOR THE USE OF SUCH FORCE, is withdrawn from Judiciary Subcommittee B and re-referred to Judiciary Subcommittee A.

March 22, 2011

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 74**, A BILL TO BE ENTITLED AN ACT TO PROVIDE WHEN THE USE OF FORCE OR THE USE OF DEADLY FORCE IS JUSTIFIABLE IN DEFENSE OF SELF, OTHERS, OR ONE'S HOME OR VEHICLE, OR IN PREVENTING THE COMMISSION OF A FORCIBLE FELONY, AND TO PROVIDE IMMUNITY FROM CRIMINAL PROSECUTION AND CIVIL ACTION IN THOSE CIRCUMSTANCES, is withdrawn from Judiciary Subcommittee B and re-referred to Judiciary Subcommittee A.

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 353**, A BILL TO BE ENTITLED AN ACT TO DESIGNATE RED DRUM, SPOTTED SEA TROUT, AND STRIPED BASS AS COASTAL GAME FISH; TO PROHIBIT THE TAKING OF COASTAL GAME FISH OTHER THAN BY HOOK-AND-LINE; TO PROHIBIT THE SALE OF COASTAL GAME FISH; AND TO COMPENSATE COMMERCIAL FISHERMEN FOR CERTAIN LOSSES DUE TO THE DESIGNATION AND PROHIBITION, is withdrawn from Commerce and Job Development Subcommittee on Business and Labor and re-referred to the Committee on Commerce and Job Development.

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **S.B. 33** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REFORM THE LAWS RELATING TO MEDICAL LIABILITY BY PROVIDING LIMITED PROTECTION FROM LIABILITY TO THOSE REQUIRED BY FEDERAL LAW TO PROVIDE EMERGENCY MEDICAL CARE, BY AUTHORIZING THE BIFURCATION OF TRIALS ON ISSUES OF LIABILITY AND DAMAGES IN CERTAIN ACTIONS, BY LIMITING THE AMOUNT OF NONECONOMIC DAMAGES THAT MAY BE AWARDED, BY AUTHORIZING THE PERIODIC PAYMENT OF FUTURE ECONOMIC DAMAGES IN LIEU OF A LUMP-SUM PAYMENT, BY MODIFYING APPEAL BONDS IN MEDICAL MALPRACTICE ACTIONS, BY CLARIFYING THAT COMPLAINTS ALLEGING MEDICAL MALPRACTICE BY HEALTH CARE PROVIDERS MUST ASSERT THAT ALL MEDICAL RECORDS AVAILABLE TO THE PLAINTIFF HAVE BEEN REVIEWED BY AN EXPERT WITNESS, AND BY REQUIRING THAT CERTAIN INFORMATION BE PROVIDED BY EXPERT WITNESSES, is withdrawn from Judiciary Subcommittee A and re-referred to the Select Committee on Tort Reform.

CALENDAR

Action is taken on the following:

March 22, 2011

H.R. 404, A HOUSE RESOLUTION RECOGNIZING DIABETES ALERT DAY IN NORTH CAROLINA.

The resolution is adopted, by electronic vote (119-0), and ordered printed.

H.B. 26, A BILL TO BE ENTITLED AN ACT TO ALLOW HENDERSON COUNTY TO INCLUDE ALL UNINCORPORATED AREAS IN A FIRE PROTECTION DISTRICT, 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, M. Alexander, Avila, Barnhart, Bell, Blackwell, Blust, Boles, Bordsen, Bradley, Brandon, Brawley, Brisson, L. Brown, R. Brown, Brubaker, Bryant, Burr, Carney, Cleveland, Collins, Cook, Cotham, Crawford, Current, Daughtry, Dixon, Dockham, Dollar, Earle, Faircloth, Faison, Farmer-Butterfield, Fisher, Floyd, Folwell, Frye, Gill, Gillespie, Glazier, Goodman, Graham, Guice, Hackney, Hager, Haire, Hall, Hamilton, Harrison, Hill, Hilton, Hollo, Holloway, Horn, Howard, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Jordan, Justice, Keever, Killian, Langdon, LaRoque, Lewis, Lucas, Luebke, Martin, McComas, McCormick, McElraft, McGee, McGrady, McGuirt, McLawhorn, Michaux, Mills, Mobley, Moffitt, R. Moore, T. Moore, Murry, Owens, Parfitt, Parmon, Pierce, Pridgen, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Wainwright, E. Warren, H. Warren, Weiss, West, Wilkins, and Wray - 117.

Voting in the negative: Representative Hastings.

Excused absence: Representative Womble.

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

H.B. 192, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF GREENSBORO TO PROVIDE THAT THE CITY SHALL COLLECT PAST-DUE CHARGES FOR UTILITY SERVICES OWED BY A TENANT WHO IS LIABLE FOR THE CHARGES IN THE MANNER PROVIDED BY GENERAL LAW INSTEAD OF PLACING A LIEN UPON THE RENTAL PROPERTY, passes its second reading, by electronic vote (118-0), and there being no objection is read a third time.

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

March 22, 2011

H.B. 234 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE QUALIFICATIONS FOR PROSPECTIVE JURORS IN ORDER TO ALLOW HEARING-IMPAIRED PERSONS TO SERVE AS JURORS AND TO PROVIDE FOR PERSONS WITH DISABILITIES TO APPLY FOR EXEMPTIONS FROM JURY DUTY.

Representative Jones offers Amendment No. 2 which is adopted by electronic vote (88-30).

The bill, as amended, passes its third reading, by electronic vote (106-12), and is ordered engrossed and sent to the Senate.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Iler and Mills, Chairs, for the Committee on Transportation:

H.B. 407, A BILL TO BE ENTITLED AN ACT TO MODIFY THE REQUIREMENT THAT A PERSON WHO IS EIGHTEEN YEARS OLD OR OLDER WEAR A HELMET WHILE OPERATING AN ALL-TERRAIN VEHICLE, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of March 23. The original bill is placed on the Unfavorable Calendar.

By Representatives Holloway and Langdon, Chairs, for the Committee on Education:

H.B. 72, A BILL TO BE ENTITLED AN ACT GRANTING COMMUNITY COLLEGES ADDITIONAL FLEXIBILITY WITH REGARD TO INVESTMENTS, 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.

March 22, 2011

CALENDAR (continued)

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

H.B. 90 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW CONFECTIONERS TO PRODUCE CONFECTIONERIES WHICH CONTAIN NO MORE THAN FIVE PERCENT ALCOHOL BY VOLUME, passes its second reading, by electronic vote (102-16), and there being no objection is read a third time.

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

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

H.B. 205, A BILL TO BE ENTITLED AN ACT DESIGNATING THE MONTH OF MAY AS MOTORCYCLE AWARENESS MONTH, passes its second reading, by electronic vote (117-0), and there being no objection is read a third time.

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

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

H.B. 270 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW ESTABLISHING THE REGULAR AND SPECIAL CONDITIONS OF PROBATION AND TO REPEAL THE LAW TOLLING THE PROBATION PERIOD WHILE CRIMINAL CHARGES ARE PENDING THAT MIGHT RESULT IN REVOCATION PROCEEDINGS, passes its second reading by electronic vote (115-0).

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

Representative LaRoque moves, seconded by Representative T. Moore, that the House adjourn, subject to the receipt of Messages from the Senate, to reconvene March 23 at 2:00 p.m.

The motion carries.

SPECIAL MESSAGE FROM THE SENATE

The following Special Message is received from the Senate:

March 22, 2011

S.J.R. 369, A JOINT RESOLUTION TO CONFIRM THE GOVERNOR'S REAPPOINTMENT OF JOSEPH A. SMITH TO THE OFFICE OF COMMISSIONER OF BANKS, is read the first time and referred to the Committee on Banking.

The House stands adjourned at 4:00 p.m.

THIRTY-THIRD DAY

HOUSE OF REPRESENTATIVES
Wednesday, March 23, 2011

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 Representative Jennifer Weiss:

"May we find peace with those we love growing together over time.

"May we be at peace with ourselves,
And with the labors that fill our days.

"May we render peace in our world,
With wisdom and gentle patience.

"May we be at peace with the source;
Let understanding come our way.

"Blessed are You, Eternal One, Source of Peace. Amen."

(The Siddur for Reform Jewish Prayer)

Representative T. Moore, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of March 22 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives M. Alexander, Bordsen, and Womble for today. Representatives Current and Rhyne are excused for a portion of the Session.

March 23, 2011

**REPORTS OF STANDING COMMITTEES AND PERMANENT
SUBCOMMITTEES**

The following reports from standing committee and permanent subcommittee are presented:

North Carolina General Assembly
House of Representatives
Room 1326 Legislative Building
16 West Jones Street
Raleigh, NC 27601-1096

Representative Tim Moore
Serving Cleveland County

March 22, 2011

MEMORANDUM TO: The Honorable Thom Tillis
Speaker of the House of Representatives

FROM: Tim Moore, Chair
Select Committee on University Board of
Governors Nominations

SUBJECT: Committee Report of Nominees for 2011 House
Election of the Board of Governors of the University
of North Carolina

Listed below are the nominees for consideration by members of the House of Representatives in the Forthcoming election to the Board of Governors of the University of North Carolina under House Resolution 314. The names of the nominees are listed in alphabetical order. The members of the Committee adopted the slate of nominees at a meeting on March 22, 2011.

Nominees

Brent Barringer	Mary Ann Maxwell
Neal Coker	Ed McMahan
Gene Davis, Jr.	Hari Nath
Ada Fisher	David Powers
Clarice Cato Goodyear	Alan Pugh
James Holmes, Jr.	Noah Seymore, III
Joseph Jenkins	Richard Taylor
Leroy Lail	Raiford Trask, III

The Speaker states that the election will be held on March 29, 2011.

March 23, 2011

By Representatives Stam and Stevens, Chairs, for Judiciary Subcommittee B, with approval of standing committee Chair for report to be made directly to the floor of the House:

H.B. 215, A BILL TO BE ENTITLED AN ACT TO CREATE CRIMINAL OFFENSES FOR ACTS THAT CAUSE THE DEATH OR INJURY OF AN UNBORN CHILD OR ARE COMMITTED AGAINST A PREGNANT WOMAN, AND TO PROVIDE THAT THE ACT SHALL BE ENTITLED "THE UNBORN VICTIMS OF VIOLENCE ACT/ETHEN'S LAW", 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 serial referral to the Committee on Appropriations is stricken.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of March 24. The original bill is placed on the Unfavorable Calendar.

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representatives Hurley, Barnhart, Harrison, and Insko:

H.B. 423, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE SECRETARY OF HEALTH AND HUMAN SERVICES TO ALLOW CERTAIN CERTIFIED PROVIDERS TO CONDUCT INITIAL (FIRST-LEVEL) EXAMINATIONS FOR INVOLUNTARY COMMITMENT OF INDIVIDUALS WITH MENTAL ILLNESS, IN A MANNER CONSISTENT WITH THE FIRST EVALUATION PILOT PROGRAM, is referred to the Committee on Health and Human Services.

By Representatives Barnhart, Ingle, and Insko (Primary Sponsors); and Floyd:

H.B. 424, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE DHHS TO IMPLEMENT ADDITIONAL 1915(B)(C) MEDICAID WAIVER SITES AND THIRD-PARTY BILLING FOR STATE FACILITIES, is referred to the Committee on Health and Human Services.

March 23, 2011

By Representatives Barnhart, Justice, and Lucas:

H.B. 425, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE LOCAL PUBLIC HEALTH DEPARTMENTS TO BILL MEDICAID THROUGH AN APPROVED MEDICAID CLEARINGHOUSE OR THROUGH THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF PUBLIC HEALTH, is referred to the Committee on Health and Human Services.

By Representatives Jeffus, Harrison, Adams, and McElraft (Primary Sponsors); M. Alexander, Blust, R. Brown, Cook, Dockham, Faircloth, Fisher, Glazier, Horn, Howard, Iler, Ingle, Insko, Jones, Kever, Lucas, Martin, Moffitt, R. Moore, Parfitt, Stone, H. Warren, and Weiss:

H.B. 426, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS REGARDING CRUELTY TO ANIMALS, is referred to Judiciary Subcommittee B.

By Representatives Faircloth, Folwell, H. Warren, and Shepard (Primary Sponsors); L. Brown, Burr, Collins, Horn, Ingle, Jones, Jordan, McGuirt, and Stone:

H.B. 427, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE SEIZURE, FORFEITURE, AND SALE OF MOTOR VEHICLES USED BY DEFENDANTS IN FELONY CASES INVOLVING SPEEDING TO ELUDE ARREST, is referred to Judiciary Subcommittee B.

By Representatives Faircloth and Dollar (Primary Sponsors); and Cook:

H.B. 428, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CONDITIONS UPON WHICH THE COMMANDER OF THE HIGHWAY PATROL IS SELECTED, is referred to the Committee on Transportation and, if favorable, to the Committee on Government.

By Representatives Insko, Rapp, and Kever (Primary Sponsors); Fisher, Gill, Harrison, Jeffus, Lucas, McLawhorn, and Parfitt:

H.B. 429, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE MUSIC THERAPY PRACTICE ACT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Cleveland, R. Brown, Cook, Hastings, and Sager:

March 23, 2011

H.B. 430, A BILL TO BE ENTITLED AN ACT TO REPEAL A STATUTE REQUIRING BALLOT INSTRUCTIONS IN BOTH ENGLISH AND SPANISH IN CERTAIN COUNTIES, is referred to the Committee on Elections.

By Representative Cleveland:

H.B. 431, A BILL TO BE ENTITLED AN ACT TO REPEAL SENATE BILL 3 OF THE 2007 REGULAR SESSION OF THE GENERAL ASSEMBLY, SESSION LAW 2007-397, RELATING TO RENEWABLE ENERGY, is referred to the Committee on Public Utilities and, if favorable, to the Committee on Commerce and Job Development and, if favorable, to the Committee on Finance.

By Representatives LaRoque, Bell, Dixon, and West (Primary Sponsors); M. Alexander, Brisson, Cook, Lucas, and Sager:

H.B. 432, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE TRANSPORTATION OF SWINE UNLESS THE SWINE HAS AN OFFICIAL FORM OF IDENTIFICATION APPROVED BY THE STATE VETERINARIAN FOR THIS PURPOSE, TO CLASSIFY ALL FREE-RANGING MAMMALS OF THE SPECIES *SUS SCROFA* AS FERAL SWINE, TO PROVIDE FOR THE TAKING OF FERAL SWINE AS A NONGAME ANIMAL, AND TO PROHIBIT THE REMOVAL OF LIVE FERAL SWINE FROM TRAPS, is referred to the Committee on Agriculture.

MESSAGE FROM THE SENATE

The following is received from the Senate:

S.B. 245 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE LOCAL PUBLIC HEALTH DEPARTMENTS, DISTRICT HEALTH DEPARTMENTS, AND CONSOLIDATED HUMAN SERVICES AGENCIES TO BILL MEDICAID THROUGH AN APPROVED MEDICAID CLEARINGHOUSE OR THROUGH THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF PUBLIC HEALTH, is read the first time and referred to the Committee on Health and Human Services.

CALENDAR

Action is taken on the following:

March 23, 2011

H.B. 270 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW ESTABLISHING THE REGULAR AND SPECIAL CONDITIONS OF PROBATION AND TO REPEAL THE LAW TOLLING THE PROBATION PERIOD WHILE CRIMINAL CHARGES ARE PENDING THAT MIGHT RESULT IN REVOCATION PROCEEDINGS.

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

The bill, as amended, passes its third reading, by electronic vote (115-1), and is ordered engrossed and sent to the Senate.

H.B. 331 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PHYSICIAN ASSISTANTS AND NURSE PRACTITIONERS TO COMPLETE MEDICAL CERTIFICATIONS AS TO THE CAUSE OF DEATH FOR DEATH REGISTRATION, passes its second reading, by electronic vote (112-1), and there being no objection is read a third time.

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

H.B. 334, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE STATE BOARD OF EDUCATION TO REPORT ON THE RESULTS OF FITNESS TESTING IN EACH LOCAL SCHOOL ADMINISTRATIVE UNIT.

Representative Insko offers Amendment No. 1 which is adopted by electronic vote (109-5).

The bill, as amended, passes its second reading, by electronic vote (107-6), 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.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from permanent subcommittees are presented:

By Representative Blust, Chair, for Judiciary Subcommittee A, with approval of standing committee Chair for report to be made directly to the floor of the House:

March 23, 2011

H.B. 111, A BILL TO BE ENTITLED AN ACT TO ALLOW PERSONS WITH CONCEALED HANDGUN PERMITS TO PROTECT THEMSELVES AND THEIR FAMILIES IN RESTAURANTS AND TO ALLOW A CONCEALED HANDGUN PERMITTEE TO CARRY A HANDGUN IN A PARK, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

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

H.B. 262, A BILL TO BE ENTITLED AN ACT TO MAKE REFERENCES IN THE NORTH CAROLINA GENERAL STATUTES TO FEDERAL AND STATE MILITARY ORGANIZATIONS PROPER AND UNIFORM, AS DIRECTED BY SESSION LAW 2009-281, AS AMENDED BY SESSION LAW 2010-152, AND TO MAKE CONFORMING CHANGES AND OTHER TECHNICAL CORRECTIONS TO THOSE SECTIONS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of March 24.

By Representatives Stam and Stevens, Chairs, for Judiciary Subcommittee B, with approval of standing committee Chair for report to be made directly to the floor of the House:

S.B. 49 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE FINE FOR SPEEDING IN A SCHOOL ZONE, with a favorable report as to the House committee substitute bill, unfavorable as to the Senate committee substitute bill.

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. The Senate committee substitute bill is placed on the Unfavorable Calendar.

CALENDAR (continued)

H.B. 407 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE REQUIREMENT THAT A PERSON WHO IS EIGHTEEN YEARS OLD OR OLDER WEAR A HELMET WHILE OPERATING AN ALL-TERRAIN VEHICLE, passes its second reading, by electronic vote (86-28), and there being no objection is read a third time.

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

March 23, 2011

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative T. Moore and without objection, **H.B. 87** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR GOVERNMENT IN THE SUNSHINE BY AMENDING THE NORTH CAROLINA CONSTITUTION, with Amendment No. 2 pending, is withdrawn from the Calendar of March 24 and placed on the Calendar of March 30.

CALENDAR (continued)

S.B. 20 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGULATING PROPRIETARY SCHOOLS, passes its second reading, by electronic vote (114-0), and there being no objection is read a third time.

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

Representative LaRoque moves, seconded by Representative T. Moore, that the House adjourn, subject to the receipt of Committee Reports and the receipt of Messages from the Senate, to reconvene March 24 at 1:00 p.m.

The motion carries.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following report from standing committee is presented:

By Representatives Howard, Folwell, Setzer, and Starnes, Chairs, for the Committee on Finance:

H.B. 129, A BILL TO BE ENTITLED AN ACT TO PROTECT JOBS AND INVESTMENT BY REGULATING LOCAL GOVERNMENT COMPETITION WITH PRIVATE BUSINESS, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of March 24. The original bill is placed on the Unfavorable Calendar.

The House stands adjourned at 3:50 p.m.

March 23, 2011

THIRTY-FOURTH DAY

HOUSE OF REPRESENTATIVES
Thursday, March 24, 2011

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 Representative Jerry Dockham:

"Sundown"

"Hills, wrapped in gray, standing along the west;
Clouds, dimly lighted, gathering slowly;
The star of peace at watch above the crest -
Oh, holy, holy, holy!"

"We know, O Lord, so little what is best;
Wingless, we move so lowly;
But in thy calm all-knowledge let us rest -
Oh holy, holy, holy!"

(Written by John Charles McNeill who was a Member in the North Carolina Legislature in the early 1900s, and winner of the 1905 Patterson Cup for Literary Excellence)

Representative Owens, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of March 23 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Bordsen, Cook, Current, Rhyne, and Womble for today. Representatives Gill and E. Warren are excused for a portion of the Session.

ENROLLED BILLS

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

S.B. 20, AN ACT TO AMEND THE LAW REGULATING PROPRIETARY SCHOOLS.

H.B. 29, AN ACT TO AUTHORIZE THE RETRIEVAL OF KILLED OR WOUNDED BIG GAME USING A SINGLE DOG ON A LEASH.

March 24, 2011

H.B. 62, AN ACT TO PROHIBIT THE RULE TO CHANGE THE WATER QUALITY CLASSIFICATION OF BOYLSTON CREEK FROM BECOMING EFFECTIVE.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

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

By Representative Brubaker, Vice Chair, for the Committee on Banking:

S.J.R. 369, A JOINT RESOLUTION TO CONFIRM THE GOVERNOR'S REAPPOINTMENT OF JOSEPH A. SMITH TO THE OFFICE OF COMMISSIONER OF BANKS, with a favorable report.

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

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

H.B. 340, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE UTILITIES COMMISSION TO OBTAIN CRIMINAL HISTORY RECORD CHECKS OF APPLICANTS FOR AND CURRENT HOLDERS OF A CERTIFICATE TO TRANSPORT HOUSEHOLD GOODS, with a favorable report as to the committee substitute bill, unfavorable as to the original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Judiciary.

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

By Representative Blust, Chair, for Judiciary Subcommittee A, with approval of standing committee Chair for report to be made directly to the floor of the House:

H.B. 33 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ONLY IDENTIFICATIONS APPROVED BY THE STATE MAY BE USED TO DETERMINE THE RELIABILITY OF A PERSON'S IDENTIFICATION FOR GOVERNMENTAL AND LAW ENFORCEMENT PURPOSES, with a favorable report as to Committee Substitute Bill No. 2, which changes the title, unfavorable as to Committee Substitute Bill No. 1.

March 24, 2011

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

H.B. 250, A BILL TO BE ENTITLED AN ACT TO MAKE REFERENCES IN CHAPTER 127A OF THE NORTH CAROLINA GENERAL STATUTES TO FEDERAL AND STATE MILITARY ORGANIZATIONS PROPER AND UNIFORM, AS DIRECTED BY SESSION LAW 2009-281, AS AMENDED BY SESSION LAW 2010-152, AND TO MAKE OTHER CLARIFYING, CONFORMING, AND TECHNICAL AMENDMENTS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

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

By Representatives Langdon and Sager, Chairs, for the Committee on Agriculture:

H.B. 329, A BILL TO BE ENTITLED AN ACT TO EXPAND THE EXEMPTION FROM BUILDING RULES FOR FARM BUILDINGS TO INCLUDE FARM BUILDINGS USED FOR SPECTATOR EVENTS, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

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

By Representatives Howard, Folwell, Setzer, and Starnes, Chairs, for the Committee on Finance:

H.B. 56, A BILL TO BE ENTITLED AN ACT TO EXERCISE THE POWER OF THE GENERAL ASSEMBLY UNDER SECTION 1 OF ARTICLE VII OF THE NORTH CAROLINA CONSTITUTION TO FIX THE BOUNDARIES OF CITIES AND GIVE SUCH POWERS TO CITIES AS IT DEEMS ADVISABLE BY WITHDRAWING THE DELEGATION OF AUTHORITY TO THE CITY OF ROCKY MOUNT TO MAKE CERTAIN ANNEXATIONS, with a favorable report.

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

March 24, 2011

H.B. 180, A BILL TO BE ENTITLED AN ACT TO EXERCISE THE POWER OF THE GENERAL ASSEMBLY UNDER SECTION 1 OF ARTICLE VII OF THE NORTH CAROLINA CONSTITUTION TO FIX THE BOUNDARIES OF CITIES AND GIVE SUCH POWERS TO CITIES AS IT DEEMS ADVISABLE, BY SUSPENDING THE DELEGATION OF AUTHORITY TO THE CITY OF WILMINGTON TO MAKE A CERTAIN ANNEXATION, with a favorable report.

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

H.B. 236, A BILL TO BE ENTITLED AN ACT TO EXERCISE THE POWER OF THE GENERAL ASSEMBLY UNDER SECTION 1 OF ARTICLE VII OF THE NORTH CAROLINA CONSTITUTION TO FIX THE BOUNDARIES OF CITIES AND GIVE SUCH POWERS TO CITIES AS IT DEEMS ADVISABLE BY WITHDRAWING THE DELEGATION OF AUTHORITY TO THE CITY OF ASHEVILLE TO MAKE A CERTAIN ANNEXATION, with a favorable report.

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

S.B. 51, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT CERTAIN ORGANIZATIONS OF EDUCATIONAL INSTITUTIONS ARE COVERED BY THE EDUCATIONAL INSTITUTION EXEMPTION FROM CHARITABLE SOLICITATION LICENSING REQUIREMENTS, with a favorable report.

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

By Representatives Stam and Stevens, Chairs, for Judiciary Subcommittee B, with approval of standing committee Chair for report to be made directly to the floor of the House:

H.B. 312, A BILL TO BE ENTITLED AN ACT AMENDING THE METHODS FOR RECORDING SATISFACTION OF A SECURITY INSTRUMENT WITH THE REGISTER OF DEEDS, CLARIFYING THE REQUIREMENTS FOR ELECTRONICALLY REGISTERING PLATS WITH THE REGISTER OF DEEDS, AND AMENDING RESTRICTIONS ON ACCESS TO MILITARY DISCHARGE DOCUMENTS RECORDED WITH THE REGISTER OF DEEDS, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

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

March 24, 2011

By Representatives L. Brown and Ingle, Chairs, for the Committee on Government:

H.B. 97, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET ON FIRE PROTECTION FEES IN UNION COUNTY, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

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

H.B. 193, A BILL TO BE ENTITLED AN ACT TO ALLOW RECALL OF OFFICERS OF THE TOWN OF TOPSAIL BEACH, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

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

H.B. 194, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE TOWN OF TOPSAIL BEACH TO CLARIFY WHEN THE TERMS OF THE MAYOR AND MEMBERS OF THE BOARD OF COMMISSIONERS COMMENCE AND TO PROVIDE THAT THE MAYOR SHALL VOTE ONLY IN THE CASE OF A TIE, with a favorable report.

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

H.B. 196, A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF GOLDSBORO, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

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

H.B. 202, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTY THAT MAY BE ASSESSED FOR A PARKING VIOLATION IN THE CITY OF MONROE, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

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

H.B. 204, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE EDGEcombe COUNTY TOURISM DEVELOPMENT AUTHORITY, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

March 24, 2011

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

H.B. 212, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF CRAMERTON TO REGULATE UTILITY VEHICLES, with a favorable report and recommendation that the 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 bill is placed on the Calendar.

H.B. 358, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE APPROVAL OF THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY BEFORE THE TOWNS OF APEX OR CARY MAY MAKE AN INVOLUNTARY ANNEXATION INTO CHATHAM COUNTY, 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. 415, A BILL TO BE ENTITLED AN ACT PRESERVING LITTORAL RIGHTS IN THE TOWN OF TOPSAIL BEACH AFTER PUBLICLY FINANCED BEACH NOURISHMENT PROJECTS, with a favorable report.

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

S.B. 29, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ALAMANCE COUNTY TO REQUIRE THE PAYMENT OF DELINQUENT PROPERTY TAXES BEFORE RECORDING DEEDS CONVEYING PROPERTY, 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. 68, A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING AND FISHING ON THE PROPERTY OF ANOTHER WITHOUT WRITTEN PERMISSION IN ROBESON COUNTY, with a favorable report.

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

March 24, 2011

S.B. 81, A BILL TO BE ENTITLED AN ACT TO REPEAL A LOCAL ACT CONCERNING FINANCIAL DISCLOSURE BY MEMBERS OF THE BOARD OF COMMISSIONERS OF ORANGE COUNTY SINCE A GENERAL LAW NOW PROVIDES FOR AN ETHICS POLICY, with a favorable report.

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

CALENDAR

Action is taken on the following:

H.B. 129 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROTECT JOBS AND INVESTMENT BY REGULATING LOCAL GOVERNMENT COMPETITION WITH PRIVATE BUSINESS.

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

Representative Faison offers Amendment No. 2 which fails of adoption by electronic vote (44-70).

Representative Weiss offers Amendment No. 3 which fails of adoption by electronic vote (40-71).

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

Those voting in the affirmative are: Representatives Avila, Barnhart, Blackwell, Blust, Boles, Bradley, Brandon, Brawley, Brisson, L. Brown, R. Brown, Brubaker, Burr, Carney, Cleveland, Collins, Crawford, Daughtry, Dixon, Dockham, Dollar, Earle, Faircloth, Folwell, Frye, Gillespie, Graham, Guice, Hager, Hamilton, Hastings, Hill, Hilton, Hollo, Holloway, Horn, Howard, Hurley, Iler, Ingle, Johnson, Jones, Jordan, Justice, Killian, Langdon, LaRoque, Lewis, Lucas, McComas, McCormick, McElraft, McGee, McGrady, Michaux, Mills, Moffitt, R. Moore, T. Moore, Murry, Owens, Pierce, Pridgen, Randleman, Sager, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Torbett, Wainwright, H. Warren, West, and Wray - 80.

Voting in the negative: Representatives Adams, K. Alexander, M. Alexander, Bell, Bryant, Cotham, Faison, Farmer-Butterfield, Fisher, Floyd, Gill, Glazier, Goodman, Hackney, Haire, Hall, Harrison, Insko, Jeffus, Keever, Luebke, Martin, McGuiert, McLawhorn, Mobley, Parfitt, Parmon, Rapp, Ross, Tolson, Weiss, and Wilkins - 32.

March 24, 2011

Excused absences: Representatives Bordsen, Cook, Current, Rhyne, E. Warren, and Womble - 6.

H.B. 215 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE CRIMINAL OFFENSES FOR ACTS THAT CAUSE THE DEATH OR INJURY OF AN UNBORN CHILD OR ARE COMMITTED AGAINST A PREGNANT WOMAN, AND TO PROVIDE THAT THE ACT SHALL BE ENTITLED "THE UNBORN VICTIMS OF VIOLENCE ACT/ETHEN'S LAW".

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

Representative Haire offers Amendment No. 2 which fails of adoption by electronic vote (42-68).

Representative Ross offers Amendment No. 3 which fails of adoption by electronic vote (46-66).

The bill, as amended, passes its second reading by electronic vote (77-35).

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

On motion of the Speaker, the House recesses at 4:00 p.m.

RECESS

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

MOTION TO SUSPEND RULES

On motion of Representative T. Moore and without objection, Rule 36(b) is suspended in order for the following bills to be placed on today's Calendar.

H.B. 193 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW RECALL OF OFFICERS OF THE TOWN OF TOPSAIL BEACH.

H.B. 194, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE TOWN OF TOPSAIL BEACH TO CLARIFY WHEN THE TERMS OF THE MAYOR AND MEMBERS OF THE BOARD OF COMMISSIONERS COMMENCE AND TO PROVIDE THAT THE MAYOR SHALL VOTE ONLY IN THE CASE OF A TIE.

March 24, 2011

H.B. 415, A BILL TO BE ENTITLED AN ACT PRESERVING LITTORAL RIGHTS IN THE TOWN OF TOPSAIL BEACH AFTER PUBLICLY FINANCED BEACH NOURISHMENT PROJECTS.

H.B. 56, A BILL TO BE ENTITLED AN ACT TO EXERCISE THE POWER OF THE GENERAL ASSEMBLY UNDER SECTION 1 OF ARTICLE VII OF THE NORTH CAROLINA CONSTITUTION TO FIX THE BOUNDARIES OF CITIES AND GIVE SUCH POWERS TO CITIES AS IT DEEMS ADVISABLE BY WITHDRAWING THE DELEGATION OF AUTHORITY TO THE CITY OF ROCKY MOUNT TO MAKE CERTAIN ANNEXATIONS.

H.B. 180, A BILL TO BE ENTITLED AN ACT TO EXERCISE THE POWER OF THE GENERAL ASSEMBLY UNDER SECTION 1 OF ARTICLE VII OF THE NORTH CAROLINA CONSTITUTION TO FIX THE BOUNDARIES OF CITIES AND GIVE SUCH POWERS TO CITIES AS IT DEEMS ADVISABLE, BY SUSPENDING THE DELEGATION OF AUTHORITY TO THE CITY OF WILMINGTON TO MAKE A CERTAIN ANNEXATION.

H.B. 212, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF CRAMERTON TO REGULATE UTILITY VEHICLES.

H.B. 236, A BILL TO BE ENTITLED AN ACT TO EXERCISE THE POWER OF THE GENERAL ASSEMBLY UNDER SECTION 1 OF ARTICLE VII OF THE NORTH CAROLINA CONSTITUTION TO FIX THE BOUNDARIES OF CITIES AND GIVE SUCH POWERS TO CITIES AS IT DEEMS ADVISABLE BY WITHDRAWING THE DELEGATION OF AUTHORITY TO THE CITY OF ASHEVILLE TO MAKE A CERTAIN ANNEXATION.

CALENDAR (continued)

H.B. 262, A BILL TO BE ENTITLED AN ACT TO MAKE REFERENCES IN THE NORTH CAROLINA GENERAL STATUTES TO FEDERAL AND STATE MILITARY ORGANIZATIONS PROPER AND UNIFORM, AS DIRECTED BY SESSION LAW 2009-281, AS AMENDED BY SESSION LAW 2010-152, AND TO MAKE CONFORMING CHANGES AND OTHER TECHNICAL CORRECTIONS TO THOSE SECTIONS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, 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.

March 24, 2011

WITHDRAWAL OF OBJECTION TO THIRD READING

Representative Floyd withdraws his objection to the third reading of **H.B. 215** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE CRIMINAL OFFENSES FOR ACTS THAT CAUSE THE DEATH OR INJURY OF AN UNBORN CHILD OR ARE COMMITTED AGAINST A PREGNANT WOMAN, AND TO PROVIDE THAT THE ACT SHALL BE ENTITLED "THE UNBORN VICTIMS OF VIOLENCE ACT/ETHEN'S LAW", and the bill is before the Body.

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

RE-REFERRAL

On motion of Representative LaRoque, pursuant to Rule 39.2 and without objection, **S.B. 18** (Committee Substitute), A BILL TO BE ENTITLED AN ACT CLARIFYING THE DEFINITION OF JUDICIAL DISTRICTS UNDER THE LAWS REGULATING THE NORTH CAROLINA STATE BAR, is withdrawn from the Committee on Judiciary and re-referred to Judiciary Subcommittee A.

On motion of the Speaker, the House recesses at 4:19 p.m.

RECESS

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

WITHDRAWAL OF OBJECTION TO THIRD READING

Representative Hackney withdraws his objection to the third reading of **H.B. 215** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE CRIMINAL OFFENSES FOR ACTS THAT CAUSE THE DEATH OR INJURY OF AN UNBORN CHILD OR ARE COMMITTED AGAINST A PREGNANT WOMAN, AND TO PROVIDE THAT THE ACT SHALL BE ENTITLED "THE UNBORN VICTIMS OF VIOLENCE ACT/ETHEN'S LAW," and the bill is before the Body.

Representative Floyd offers Amendment No. 4 which fails of adoption by electronic vote (34-72).

The bill, as amended, passes its third reading, by electronic vote (73-36), and is ordered engrossed and sent to the Senate.

March 24, 2011

Representative Faison requests and is granted leave of the House to change his vote from "no" to "aye". The adjusted vote total is (74-35).

[Pursuant to the motion made by Representative Floyd on March 28, 2011, and without objection, he is granted leave of the House to change his vote from "no" to "aye". The adjusted vote total is (75-34).]

WITHDRAWAL OF BILLS FROM CALENDAR

On motion of Representative T. Moore and without objection, the following bills are withdrawn from the Calendar and placed on the Calendar of March 28: **H.B. 193, H.B. 194, H.B. 415, H.B. 56, H.B. 180, H.B. 212, and H.B. 236.**

APPOINTMENTS BY THE SPEAKER

Pursuant to G.S. 135-43.1, the Speaker makes the following appointments to the Committee on Employee Hospital and Medical Benefits: Representative Dockham, Co-Chair; Representatives Dollar, Murry, Stevens, Earle, and Tolson.

Representative LaRoque moves, seconded by Representative Folwell, that the House adjourn, in memory of Elijah Robinson and Ethen Nielsen, and subject to the introduction of bills and resolutions, the receipt of Committee Reports, and the receipt of Messages from the Senate, to reconvene Monday, March 28, 2011, at 7:00 p.m.

The motion carries.

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representatives Bordsen, Ingle, Faircloth, and McGuirt (Primary Sponsors); Cook, Iler, Lucas, and R. Moore:

H.B. 433, A BILL TO BE ENTITLED AN ACT TO CHANGE THE NUISANCE ABATEMENT LAWS, is referred to Judiciary Subcommittee B.

By Representatives Luebke, Hall, Michaux, and Wilkins (Primary Sponsors); and R. Moore:

March 24, 2011

H.B. 434, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF DURHAM TO AUTHORIZE THE CITY TO ESTABLISH A SMALL BUSINESS ENTERPRISE PROGRAM TO PROMOTE THE DEVELOPMENT OF SMALL BUSINESSES IN THE CITY AND TO ENHANCE THE OPPORTUNITIES FOR SMALL BUSINESSES TO PARTICIPATE IN CITY CONTRACTS, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

By Representatives Samuelson and Cotham (Primary Sponsors); M. Alexander, Harrison, and R. Moore:

H.B. 435, A BILL TO BE ENTITLED AN ACT TO ALLOW MECKLENBURG COUNTY TO USE THE PROCUREMENT PROCESS PROVIDED IN THIS ACT WHEN LETTING CONTRACTS AUTHORIZED BY ITS BOARD OF COMMISSIONERS TO INCREASE ENERGY EFFICIENCY, AND TO AUTHORIZE THAT COUNTY TO ENTER INTO LEASES FOR THE SITING AND OPERATION OF RENEWABLE ENERGY FACILITIES FOR TWENTY YEARS WITHOUT TREATING IT AS A SALE AND WITHOUT GIVING NOTICE BY PUBLICATION, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

By Representatives R. Brown and Dockham (Primary Sponsors):

H.B. 436, A BILL TO BE ENTITLED AN ACT TO REQUIRE MEMBERS OF SANITARY DISTRICTS ESTABLISHED UNDER PART 2 OF ARTICLE 2 OF CHAPTER 130A OF THE GENERAL STATUTES TO FILE A STATEMENT OF ECONOMIC INTEREST, is referred to the Committee on Government.

By Representatives McComas and Hamilton:

H.B. 437, A BILL TO BE ENTITLED AN ACT HOLDING THE NEW HANOVER COUNTY BOARD OF COMMISSIONERS ACCOUNTABLE FOR THE WORK OF GOVERNMENTAL AND QUASI-GOVERNMENTAL AUTHORITIES, BOARDS, COMMITTEES, AND COMMISSIONS APPOINTED BY THE COMMISSION OR RECEIVING COUNTY FUNDS, is referred to the Committee on Government.

By Representative McComas:

H.B. 438, A BILL TO BE ENTITLED AN ACT EXTENDING THE AUTHORITY OF CERTAIN BOARDS OF COUNTY COMMISSIONERS OVER LOCAL BOARDS, AGENCIES, AND COMMISSIONS, is referred to the Committee on Government.

March 24, 2011

By Representative T. Moore:

H.B. 439, A BILL TO BE ENTITLED AN ACT MODIFYING THE AUTHORITY OF THE TOWNS OF CORNELIUS AND DAVIDSON TO ADOPT ORDINANCES REGULATING THE REMOVAL, REPLACEMENT, AND PRESERVATION OF TREES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative T. Moore:

H.B. 440, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A LIST OF THE E-MAIL ADDRESSES OF PERSONS SUBSCRIBING TO E-MAIL LISTS KEPT BY THE TOWN OF HUNTERSVILLE IS OPEN TO PUBLIC INSPECTION BUT IS NOT REQUIRED TO BE PROVIDED, AND TO PROVIDE THAT THE LOCAL GOVERNMENT MAY USE THAT LIST ONLY FOR THE PURPOSE THAT IT WAS SUBSCRIBED TO, is referred to the Committee on Government.

By Representative T. Moore:

H.B. 441, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A LIST OF THE E-MAIL ADDRESSES OF PERSONS SUBSCRIBING TO E-MAIL LISTS KEPT BY THE TOWN OF CORNELIUS ARE OPEN TO PUBLIC INSPECTION BUT ARE NOT REQUIRED TO BE PROVIDED, AND TO PROVIDE THAT THE LOCAL GOVERNMENT MAY USE THAT LIST ONLY FOR THE PURPOSE THAT IT WAS SUBSCRIBED TO, is referred to the Committee on Government.

By Representative T. Moore:

H.B. 442, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF DAVIDSON TO USE DESIGN-BUILD DELIVERY METHODS AND CONCERNING THE TOWN'S INVESTMENT AUTHORITY, is referred to the Committee on Government.

By Representatives Weiss, Hollo, Earle, and Parfitt (Primary Sponsors); M. Alexander, Floyd, Gill, and Lucas:

H.B. 443, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR HEART/STROKE COMMUNITY EDUCATION AND TO APPROPRIATE FUNDS FOR THE STROKE ADVISORY COUNCIL, is referred to the Committee on Appropriations.

March 24, 2011

By Representatives Wilkins, Parfitt, McCormick, and Avila (Primary Sponsors); Faison, Floyd, Gill, Lucas, and Weiss:

H.B. 444, A BILL TO BE ENTITLED AN ACT TO PROTECT THE PUBLIC'S HEALTH BY INCREASING ACCESS TO IMMUNIZATIONS AND VACCINES THROUGH THE EXPANDED ROLE OF IMMUNIZING PHARMACISTS, is referred to the Committee on Health and Human Services.

By Representative Bradley:

H.B. 445, A BILL TO BE ENTITLED AN ACT TO PREVENT THE ADOPTION OF THE FEDERAL REAL ID ACT IN NORTH CAROLINA, is referred to the Committee on Judiciary.

By Representatives Bradley, Faison, and Harrison:

H.B. 446, A BILL TO BE ENTITLED AN ACT TO REQUIRE LABELING OF FOOD AND MILK PRODUCTS SOLD IN THIS STATE THAT ARE OR THAT CONTAIN GENETICALLY MODIFIED FOOD AND OR MILK AND MILK PRODUCTS FROM ANIMALS THAT HAVE RECEIVED RECOMBINANT BOVINE GROWTH HORMONE (RBGH), is referred to the Committee on Agriculture.

By Representative West:

H.B. 447, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF FONTANA DAM, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

By Representative Bradley:

H.B. 448, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE STATE OF NORTH CAROLINA DECLARES SECTION 10 OF ARTICLE I OF THE UNITED STATES CONSTITUTION AS AUTHORITY RECOGNIZING ELEMENTAL GOLD AND ELEMENTAL SILVER AS VALID TENDER IN THE STATE OF NORTH CAROLINA, is referred to the Committee on Commerce and Job Development and, if favorable, to the Committee on Judiciary.

By Representative Setzer:

H.B. 449, A BILL TO BE ENTITLED AN ACT TO INCREASE THE IN REM FORECLOSURE FEE, is referred to the Committee on Finance.

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By Representatives Starnes, Stam, Stone, and Wray:

H.B. 450, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE AUTOMATIC RENEWAL OF MERCHANT CREDIT CARD PROCESSING CONTRACTS, is referred to the Committee on Commerce and Job Development and, if favorable, to the Committee on Banking.

By Representative Starnes:

H.B. 451, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTIES FOR DRIVING WHILE LICENSE REVOKED BY SETTING MINIMUM FINES FOR THE INITIAL AND SUBSEQUENT CONVICTIONS, BY REQUIRING THE VEHICLE BEING OPERATED BY A DRIVER WHOSE LICENSE OR DRIVING PRIVILEGES ARE REVOKED AFTER TWO PRIOR CONVICTIONS FOR DRIVING WHILE LICENSE REVOKED TO BE SEIZED AND FORFEITED TO THE STATE, AND TO REQUIRE A MINIMUM TERM OF IMPRISONMENT OR IN THE ALTERNATIVE HOUSE ARREST FOR A THIRD OR SUBSEQUENT CONVICTION, is referred to Judiciary Subcommittee B.

By Representatives Starnes, Cleveland, and LaRoque:

H.B. 452, A BILL TO BE ENTITLED AN ACT TO ELIMINATE "INSTANT RUNOFF" VOTING FOR JUDICIAL OFFICES WHEN LATE VACANCIES OCCUR AND INSTEAD DETERMINE THE RESULTS OF THE VACANCY ELECTION BY PLURALITY, AND TO REPEAL PUBLIC CAMPAIGN FINANCING FOR JUDICIAL AND COUNCIL OF STATE RACES, is referred to the Committee on Elections.

By Representatives Dockham, Faison, and Wray:

H.B. 453, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE PLACEMENT AND ISSUANCE OF SALARY PROTECTION INSURANCE UNDER THE SURPLUS LINES ACT, is referred to the Committee on Insurance.

By Representatives Rapp, McGrady, Fisher, and Keever (Primary Sponsors); Floyd, Glazier, Harrison, and Weiss:

H.B. 454, A BILL TO BE ENTITLED AN ACT TO DIRECT THE ENVIRONMENTAL RESOURCES COMMISSION TO STUDY ISSUES RELATED TO SAFE ARTIFICIAL SLOPE CONSTRUCTION IN MOUNTAINOUS AREAS OF THE STATE IN ORDER TO PROMOTE

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STABLE SLOPES FOR DEVELOPMENT, TO REDUCE THE LIKELIHOOD OF SLOPE FAILURES ON DEVELOPED OR DISTURBED LAND, AND TO PROTECT HUMAN SAFETY AND PROPERTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Fisher, Harrison, and McGrady (Primary Sponsors); Carney, Floyd, and Lucas:

H.B. 455, A BILL TO BE ENTITLED AN ACT TO CONSERVE ENERGY AND REDUCE THE EXPENSES OF LIGHTING ASSOCIATED WITH THE USE OF OUTDOOR LIGHTING WHEN THE LIGHTING IS NOT NEEDED TO PROVIDE SAFETY, UTILITY, OR SECURITY BY REQUIRING OUTDOOR LIGHTING FIXTURES THAT ARE INSTALLED, REPLACED, MAINTAINED, OR OPERATED USING STATE FUNDS TO MEET CERTAIN STANDARDS DESIGNED TO REDUCE UNNECESSARY ILLUMINATION AND REDUCE GLARE AND LIGHT POLLUTION, is referred to the Committee on Environment and, if favorable, to the Committee on Appropriations.

By Representatives Fisher, Cotham, Gill, and Keever (Primary Sponsors); Carney, Faison, Floyd, Glazier, Graham, Harrison, Lucas, and R. Moore:

H.J.R. 456, A JOINT RESOLUTION DIRECTING THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO STUDY THE ISSUE OF LOWERING THE MAXIMUM AGE OF INITIAL ENROLLMENT IN THE PUBLIC SCHOOLS FROM AGE SEVEN TO AGE SIX, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Farmer-Butterfield, Tolson, Collins, and Bryant (Primary Sponsors); K. Alexander, Cotham, Floyd, Goodman, Graham, Hall, Harrison, LaRoque, Mobley, R. Moore, and Parmon:

H.B. 457, A BILL TO BE ENTITLED AN ACT PROVIDING THAT MUNICIPAL ELECTRIC UTILITIES SHALL BE SUBJECT TO OVERSIGHT BY THE UTILITIES COMMISSION AS TO RATES AND SERVICE AND THAT THE UTILITIES COMMISSION PUBLIC STAFF SHALL SERVE AS AN ADVOCATE FOR MUNICIPAL CUSTOMERS IN RATE AND SERVICE CASES, is referred to the Committee on Public Utilities.

By Representatives Howard, Starnes, Holloway, and Carney (Primary Sponsors); Folwell, Harrison, LaRoque, and Lucas:

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H.B. 458, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE PROGRAM EVALUATION DIVISION OF THE NORTH CAROLINA GENERAL ASSEMBLY SHALL STUDY EFFICIENT AND EFFECTIVE COMMUNITY COLLEGE ADMINISTRATION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Jones:

H.B. 459, A BILL TO BE ENTITLED AN ACT TO REGULATE HUNTING WHILE IMPAIRED ON PRIVATE LAND IN ROCKINGHAM COUNTY, is referred to the Committee on Agriculture.

By Representative Jones:

H.B. 460, A BILL TO BE ENTITLED AN ACT TO REGULATE HUNTING, FISHING, AND TRAPPING ON PRIVATE LAND IN ROCKINGHAM COUNTY, is referred to the Committee on Agriculture.

SPECIAL MESSAGE FROM THE SENATE

The following Special Message is received from the Senate:

S.B. 368 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE APPLICABILITY OF CERTAIN FENCING REQUIREMENTS FOR PUBLIC SWIMMING POOLS, is read the first time and referred to the Committee on Environment.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 16 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT LAW ENFORCEMENT REQUEST A BLOOD SAMPLE UNDER THE STATE IMPLIED-CONSENT LAWS FROM ANY PERSON CRIMINALLY CHARGED IN ANY CASE INVOLVING DEATH BY VEHICLE AND CERTAIN OTHER OFFENSES AND TO SEEK A WARRANT IF THE DRIVER REFUSES AND THERE IS PROBABLE CAUSE TO BELIEVE THE OFFENSE INVOLVED IMPAIRED DRIVING OR IS ALCOHOL-RELATED, is read the first time and referred to Judiciary Subcommittee B.

S.B. 26 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE NORTH CAROLINA BENEFIT CORPORATION ACT, is read the first time and referred to Judiciary Subcommittee C.

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S.B. 98, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A TRANSCRIPT OR ALTERED VOICE REPRODUCTION MAY BE MADE AVAILABLE FOR A 911 CALL SO AS NOT TO IDENTIFY THE CALLER BY THE NATURAL VOICE, is read the first time and referred to Judiciary Subcommittee A.

S.B. 191 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PHYSICIAN ASSISTANTS AND NURSE PRACTITIONERS TO COMPLETE MEDICAL CERTIFICATIONS AS TO THE CAUSE OF DEATH FOR DEATH REGISTRATION AND TO ALLOW ELECTRONIC OR FACSIMILE SIGNATURES ON DEATH CERTIFICATES WITHOUT SPECIFIC APPROVAL BY THE STATE REGISTRAR, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

SPECIAL MESSAGE FROM THE SENATE

**2011 GENERAL ASSEMBLY
FIRST SESSION 2011**

Senate Chamber
March 24, 2011

Mr. Speaker:

It is ordered that a message be sent to your Honorable Body notifying you that pursuant to **S.R. 52**, A SENATE RESOLUTION TO ESTABLISH THE PROCEDURE FOR NOMINATING AND ELECTING MEMBERS OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA, the Senate has elected the following individuals to the University of North Carolina Board of Governors.

W. Louis Bissette, Jr.
Fred Eshelman
John C. Fennebresque
Ann B. Goodnight
H. Frank Grainger
Peter D. Hans
Thomas J. Harrelson
Philip D. Walker

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

March 24, 2011

SUBCOMMITTEE REFERRALS

Representative McComas, Chair, for the Standing Committee on Commerce and Job Development, refers the following bills to the Commerce and Job Development Subcommittee on Business and Labor:

H.B. 297, A BILL TO BE ENTITLED AN ACT TO MAKE IT UNLAWFUL FOR ANY BUSINESS TO REQUIRE THAT A LICENSED DRIVER RELINQUISH HIS OR HER DRIVERS LICENSE.

H.B. 386, A BILL TO BE ENTITLED AN ACT TO MODERNIZE THE NORTH CAROLINA REAL ESTATE LICENSE LAW.

The House stands adjourned at 4:52 p.m.

THIRTY-FIFTH DAY

HOUSE OF REPRESENTATIVES
Monday, March 28, 2011

The House meets at 7:00 p.m. pursuant to adjournment and is called to order by Representative Folwell, Speaker Pro Tempore.

The following prayer is offered by Representative Susan Fisher:

"The Lord be with you,

The people respond:

"And also with you.

"Let us pray.

"Living God,
May we encounter You this day
In the laughter of children,
In the skills of those who create,
In the pauses of the elderly;
In the patience of those who teach,
In the loyalty of friends,
In the dedication of those who serve,
In the exuberance of animals,

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In those willing to make fools of themselves.
May we be Your blessing to one another. Amen."

(Taken from Jim Cotter's *Out of the Silence*)

The Chair leads the Body in the Pledge of Allegiance.

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

A leave of absence is granted Representative Barnhart for today.

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

Executive Order No. 85: Consolidation and Reorganization of Executive Branch Agencies to Improve the Efficiency of State Government

(Due to the content of this Executive Order the text may be found in its entirety in the Appendix.)

CHAPTERED BILLS

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

H.B. 123, AN ACT TO REVISE THE BUSINESS ENTITY OWNERSHIP REQUIREMENTS OF LAND AT PRESENT-USE VALUE. (S.L. 2011-9)

S.B. 99, AN ACT TO EXPEDITE THE ANALYSIS OF THE TAX STRUCTURE FOR UNEMPLOYMENT INSURANCE IN NORTH CAROLINA GIVEN THE SUBSTANTIAL NEGATIVE BALANCE IN THE STATE'S UNEMPLOYMENT INSURANCE TRUST FUND AND THE SUBSTANTIAL FEDERAL LOAN BALANCE OWED BY THE STATE FOR PAYMENT OF UNEMPLOYMENT INSURANCE BENEFITS. (S.L. 2011-10)

S.B. 32, AN ACT TO PROVIDE FOR HOSPITAL ASSESSMENTS TO BE USED TO OBTAIN MATCHING FEDERAL MEDICAID FUNDS TO REDUCE THE LOSSES HOSPITALS SUSTAIN WHEN TREATING

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MEDICAID AND UNINSURED PATIENTS, TO REDUCE THE INEQUITY IN MEDICAID PAYMENTS BETWEEN PUBLIC AND NONPUBLIC HOSPITALS, AND TO PROVIDE FORTY-THREE MILLION DOLLARS IN ADDITIONAL FUNDING FOR THE STATE OF NORTH CAROLINA. (S.L. 2011-11)

S.B. 7, AN ACT TO ADD MEPHEDRONE, METHYENEDIOXY-PROVALERONE AND CERTAIN DERIVATIVES OF 2-AMINO-1-PHENYL-1-PROPANONE, AND SYNTHETIC CANNABINOIDS TO THE LIST OF CONTROLLED SUBSTANCES. (S.L. 2011-12)

S.B. 22, AN ACT TO LIMIT NEW AGENCY REGULATORY REQUIREMENTS THAT RESULT IN SUBSTANTIAL ADDITIONAL COSTS. (S.L. 2011-13)

H.B. 6, AN ACT TO ALLOW THE STATUTORY DUTIES OF THE HOUSE COMMITTEE ON PENSIONS AND RETIREMENT TO BE CARRIED OUT BY THE HOUSE COMMITTEE ON STATE PERSONNEL. (S.L. 2011-14)

S.B. 109, AN ACT TO REQUIRE THE GOVERNOR TO CUT SPENDING FOR THE CURRENT FISCAL YEAR. (S.L. 2011-15)

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representative T. Moore:

H.B. 461, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE APPLICABILITY OF UTILITY RIGHT-OF-WAY ORDINANCES OF THE TOWN OF CORNELIUS, is referred to the Committee on Government.

By Representative McCormick:

H.B. 462, A BILL TO BE ENTITLED AN ACT TO STUDY THE ADEQUACY OF CURRENT CONSUMER PROTECTIONS FOR BUSINESS OPPORTUNITY AND FRANCHISE SALES, is referred to the Committee on Commerce and Job Development.

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By Representative Jones:

H.B. 463, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW PROVIDING FOR THE TAKING OF FOXES WITH WEAPONS AND BY TRAPPING IN ROCKINGHAM COUNTY, is referred to the Committee on Agriculture.

By Representative Dockham:

H.B. 464, A BILL TO BE ENTITLED AN ACT PROVIDING THAT A SANITARY DISTRICT IS A PUBLIC UTILITY SUBJECT TO REGULATION BY THE NORTH CAROLINA UTILITIES COMMISSION, is referred to the Committee on Public Utilities.

By Representatives Bell, Langdon, Brisson, and McCormick (Primary Sponsors); Goodman, LaRoque, and Lucas:

H.B. 465, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT, WHEN THE NORTH CAROLINA UTILITY COMMISSION ASSIGNS TRIPLE CREDIT TO ANY ELECTRIC POWER OR RENEWABLE ENERGY CERTIFICATES GENERATED FROM RENEWABLE ENERGY RESOURCES AT A BIOMASS RENEWABLE ENERGY FACILITY LOCATED IN A CLEANFIELDS RENEWABLE ENERGY DEMONSTRATION PARK, THE ADDITIONAL CREDITS ARE ELIGIBLE TO MEET THE REQUIREMENTS FOR PUBLIC UTILITIES, ELECTRIC MEMBERSHIP CORPORATIONS, AND MUNICIPALITIES UNDER THE RENEWABLE ENERGY AND ENERGY EFFICIENCY PORTFOLIO STANDARDS (REPS) RATHER THAN REQUIRING THAT THESE ADDITIONAL CREDITS MUST FIRST BE USED TO MEET ALL THE REPS REQUIREMENTS THROUGH THE USE OF POULTRY WASTE RESOURCES, is referred to the Committee on Public Utilities.

By Representatives Blust, Dixon, Starnes, and Stone:

H.B. 466, A BILL TO BE ENTITLED AN ACT TO ENSURE THAT AT LEAST SIXTY-FIVE PERCENT OF SCHOOL FUNDING IS USED FOR CLASSROOM INSTRUCTION, is referred to the Committee on Education and, if favorable, to the Committee on Appropriations.

By Representatives Blust, Burr, Hurley, Ingle, Sager, Starnes, and Stone:

H.B. 467, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS RELATED TO SCHOOL DISCIPLINE, is referred to the Committee on Education and, if favorable, to Judiciary Subcommittee A.

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By Representatives Horn, Sager, Hill, and Hackney (Primary Sponsors); Brisson, Hurley, Iler, Ingle, Starnes, and Wray:

H.B. 468, A BILL TO BE ENTITLED AN ACT TO ALLOW AN EXEMPTION FROM VEHICLE WEIGHT LIMITS FOR A PERSON HAULING LIVE POULTRY FROM THE FARM WHERE THE LIVE POULTRY IS RAISED TO ANY PROCESSING FACILITY WITHIN ONE HUNDRED FIFTY MILES OF THAT FARM, is referred to the Committee on Transportation.

By Representatives Graham, Pierce, and Pridgen (Primary Sponsors):

H.B. 469, A BILL TO BE ENTITLED AN ACT TO INCREASE THE AUTHORIZATION TO LEVY AN OCCUPANCY TAX IN THE CITY OF LUMBERTON, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

By Representative Haire:

H.B. 470, A BILL TO BE ENTITLED AN ACT TO MODIFY THE APPORTIONMENT IN LIEU OF TAXES BETWEEN LOCAL GOVERNMENTS FOR THE AMOUNT OF TAXES LOST BY VIRTUE OF THE TENNESSEE VALLEY AUTHORITY OPERATION OF PROPERTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Moffitt:

H.B. 471, A BILL TO BE ENTITLED AN ACT TO EXPAND THE BOARD OF COMMISSIONERS OF BUNCOMBE COUNTY FROM FIVE TO SEVEN MEMBERS AND TO PROVIDE FOR THE ELECTION OF ALL BUT THE CHAIR BY DISTRICTS, is referred to the Committee on Government.

By Representatives McGrady, Stam, Owens, and Jackson (Primary Sponsors); Brisson and Lucas:

H.B. 472, A BILL TO BE ENTITLED AN ACT TO ALLOW ALL CITIES AND COUNTIES TO GIVE ELECTRONIC NOTICE, is referred to the Committee on Government.

By Representatives Cleveland, Iler, and Boles (Primary Sponsors); Hurley and Sager:

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H.B. 473, A BILL TO BE ENTITLED AN ACT TO PROVIDE EQUAL INCOME TAX TREATMENT OF GOVERNMENT RETIREES' BENEFITS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Weiss, Hollo, Farmer-Butterfield, and Earle (Primary Sponsors); Adams, M. Alexander, Brisson, Carney, Cotham, Gill, Glazier, Graham, Hamilton, Harrison, Ingle, Insko, Jackson, Lucas, Luebke, McLawhorn, R. Moore, and Parfitt:

H.B. 474, A BILL TO BE ENTITLED AN ACT TO PROTECT ADULT CARE HOME RESIDENTS BY INCREASING MINIMUM CONTINUING EDUCATION, TRAINING, AND COMPETENCY EVALUATION REQUIREMENTS FOR ADULT CARE HOME MEDICATION AIDES, STRENGTHENING ADULT CARE HOME INFECTION CONTROL REQUIREMENTS, AND REQUIRING THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF HEALTH SERVICE REGULATION, TO ANNUALLY INSPECT ADULT CARE HOMES FOR COMPLIANCE WITH SAFE INFECTION CONTROL STANDARDS, is referred to the Committee on Health and Human Services.

By Representatives Hastings, Hilton, and Pridgen (Primary Sponsors); Burr, Cleveland, Dixon, Folwell, Frye, Horn, Hurley, Jones, Jordan, Justice, Randleman, Sanderson, Starnes, and Stone:

H.B. 475, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO MAKE ENGLISH THE OFFICIAL LANGUAGE, is referred to the Committee on Judiciary.

By Representatives Gillespie, Hamilton, Harrison, and Justice:

H.B. 476, A BILL TO BE ENTITLED AN ACT TO PROVIDE CERTAIN PROTECTIONS TO GALAX AND VENUS FLYTRAP UNDER THE PLANT PROTECTION AND CONSERVATION ACT, TO REQUIRE ANY PERSON WHO ACTS IN THE CAPACITY OF A DEALER OF EITHER OF THESE PLANTS TO OBTAIN A DEALER PERMIT, AND TO INCREASE THE CIVIL PENALTY FOR VIOLATIONS OF CERTAIN RULES OF THE WILDLIFE RESOURCES COMMISSION, is referred to the Committee on Agriculture and, if favorable, to the Committee on Finance.

MESSAGES FROM THE SENATE

The following are received from the Senate:

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H.B. 27 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO (1) CREATE THE NORTH CAROLINA FORENSIC SCIENCE ADVISORY BOARD, (2) ENCOURAGE EFFORTS TO ELIMINATE SOURCES OF HUMAN ERROR IN FORENSIC EXAMINATIONS, (3) REQUIRE CERTIFICATION OF FORENSIC SCIENCE PROFESSIONALS, (4) RENAME THE STATE BUREAU OF INVESTIGATION LABORATORY AS THE NORTH CAROLINA STATE CRIME LABORATORY, (5) CREATE THE POSITION OF OMBUDSMAN TO ENSURE THAT THE BEST FORENSIC PROCESSES AND PROCEDURES ARE UTILIZED IN THE STATE CRIME LABORATORY, (6) CLARIFY STATUTES THAT ALLOW FOR THE ADMISSIBILITY OF FORENSIC ANALYSES INTO EVIDENCE, (7) CLARIFY THE STATE'S OBLIGATION TO DISCLOSE TO THE DEFENDANT ALL INFORMATION RELATING TO THE TESTING OR EXAMINATION OF EVIDENCE AND TO PENALIZE OMISSION OR MISREPRESENTATION RELATING TO DISCLOSURE, AND (8) CLARIFY THAT STATE CRIME LABORATORY PERSONNEL SERVE THE PUBLIC AND THE CRIMINAL JUSTICE SYSTEM, AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON THE PRESERVATION OF BIOLOGICAL EVIDENCE, AND TO PROVIDE THAT THE ACT SHALL BE ENTITLED "THE FORENSIC SCIENCES ACT OF 2011", is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b) and without objection, the bill is placed on today's Calendar.

S.B. 91 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO EXTEND THE SUNSET PROVISION PERTAINING TO THE E-NC AUTHORITY, is read the first time and referred to the Committee on Commerce and Job Development.

S.B. 105, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTY FOR SECOND DEGREE MURDER TO A B1 FELONY, is read the first time and referred to Judiciary Subcommittee B.

S.B. 107 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REDUCE THE PROPERTY TAX OWED FOR IMPROVED PROPERTY INSIDE CERTAIN ROADWAY CORRIDORS, is read the first time and referred to the Committee on Finance.

S.B. 120 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF NEW BERN RELATING TO THE MAYOR AND MAYOR PRO TEM, is read the first time and referred to the Committee on Government.

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S.B. 137, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE FORGIVABLE EDUCATION LOANS FOR SERVICE PROGRAM AND THE FORGIVABLE EDUCATION LOANS FOR SERVICE FUND AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON STATE FUNDED STUDENT FINANCIAL AID, is read the first time and referred to the Committee on Education and, if favorable, to the Committee on Finance.

S.B. 145, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF SOUTHERN SHORES TO IMPOSE A CANAL DREDGING AND MAINTENANCE FEE AND TO ASSESS FOR NAVIGATION PROJECTS, is read the first time and referred to the Committee on Government and, if favorable, to the Committee on Finance.

S.B. 177, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF GREENSBORO TO PROVIDE THAT THE CITY SHALL COLLECT PAST-DUE CHARGES FOR UTILITY SERVICES OWED BY A TENANT WHO IS LIABLE FOR THE CHARGES IN THE MANNER PROVIDED BY GENERAL LAW INSTEAD OF PLACING A LIEN UPON THE RENTAL PROPERTY, is read the first time and referred to the Committee on Government.

S.B. 275, A BILL TO BE ENTITLED AN ACT ADOPTING THE HERRING FESTIVAL HELD IN THE TOWN OF JAMESVILLE AS THE OFFICIAL HERRING FESTIVAL OF THE STATE OF NORTH CAROLINA, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 288, A BILL TO BE ENTITLED AN ACT EXPANDING THE PURPOSES FOR WHICH THE TOWNS OF ATLANTIC BEACH AND BEAUFORT MAY USE THE PROCEEDS FROM ON-STREET PARKING METERS, PROVIDING THAT PARKING METERS IN THE TOWNS MAY BE ACTIVATED BY COMMERCIALY AVAILABLE MEANS OF PREPAYMENT CREDIT, AND AUTHORIZING THE TOWNS TO USE CERTAIN CIVIL PENALTIES COLLECTED FOR VIOLATING PARKING ORDINANCES IN THE SAME MANNER IN WHICH PROCEEDS FROM ON-STREET AND OFF-STREET PARKING FACILITIES ARE USED, is read the first time and referred to the Committee on Government and, if favorable, to the Committee on Finance.

WITHDRAWAL OF BILLS FROM CALENDAR

On motion of Representative T. Moore and without objection, the following bills are withdrawn from the Calendar and placed on the Calendar of March 31.

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H.B. 56, A BILL TO BE ENTITLED AN ACT TO EXERCISE THE POWER OF THE GENERAL ASSEMBLY UNDER SECTION 1 OF ARTICLE VII OF THE NORTH CAROLINA CONSTITUTION TO FIX THE BOUNDARIES OF CITIES AND GIVE SUCH POWERS TO CITIES AS IT DEEMS ADVISABLE BY WITHDRAWING THE DELEGATION OF AUTHORITY TO THE CITY OF ROCKY MOUNT TO MAKE CERTAIN ANNEXATIONS.

H.B. 180, A BILL TO BE ENTITLED AN ACT TO EXERCISE THE POWER OF THE GENERAL ASSEMBLY UNDER SECTION 1 OF ARTICLE VII OF THE NORTH CAROLINA CONSTITUTION TO FIX THE BOUNDARIES OF CITIES AND GIVE SUCH POWERS TO CITIES AS IT DEEMS ADVISABLE, BY SUSPENDING THE DELEGATION OF AUTHORITY TO THE CITY OF WILMINGTON TO MAKE A CERTAIN ANNEXATION.

H.B. 236, A BILL TO BE ENTITLED AN ACT TO EXERCISE THE POWER OF THE GENERAL ASSEMBLY UNDER SECTION 1 OF ARTICLE VII OF THE NORTH CAROLINA CONSTITUTION TO FIX THE BOUNDARIES OF CITIES AND GIVE SUCH POWERS TO CITIES AS IT DEEMS ADVISABLE BY WITHDRAWING THE DELEGATION OF AUTHORITY TO THE CITY OF ASHEVILLE TO MAKE A CERTAIN ANNEXATION.

CALENDAR

Action is taken on the following:

H.B. 212, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF CRAMERTON TO REGULATE UTILITY VEHICLES, 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, Blust, Boles, Bordsen, Brandon, Brawley, Brisson, L. Brown, R. Brown, Brubaker, Bryant, Burr, Carney, Cleveland, Collins, Cook, Cotham, Crawford, Current, Daughtry, Dixon, Dockham, Dollar, Earle, Faircloth, Faison, Farmer-Butterfield, Fisher, Floyd, Folwell, Frye, Gillespie, Glazier, Goodman, Graham, Guice, Hackney, Hager, Haire, Hall, Hamilton, Harrison, Hastings, Hill, Hilton, Hollo, Holloway, Horn, Howard, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Jordan, Justice, Killian, Langdon, LaRoque, Lewis, Lucas, Luebke, Martin, McComas, McCormick, McElraft, McGee, McGrady,

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McGuirt, McLawhorn, Michaux, Mills, Mobley, R. Moore, T. Moore, Murry, Owens, Parfitt, Parmon, Pierce, Pridgen, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Sanderson, Setzer, Spear, Stam, Starnes, Steen, Stevens, Tolson, Torbett, Wainwright, E. Warren, H. Warren, Weiss, West, Wilkins, Womble, and Wray - 112.

Voting in the negative: None.

Excused absence: Representative Barnhart.

H.B. 193 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW RECALL OF OFFICERS OF THE TOWN OF TOPSAIL BEACH.

Representative Justice offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (114-3), and there being no objection is read a third time.

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

H.B. 194, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE TOWN OF TOPSAIL BEACH TO CLARIFY WHEN THE TERMS OF THE MAYOR AND MEMBERS OF THE BOARD OF COMMISSIONERS COMMENCE AND TO PROVIDE THAT THE MAYOR SHALL VOTE ONLY IN THE CASE OF A TIE, passes its second reading, and there being no objection is read a third time.

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

H.B. 415, A BILL TO BE ENTITLED AN ACT PRESERVING LITTORAL RIGHTS IN THE TOWN OF TOPSAIL BEACH AFTER PUBLICLY FINANCED BEACH NOURISHMENT PROJECTS, 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.

RE-REFERRAL

On motion of Representative LaRoque, pursuant to Rule 39.2 and without objection, **H.B. 455**, A BILL TO BE ENTITLED AN ACT TO CONSERVE ENERGY AND REDUCE THE EXPENSES OF LIGHTING

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ASSOCIATED WITH THE USE OF OUTDOOR LIGHTING WHEN THE LIGHTING IS NOT NEEDED TO PROVIDE SAFETY, UTILITY, OR SECURITY BY REQUIRING OUTDOOR LIGHTING FIXTURES THAT ARE INSTALLED, REPLACED, MAINTAINED, OR OPERATED USING STATE FUNDS TO MEET CERTAIN STANDARDS DESIGNED TO REDUCE UNNECESSARY ILLUMINATION AND REDUCE GLARE AND LIGHT POLLUTION, is withdrawn from the Committee on Environment and re-referred to the Committee on Rules, Calendar, and Operations of the House.

CALENDAR (continued)

H.B. 129 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROTECT JOBS AND INVESTMENT BY REGULATING LOCAL GOVERNMENT COMPETITION WITH PRIVATE BUSINESS.

Representative Avila offers Amendment No. 4 which is adopted by electronic vote (118-0).

Representative H. Warren offers Amendment No. 5 which is adopted by electronic vote (115-2).

The bill is temporarily displaced.

SPECIAL MESSAGE FROM THE SENATE

The following Special Message is received from the Senate:

S.B. 265 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE APPROPRIATIONS AND ADJUSTMENTS FOR THE 2011-2013 FISCAL BIENNIUM TO THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES; AND TO TRANSFER THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES TO THE OFFICE OF STATE TREASURER, is read the first time and referred to the Committee on Insurance and, if favorable, to the Committee on Appropriations.

CALENDAR (continued)

H.B. 129 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROTECT JOBS AND INVESTMENT BY REGULATING LOCAL GOVERNMENT COMPETITION WITH PRIVATE BUSINESS, which was temporarily displaced, is before the Body.

March 28, 2011

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Speaker Tillis; Representatives Avila, Blackwell, Blust, Boles, Brawley, Brisson, L. Brown, R. Brown, Brubaker, Burr, Carney, Cleveland, Collins, Cook, Crawford, Current, Daughtry, Dixon, Dockham, Dollar, Earle, Faircloth, Folwell, Frye, Gillespie, Graham, Guice, Hager, Hamilton, Hastings, Hill, Hilton, Hollo, Holloway, Horn, Howard, Hurley, Iler, Ingle, Johnson, Jones, Jordan, Justice, Killian, Langdon, LaRoque, Lewis, McComas, McCormick, McElraft, McGee, McGrady, Michaux, Mills, Moffitt, R. Moore, T. Moore, Murry, Owens, Pierce, Pridgen, Randleman, Rhyne, Sager, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Torbett, Wainwright, E. Warren, H. Warren, West, and Wray - 81.

Voting in the negative: Representatives Adams, K. Alexander, M. Alexander, Bell, Bordsen, Brandon, Bryant, Cotham, Faison, Farmer-Butterfield, Fisher, Floyd, Gill, Glazier, Goodman, Hackney, Haire, Hall, Harrison, Insko, Jackson, Jeffus, Keever, Lucas, Luebke, Martin, McGuirt, McLawhorn, Mobley, Parfitt, Parmon, Rapp, Ross, Tolson, Weiss, Wilkins, and Womble - 37.

Excused absence: Representative Barnhart.

H.B. 27 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO (1) CREATE THE NORTH CAROLINA FORENSIC SCIENCE ADVISORY BOARD, (2) ENCOURAGE EFFORTS TO ELIMINATE SOURCES OF HUMAN ERROR IN FORENSIC EXAMINATIONS, (3) REQUIRE CERTIFICATION OF FORENSIC SCIENCE PROFESSIONALS, (4) RENAME THE STATE BUREAU OF INVESTIGATION LABORATORY AS THE NORTH CAROLINA STATE CRIME LABORATORY, (5) CREATE THE POSITION OF OMBUDSMAN TO ENSURE THAT THE BEST FORENSIC PROCESSES AND PROCEDURES ARE UTILIZED IN THE STATE CRIME LABORATORY, (6) CLARIFY STATUTES THAT ALLOW FOR THE ADMISSIBILITY OF FORENSIC ANALYSES INTO EVIDENCE, (7) CLARIFY THE STATE'S OBLIGATION TO DISCLOSE TO THE DEFENDANT ALL INFORMATION RELATING TO THE TESTING OR EXAMINATION OF EVIDENCE AND TO PENALIZE OMISSION OR MISREPRESENTATION RELATING TO DISCLOSURE, AND (8) CLARIFY THAT STATE CRIME LABORATORY PERSONNEL SERVE THE PUBLIC AND THE CRIMINAL JUSTICE SYSTEM, AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON THE PRESERVATION OF BIOLOGICAL EVIDENCE, AND TO PROVIDE THAT THE ACT SHALL BE ENTITLED "THE FORENSIC SCIENCES ACT OF 2011."

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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.

RE-REFERRAL

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 473**, A BILL TO BE ENTITLED AN ACT TO PROVIDE EQUAL INCOME TAX TREATMENT OF GOVERNMENT RETIREES' BENEFITS, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on State Personnel, and if favorable, to the Committee on Finance.

INTRODUCTION OF PAGES

Pages for the week of March 28 are introduced to the membership. They are: George Bell of Brunswick; John Bellon of Surry; Kimberly Bryan of Wake; Kathryn Cooke of Wake; Benjamin Forsgren of Pender; Regan Hall of Guilford; Whitney Helms of Cleveland; Alli Howell of Cleveland; Joeanna-Margaret Kelly of Moore; Lauren Kent of Forsyth; Alton Lovell of Wake; Shelley McCluskey of Surry; Oriana McConnell of Forsyth; Claire Meyer of Forsyth, Mac Shelley of Cabarrus; and William Shelley of Cabarrus.

VOTE ADJUSTED

Without objection, Representative Floyd is granted leave of the House to change his vote on March 24, 2011, from "no" to "aye" on the third reading of **H.B. 215** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE CRIMINAL OFFENSES FOR ACTS THAT CAUSE THE DEATH OR INJURY OF AN UNBORN CHILD OR ARE COMMITTED AGAINST A PREGNANT WOMAN, AND TO PROVIDE THAT THE ACT SHALL BE ENTITLED "THE UNBORN VICTIMS OF VIOLENCE ACT/ETHEN'S LAW". The adjusted vote total is (75-34).

On motion of Representative LaRoque, seconded by Representative Current, the House adjourns at 8:14 p.m. to reconvene March 29 at 2:00 p.m.

THIRTY-SIXTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, March 29, 2011

March 29, 2011

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

On motion of the Speaker, the House recesses at 2:00 p.m.

RECESS

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

The following prayer is offered by Representative Ray Rapp:

"The Lord be with you.

The people respond:
"And also with you.

"Let us pray:

"Lord, we are thankful for the beauty of North Carolina - its people and its resources.

"We celebrate its natural beauty from the melting snows in the Great Smoky Mountains to the sparkling warm sands of Ocracoke Island's beaches –

"We are thankful for the blessings of spring - the greening of the grass, the flowering of the gardens and trees, the singing of the birds -

"We are thankful that You use this season to remind us about rebirth and renewal and Your love for all creation...

"We are thankful for the prayerful support of North Carolina's nine and one half million citizens...

"We are thankful for our families who support our work here and at home;

"We are thankful for the models of leadership we see around us - servant-leaders who govern with integrity, strong principles and great compassion.

"Grant us the wisdom and courage to love and serve You, our families and the people of this State;

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"Make us ever mindful of the needs of others;

"Give us the wisdom to recognize the dignity and worth of all individuals;

"And guide us away from partisanship that closes our hearts and minds to those with differing points of view.

"In Your name we pray. Amen."

Representative LaRoque, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of March 28 has been examined and found correct. Upon his motion, the Journal is approved as written.

There are no excused absences for today.

**ELECTION OF MEMBERS TO THE
BOARD OF GOVERNORS OF THE
UNIVERSITY OF NORTH CAROLINA**

The Speaker reviews the instructions for voting as specified in **H.R. 314**, A HOUSE RESOLUTION TO ESTABLISH THE PROCEDURE FOR NOMINATING AND ELECTING MEMBERS OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA, with the membership.

Representative T. Moore, Chair of the Select Committee on University Board of Governors Nominations, reports that the Members of the Committee voted for the nominees listed below and certifies that the nominees are legally qualified to serve and willing to serve if elected.

Brent Barringer
Clarice Cato Goodyear
Leroy Lail
Mary Ann Maxwell
Ed McMahan
Hari Nath
David Powers
Richard Taylor
Raiford Trask, III

Representative Hackney raises a point of order, that according to House Resolution 314, the ballot shall contain 16 nominations. He inquires whether the election is in order since the ballot contains fewer than 16 nominees.

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The Speaker rules that the committee submitted 16 nominees for the ballot, in accordance with the resolution. Some of those nominees later voluntarily withdrew their names, leaving the remaining nine nominees on the ballot.

Pursuant to Rule 24.1A, Representatives Glazier and Luebke request that they be excused from voting due to a conflict of interest. These requests are granted.

Pursuant to the resolution, the ballots are distributed to the Members and the election proceeds.

The Speaker appoints Representatives T. Moore, Brubaker, Bryant, Dollar, Haire, and Holloway to canvass the ballots.

The Committee retires from the Chamber to canvass the ballots.

ENROLLED BILLS

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

H.B. 27, AN ACT TO (1) CREATE THE NORTH CAROLINA FORENSIC SCIENCE ADVISORY BOARD, (2) ENCOURAGE EFFORTS TO ELIMINATE SOURCES OF HUMAN ERROR IN FORENSIC EXAMINATIONS, (3) REQUIRE CERTIFICATION OF FORENSIC SCIENCE PROFESSIONALS, (4) RENAME THE STATE BUREAU OF INVESTIGATION LABORATORY AS THE NORTH CAROLINA STATE CRIME LABORATORY, (5) CREATE THE POSITION OF OMBUDSMAN TO ENSURE THAT THE BEST FORENSIC PROCESSES AND PROCEDURES ARE UTILIZED IN THE STATE CRIME LABORATORY, (6) CLARIFY STATUTES THAT ALLOW FOR THE ADMISSIBILITY OF FORENSIC ANALYSES INTO EVIDENCE, (7) CLARIFY THE STATE'S OBLIGATION TO DISCLOSE TO THE DEFENDANT ALL INFORMATION RELATING TO THE TESTING OR EXAMINATION OF EVIDENCE AND TO PENALIZE OMISSION OR MISREPRESENTATION RELATING TO DISCLOSURE, AND (8) CLARIFY THAT STATE CRIME LABORATORY PERSONNEL SERVE THE PUBLIC AND THE CRIMINAL JUSTICE SYSTEM, AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON THE PRESERVATION OF BIOLOGICAL EVIDENCE, AND TO PROVIDE THAT THE ACT SHALL BE ENTITLED "THE FORENSIC SCIENCES ACT OF 2011".

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CALENDAR

Action is taken on the following:

H.R. 258, A HOUSE RESOLUTION HONORING THE LIFE AND MEMORY OF CHARLES DOUGLAS "CHARLIE" BROWN, JR., FALLEN MARTIN COUNTY SHERIFF'S DEPUTY.

The resolution is adopted, by electronic vote (120-0), and ordered printed.

WITHDRAWAL OF BILLS FROM CALENDAR

On motion of Representative LaRoque and without objection, the following bills are withdrawn from the Calendar and placed on the Calendar of April 5.

H.B. 61, A BILL TO BE ENTITLED AN ACT AMENDING THE NORTH CAROLINA CONSTITUTION TO LIMIT THE TERMS OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT PRO TEMPORE OF THE SENATE TO TWO GENERAL ASSEMBLIES.

H.B. 329 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXPAND THE EXEMPTION FROM BUILDING RULES FOR FARM BUILDINGS TO INCLUDE FARM BUILDINGS USED FOR SPECTATOR EVENTS.

On motion of Representative LaRoque and without objection, **H.B. 87** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR GOVERNMENT IN THE SUNSHINE BY AMENDING THE NORTH CAROLINA CONSTITUTION, with Amendment No. 2 pending, is withdrawn from the Calendar, ordered engrossed, and re-referred to the Committee on Rules, Calendar, and Operations of the House.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Langdon and Sager, Chairs, for the Committee on Agriculture:

H.B. 201, A BILL TO BE ENTITLED AN ACT TO EXTEND AND AMEND THE SEASONS FOR TAKING FOXES WITH WEAPONS AND BY TRAPPING IN BLADEN COUNTY, with a favorable report.

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Pursuant to Rule 36(b), the bill is placed on the Calendar of March 30.

H.B. 265, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A SEASON FOR TAKING FOXES WITH WEAPONS AND BY TRAPPING IN CHOWAN COUNTY, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of March 30.

S.B. 46 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A SEASON FOR THE TAKING OF FOXES AND COYOTES IN SURRY COUNTY, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of March 30.

By Representatives Iler and Mills, Chairs, for the Committee on Transportation:

H.B. 166, 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 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 Dockham, Chair, for the Committee on Insurance:

S.B. 265 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE APPROPRIATIONS AND ADJUSTMENTS FOR THE 2011-2013 FISCAL BIENNIUM TO THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES; AND TO TRANSFER THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES TO THE OFFICE OF STATE TREASURER, 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.

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representatives Howard, LaRoque, and Randleman (Primary Sponsors); Cook, Dixon, and Starnes:

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H.B. 477, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE PROGRAM EVALUATION DIVISION OF THE NORTH CAROLINA GENERAL ASSEMBLY SHALL STUDY THE CONSOLIDATION OF ADMINISTRATIVE FUNCTIONS AMONG COUNTY DEPARTMENTS OF SOCIAL SERVICES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Luebke, Brandon, Fisher, and Harrison (Primary Sponsors); M. Alexander, Carney, Cotham, Faison, Glazier, Hamilton, Insko, Jeffus, Lucas, Martin, R. Moore, Parfitt, Rapp, Ross, and Weiss:

H.B. 478, A BILL TO BE ENTITLED AN ACT AMENDING THE NONDISCRIMINATION AND EQUAL OPPORTUNITY PROVISIONS OF THE STATE PERSONNEL ACT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Goodman, Spear, Wray, and McGuirt (Primary Sponsors); Faison, Graham, Hamilton, Harrison, Hill, Lucas, R. Moore, Parfitt, Rapp, Ross, and Weiss:

H.B. 479, A BILL TO BE ENTITLED AN ACT TO CREATE A TAX CREDIT FOR NEW JOBS CREATED BY SMALL BUSINESSES, is referred to the Committee on Commerce and Job Development and, if favorable, to the Committee on Finance.

By Representative Burr:

H.B. 480, A BILL TO BE ENTITLED AN ACT TO CHANGE THE CANDIDATE FILING PERIOD FOR THE STANLY COUNTY BOARD OF EDUCATION, is referred to the Committee on Government.

By Representative Burr:

H.B. 481, A BILL TO BE ENTITLED AN ACT TO CHANGE THE MANNER OF FILLING VACANCIES IN THE OFFICE OF SHERIFF OF STANLY COUNTY, is referred to the Committee on Government.

By Representative Burr:

H.B. 482, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ADDITIONAL CONNECTIONS TO WATER SUPPLY LINES FUNDED BY THE CLEAN WATER AND NATURAL GAS CRITICAL NEEDS BOND ACT OF 1998, is referred to the Committee on Government.

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By Representatives Burr, Pridgen, and Ingle (Primary Sponsors); Brawley, L. Brown, Cook, Faison, Sager, Shepard, and Starnes:

H.B. 483, A BILL TO BE ENTITLED AN ACT TO EXPAND THE LIST OF FELONIES FOR WHICH A DNA SAMPLE SHALL BE TAKEN UPON ARREST, is referred to Judiciary Subcommittee B.

By Representatives Brubaker and Cook:

H.B. 484, A BILL TO BE ENTITLED AN ACT TO TRANSFER MANAGEMENT OF THE STATE HOME FORECLOSURE PREVENTION PROJECT AND FUND TO THE NORTH CAROLINA HOUSING FINANCE AGENCY, TO EXEMPT THE NORTH CAROLINA HOUSING FINANCE AGENCY FROM THE REQUIREMENTS OF ARTICLES 6 AND 7 OF CHAPTER 143 OF THE GENERAL STATUTES, AND TO AUTHORIZE THE COMMISSIONER OF BANKS TO ACQUIRE PROPERTY SUBJECT TO APPROVAL OF THE STATE BANKING COMMISSION, is referred to the Committee on Commerce and Job Development.

By Representatives Brubaker, Gillespie, Johnson, and Barnhart (Primary Sponsors); Avila, Brawley, Burr, Cook, Cotham, Dixon, Dollar, Faison, Glazier, Hager, Hastings, Hill, Hilton, Hollo, Howard, Iler, Ingle, Jeffus, Jones, Jordan, Justice, Killian, LaRoque, Martin, McComas, McCormick, McElraft, McGrady, Moffitt, T. Moore, Murry, Owens, Samuelson, Sanderson, Setzer, Spear, Steen, Torbett, H. Warren, West, and Wray:

H.B. 485, A BILL TO BE ENTITLED AN ACT TO STIMULATE NEW HOME PURCHASES, is referred to the Committee on Commerce and Job Development and, if favorable, to the Committee on Finance.

By Representatives Guice and Moffitt:

H.B. 486, A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF TRYON, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

By Representatives Parmon and Graham (Primary Sponsors); and Lucas:

H.B. 487, A BILL TO BE ENTITLED AN ACT AMENDING THE NORTH CAROLINA PSYCHOLOGY PRACTICE ACT TO ALLOW PERSONS CERTIFIED AS BEHAVIOR ANALYSTS AND ASSISTANT

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BEHAVIOR ANALYSTS BY THE BEHAVIOR ANALYST CERTIFICATION BOARD TO PRACTICE BEHAVIOR ANALYSIS AND THERAPY UNDER CERTAIN CIRCUMSTANCES, is referred to the Committee on Health and Human Services.

By Representative Collins:

H.B. 488, A BILL TO BE ENTITLED AN ACT EXTENDING THE WAIVER OF RETROACTIVITY PERTAINING TO THE ACQUISITION OF LAND BY THE TOWN OF NASHVILLE UNDER THE PARKS AND RECREATION TRUST FUND PROGRAM, is referred to the Committee on Government.

By Representatives Pridgen, Stam, and Martin (Primary Sponsors):

H.B. 489, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS AMENDMENTS TO NORTH CAROLINA'S MECHANICS LIEN AND BOND LAWS, is referred to Judiciary Subcommittee B and, if favorable, to the Committee on Finance.

By Representatives Steen, Carney, Dockham, and Barnhart (Primary Sponsors); Brawley, Burr, Folwell, Frye, Horn, Hurley, Iler, Johnson, Justice, Martin, Moffitt, Samuelson, Setzer, Shepard, and H. Warren:

H.B. 490, A BILL TO BE ENTITLED AN ACT TO NAME THE YADKIN RIVER BRIDGE AT THE DAVIDSON AND ROWAN COUNTY LINES THE "YADKIN RIVER VETERANS MEMORIAL BRIDGE", is referred to the Committee on Transportation and, if favorable, to the Appropriations Subcommittee on Transportation.

By Representatives R. Brown and Cleveland (Primary Sponsors); Bradley, Cook, Hurley, Iler, Jordan, Sager, Stone, and H. Warren:

H.B. 491, A BILL TO BE ENTITLED AN ACT TO REQUIRE A VOTE OF THE PEOPLE FOR THE STATE OF NORTH CAROLINA TO ISSUE CERTIFICATES OF PARTICIPATION, is referred to the Committee on Finance.

By Representative Howard:

H.B. 492, A BILL TO BE ENTITLED AN ACT TO (1) PROVIDE THAT DEVELOPMENT IN THE UNINCORPORATED AREAS OF A COUNTY IS NOT SUBJECT TO THE STANDARDS REGARDING POST-CONSTRUCTION PRACTICES UNDER SECTION 9 OF SL 2006-246 OR ANY ADMINISTRATIVE RULES ADOPTED TO REPLACE THAT

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SECTION WHEN THE DEVELOPMENT IS LOCATED IN A COUNTY THAT CONTAINS AN URBANIZED AREA AND HAD AN ACTUAL POPULATION GROWTH RATE THAT EXCEEDED THE STATE POPULATION GROWTH RATE FOR THE PERIOD 1995 THROUGH 2004 WHEN THAT POPULATION GROWTH OCCURRED IN AN AREA WITHIN THE COUNTY THAT CONSISTS OF LESS THAN FIVE PERCENT OF THE TOTAL LAND AREA OF THE COUNTY AND (2) RESCIND THE CURRENT DESIGNATION OF ANY SUCH COUNTY, is referred to the Committee on Government.

By Representatives Howard, Blust, and Randleman (Primary Sponsors); Cook, Dockham, Floyd, Hurley, and Spear:

H.B. 493, A BILL TO BE ENTITLED AN ACT AMENDING THE LAWS RELATED TO LANDLORD TENANT RELATIONSHIPS, is referred to Judiciary Subcommittee A.

By Representatives M. Alexander, Guice, T. Moore, and Stam (Primary Sponsors); Brawley, Cook, Dixon, Faison, Ingle, Insko, Lucas, Rapp, and Starnes:

H.B. 494, 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, is referred to the Committee on Judiciary Subcommittee B and, if favorable, to the Committee on Finance.

By Representatives Murry, Moffitt, Samuelson, and Crawford (Primary Sponsors); Carney, Fisher, Hamilton, Harrison, McGrady, Rapp, Weiss, and Wray:

H.B. 495, A BILL TO BE ENTITLED AN ACT (1) TO REDUCE THE AMOUNT OF PURCHASED RENEWABLE ENERGY CERTIFICATES DERIVED FROM OUT-OF-STATE NEW SOLAR FACILITIES THAT MAY BE USED TO COMPLY WITH THE REPS REQUIREMENT THROUGH THE USE OF SOLAR ENERGY RESOURCES AND (2) TO DOUBLE THE REPS REQUIREMENT FOR THE USE OF SOLAR ENERGY RESOURCES AND EXPAND THE COMPLIANCE SCHEDULE, is referred to the Committee on Public Utilities and, if favorable, to the Committee on Finance.

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By Representatives T. Moore and McLawhorn (Primary Sponsors); Cook, Mills, Rapp, and Spear:

H.B. 496, A BILL TO BE ENTITLED AN ACT TO REENACT A LAW CONCERNING HEALTH BENEFIT PLAN CO-PAYMENTS FOR CHIROPRACTIC SERVICES, is referred to the Committee on Insurance.

By Representatives Justice and Owens (Primary Sponsors); and Wray:

H.B. 497, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DEFINITION OF A GENERAL CONTRACTOR, is referred to Judiciary Subcommittee A.

By Representatives Dollar, Avila, Murry, and Stam:

H.B. 498, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CHAIRMAN OF THE WAKE COUNTY BOARD OF EDUCATION TO VOTE IN ALL CASES, is referred to the Committee on Government.

MESSAGE FROM THE SENATE

The following is received from the Senate:

S.B. 287, A BILL TO BE ENTITLED AN ACT TO AMEND THE UMSTEAD ACT TO EXTEND THE PERIOD OF TIME FOR WHICH COMMUNITY COLLEGE SMALL BUSINESS INCUBATORS CAN OFFER SERVICES TO NEW BUSINESS VENTURES, is read the first time and referred to the Committee on Education.

RESULTS OF ELECTION OF MEMBERS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA

Representative T. Moore, Chair of the standing Committee on University Board of Governors Nominating, makes the following report concerning the Board of Governors of the University of North Carolina election.

- 70 were completed in favor of Brent Barringer.
- 70 were completed in favor of Leroy Lail.
- 70 were completed in favor of Mary Ann Maxwell.
- 70 were completed in favor of Ed McMahan.
- 70 were completed in favor of Hari Nath.

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70 were completed in favor of Richard Taylor.
70 were completed in favor of Raiford Trask, III.
68 were completed in favor of David Powers.
2 were completed in favor of Clarice Cato Goodyear.

No run-off election is required.

CALENDAR (continued)

H.B. 212, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF CRAMERTON TO REGULATE UTILITY VEHICLES, 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, M. Alexander, Avila, Barnhart, Bell, Blackwell, Blust, Boles, Bordsen, Bradley, Brandon, Brawley, Brisson, L. Brown, R. Brown, Brubaker, Bryant, Burr, Carney, Cleveland, Collins, Cotham, Crawford, Current, Daughtry, Dixon, Dockham, Dollar, Earle, Faircloth, Faison, Farmer-Butterfield, Fisher, Floyd, Folwell, Frye, Gill, Gillespie, Glazier, Goodman, Graham, Guice, Hackney, Hager, Haire, Hall, Hamilton, Harrison, Hastings, Hill, Hilton, Hollo, Holloway, Horn, Howard, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Jordan, Justice, Keever, Killian, Langdon, LaRoque, Lucas, Luebke, Martin, McComas, McCormick, McElraft, McGee, McGrady, McGuirt, McLawhorn, Michaux, Mills, Mobley, Moffitt, R. Moore, T. Moore, Owens, Parfitt, Parmon, Pierce, Pridgen, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Wainwright, E. Warren, H. Warren, Weiss, West, Wilkins, Womble, and Wray - 116.

Voting in the negative: None.

Excused absences: None.

H.B. 33 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN CONSULATE OR EMBASSY DOCUMENTS MAY NOT BE USED TO DETERMINE A PERSON'S IDENTIFICATION OR RESIDENCE FOR GOVERNMENTAL AND LAW ENFORCEMENT PURPOSES.

Representative Luebke offers Amendment No. 1.

On motion of Representative Hager and without objection, the bill is temporarily displaced, with Amendment No. 1 pending.

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H.B. 111 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW PERSONS WITH CONCEALED HANDGUN PERMITS TO PROTECT THEMSELVES AND THEIR FAMILIES IN RESTAURANTS AND TO ALLOW A CONCEALED HANDGUN PERMITTEE TO CARRY A HANDGUN IN A PARK.

Representative Daughtry offers Amendment No. 1 which is adopted by electronic vote (72-46).

Representative Guice offers Amendment No. 2 which is adopted by electronic vote (70-48).

Representative Faison offers Amendment No. 3 which fails of adoption by electronic vote (44-74).

The bill, as amended, passes its second reading by electronic vote (77-41).

[Pursuant to the motion made by Representative Brandon on March 30, 2011, and without objection, he is granted leave of the House to change his vote from "aye" to "no". The adjusted vote total is (76-42).]

Representative Jackson objects to the third reading. The bill, as amended, remains on the Calendar.

H.B. 250 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE REFERENCES IN CHAPTER 127A OF THE NORTH CAROLINA GENERAL STATUTES TO FEDERAL AND STATE MILITARY ORGANIZATIONS PROPER AND UNIFORM, AS DIRECTED BY SESSION LAW 2009-281, AS AMENDED BY SESSION LAW 2010-152, AND TO MAKE OTHER CLARIFYING, CONFORMING, AND TECHNICAL AMENDMENTS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, passes its second reading, by electronic vote (115-1), and there being no objection is read a third time.

Representative Floyd requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (116-1).

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

H.B. 33 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN CONSULATE OR EMBASSY DOCUMENTS MAY NOT BE USED TO DETERMINE A PERSON'S IDENTIFICATION OR RESIDENCE FOR GOVERNMENTAL AND LAW ENFORCEMENT PURPOSES, which was temporarily displaced, with Amendment No. 1 pending, is before the Body.

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Amendment No. 1 fails of adoption by electronic vote (50-66).

Representative Jackson offers Amendment No. 2 which fails of adoption by electronic vote (52-65).

The bill passes its second reading by electronic vote (64-53).

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

**CONFIRMATION OF RESULTS
OF THE ELECTION OF MEMBERS TO THE
BOARD OF GOVERNORS OF THE
UNIVERSITY OF NORTH CAROLINA**

On motion of Representative T. Moore, pursuant to Article VI, Section 5 of the North Carolina Constitution and pursuant to **H.R. 314**, A HOUSE RESOLUTION TO ESTABLISH THE PROCEDURE FOR NOMINATING AND ELECTING MEMBERS OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA, the following persons are duly elected for a four-year term to the Board of Governors of the University of North Carolina: Brent Barringer, Leroy Lail, Mary Ann Maxwell, Ed McMahan, Hari Nath, David Powers, Richard Taylor, and Raiford Trask, III.

The results of the election are confirmed by the following roll call vote:

Those voting in the affirmative are: Speaker Tillis; Representatives Avila, Barnhart, Blackwell, Blust, Boles, Bradley, Brawley, L. Brown, R. Brown, Brubaker, Burr, Cleveland, Collins, Cook, Current, Daughtry, Dixon, Dockham, Dollar, Faircloth, Folwell, Frye, Gillespie, Guice, Hager, Hastings, Hilton, Hollo, Holloway, Horn, Howard, Hurley, Iler, Ingle, Johnson, Jones, Jordan, Justice, Killian, Langdon, LaRoque, Lewis, McComas, McCormick, McElraft, McGee, McGrady, Mills, Moffitt, T. Moore, Pridgen, Randleman, Rhyne, Sager, Samuelson, Sanderson, Setzer, Shepard, Stam, Starnes, Steen, Stevens, Stone, Torbett, H. Warren, and West - 67.

Those voting in the negative are: Representatives Adams, K. Alexander, M. Alexander, Bell, Bordsen, Brandon, Brisson, Bryant, Carney, Cotham, Crawford, Earle, Faison, Farmer-Butterfield, Fisher, Floyd, Gill, Goodman, Graham, Hackney, Haire, Hall, Hamilton, Harrison, Hill, Insko, Jackson, Jeffus, Keever, Lucas, Martin, McGuirt, McLawhorn, Michaux, Mobley, R. Moore, Owens, Parfitt, Parmon, Pierce, Rapp, Ross, Spear, Tolson, Wainwright, E. Warren, Weiss, Wilkins, Womble, and Wray - 50.

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Excused vote: Representatives Glazier and Luebke.

The Senate is so notified by Special Message.

CALENDAR (continued)

H.B. 312 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE METHODS FOR RECORDING SATISFACTION OF A SECURITY INSTRUMENT WITH THE REGISTER OF DEEDS, CLARIFYING THE REQUIREMENTS FOR ELECTRONICALLY REGISTERING PLATS WITH THE REGISTER OF DEEDS, AND AMENDING RESTRICTIONS ON ACCESS TO MILITARY DISCHARGE DOCUMENTS RECORDED WITH THE REGISTER OF DEEDS, 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.

S.J.R. 369, A JOINT RESOLUTION TO CONFIRM THE GOVERNOR'S REAPPOINTMENT OF JOSEPH A. SMITH TO THE OFFICE OF COMMISSIONER OF BANKS.

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

Representative LaRoque moves, seconded by Representative Hilton, that the House adjourn, subject to the receipt of Committee Reports, to reconvene March 30 at 2:00 p.m.

The motion carries.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Iler and Mills, Chairs, for the Committee on Transportation:

H.B. 261, A BILL TO BE ENTITLED AN ACT TO REQUIRE INTRASTATE MOTOR CARRIERS TO BE MARKED, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

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Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of March 30. The original bill is placed on the Unfavorable Calendar.

H.B. 285, A BILL TO BE ENTITLED AN ACT TO PROVIDE ACTIVE DUTY NATIONAL GUARD MEMBERS WITH A MOTOR VEHICLE REGISTRATION PLATE AT NO COST, 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. 336, A BILL TO BE ENTITLED AN ACT TO ALLOW THE HAULING OF READY-MIXED CONCRETE IN EXCESS OF WEIGHT LIMITS SO LONG AS CERTAIN CONDITIONS ARE MET, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of March 30. The original bill is placed on the Unfavorable Calendar.

The House stands adjourned at 6:24 p.m.

THIRTY-SEVENTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, March 30, 2011

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 Karon Hardy, Legislative Assistant for Representative Bryant:

"Dear Heavenly Father,

"We bow before You with humbled hearts, thanking You for this new day filled with Your grace and mercy.

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"Thank You for each and every person that You have placed here during this time and season. Give every Legislator eyes to see Your truths and ears to hear Your voice. Only You know what is just. Give them discernment and revelation to make Godly choices. Enable them to see clearly the consequences of decisions that are not pleasing to You. Cover them with Your love and teach them to demonstrate love one to another.

"All these things I ask in Your name. Amen."

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

A leave of absence is granted Representative Daughtry for today. Representatives Lucas, Murry, and Setzer are excused for a portion of the Session.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

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

By Representatives Stam and Stevens, Chairs, for Judiciary Subcommittee B, with approval of standing committee Chair for report to be made directly to the floor of the House:

S.B. 31 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PENALTY FOR THE UNAUTHORIZED PRACTICE OF MEDICINE, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of March 31.

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

H.B. 383, A BILL TO BE ENTITLED AN ACT ESTABLISHING THE COMMUNICATIONS REGULATORY REFORM AND INVESTMENT ACT OF 2011, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of March 31. The original bill is placed on the Unfavorable Calendar.

By Representative McGee, Chair, for the Committee on State Personnel:

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H.B. 263, A BILL TO BE ENTITLED AN ACT TO ALLOW CERTAIN RETIRED MEMBERS OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM WHO REMARRIED PRIOR TO THE EFFECTIVE DATE OF A TECHNICAL CORRECTION TO THE RETIREMENT LAWS TO NOMINATE THEIR NEW SPOUSES TO RECEIVE THE SURVIVOR BENEFITS IN ACCORDANCE WITH THAT TECHNICAL CORRECTION, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of March 31.

H.B. 313, A BILL TO BE ENTITLED AN ACT TO REPEAL THE PAYROLL SAVINGS PROGRAM FOR SAVINGS BONDS DUE TO RECENT CHANGES MADE BY THE UNITED STATES TREASURY DEPARTMENT, 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.

Representatives LaRoque and T. Moore, for the Committee on Rules, Calendar, and Operations of the House submit the following bills with a favorable report for introduction:

A BILL TO BE ENTITLED AN ACT REQUIRING COUNTIES AND CITIES TO HAVE REASONABLE CAUSE BEFORE INSPECTING RESIDENTIAL BUILDINGS OR STRUCTURES.

Pursuant to Rule 31(a), the bill is filed, assigned the number **H.B. 554**, and placed on the Calendar for its first reading.

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.

Pursuant to Rule 31(a), the bill is filed, assigned the number **H.B. 555**, and placed on the Calendar for its first reading.

A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF RETIREMENT TO CLARIFY THAT SERVICE AS AN UNPAID VOLUNTEER IS NOT CONSIDERED SERVICE FOR THE PURPOSE OF THAT DEFINITION.

Pursuant to Rule 31(a), the bill is filed, assigned the number **H.B. 556**, and placed on the Calendar for its first reading.

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By Representatives LaRoque and T. Moore, Chairs, for the Committee on Rules, Calendar, and Operations of the House:

H.B. 218, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE LEGISLATIVE TASK FORCE ON CHILDHOOD OBESITY, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of March 31.

H.B. 321, A BILL TO BE ENTITLED AN ACT ADOPTING THE TOWN OF GRIFTON'S SHAD FESTIVAL AS THE OFFICIAL SHAD FESTIVAL OF THE STATE OF NORTH CAROLINA, with a favorable report.

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

By Representatives Holloway and Langdon, Chairs, for the Committee on Education:

H.B. 342, A BILL TO BE ENTITLED AN ACT PROHIBITING ANY PUBLIC INSTITUTION OF HIGHER EDUCATION FROM SOLICITING OR USING INFORMATION REGARDING THE ACCREDITATION OF A SECONDARY SCHOOL ATTENDED BY A STUDENT AS A FACTOR AFFECTING ADMISSIONS, LOANS, SCHOLARSHIPS, OR OTHER EDUCATIONAL ACTIVITY AT THE PUBLIC INSTITUTION, UNLESS THE ACCREDITATION WAS CONDUCTED BY A STATE AGENCY; AUTHORIZING THE STATE BOARD OF EDUCATION TO ACCREDIT SCHOOLS IN A LOCAL SCHOOL ADMINISTRATIVE UNIT AT THE REQUEST OF AND AT THE EXPENSE OF THAT UNIT; AND MODIFYING THE BUDGET OF THE DEPARTMENT OF PUBLIC INSTRUCTION ACCORDINGLY, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

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

H.B. 357, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT STUDENTS ACCEPTED FOR ADMISSION IN THE SCHOOL OF DENTISTRY AT EAST CAROLINA UNIVERSITY ARE ELIGIBLE FOR THE BOARD OF GOVERNORS' DENTAL SCHOLARSHIP PROGRAM, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

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Pursuant to Rule 32(a), the committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

By Representative Blust, Chair, for Judiciary Subcommittee A, with approval of standing committee Chair for reports to be made directly to the floor of the House:

S.B. 18 (Committee Substitute), A BILL TO BE ENTITLED AN ACT CLARIFYING THE DEFINITION OF JUDICIAL DISTRICTS UNDER THE LAWS REGULATING THE NORTH CAROLINA STATE BAR, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of March 31.

S.B. 248, A BILL TO BE ENTITLED AN ACT TO UPDATE CERTAIN TERMINOLOGY IN REFERENCE TO PERSONS WITH DISABILITIES, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of March 31.

By Representatives Langdon and Sager, Chairs, for the Committee on Agriculture:

H.B. 156, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A SEASON FOR THE TRAPPING OF FOXES IN LENOIR COUNTY, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of March 31. The original bill is placed on the Unfavorable Calendar.

By Representatives Brubaker, Barnhart, Gillespie, and Johnson, Chairs, for the Committee on Appropriations:

S.B. 265 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE APPROPRIATIONS AND ADJUSTMENTS FOR THE 2011-2013 FISCAL BIENNIUM TO THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES; AND TO TRANSFER THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES TO THE OFFICE OF STATE TREASURER, with a favorable report as to the House committee substitute bill, unfavorable as to Senate Committee Substitute Bill No. 2.

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

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representatives McGuirt, M. Alexander, Cotham, Harrison, Hill, Insko, Luebke, McLawhorn, Rapp, Spear, and Wray:

H.B. 499, A BILL TO BE ENTITLED AN ACT TO MAKE PLACING A CLEAR OR COLOR-TINTED LICENSE PLATE COVER ON A LICENSE PLATE AFFIXED TO A MOTOR VEHICLE UNLAWFUL, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Lucas, Glazier, Floyd, and Parfitt (Primary Sponsors); and Brisson:

H.B. 500, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CUMBERLAND INTERNATIONAL EARLY COLLEGE HIGH SCHOOL, is referred to the Committee on Appropriations.

By Representatives Glazier, Dockham, Hamilton, and Setzer (Primary Sponsors); Harrison, Lucas, R. Moore, and Wray:

H.B. 501, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE FORMATION AND OWNERSHIP OF STOCK LIFE INSURANCE COMPANIES BY CREDIT UNIONS, is referred to the Committee on Insurance and, if favorable, to the Committee on Banking.

By Representatives Glazier, Stam, Jackson, and Michaux (Primary Sponsors); M. Alexander, Cook, Harrison, Ingle, Insko, Lucas, Parfitt, Rapp, and H. Warren:

H.B. 502, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE RESPONSIBILITY OF A STATE AGENCY WITH REGARD TO THE PRESERVATION AND INVENTORY OF BIOLOGICAL EVIDENCE IN THE AGENCY'S CUSTODY, is referred to Judiciary Subcommittee B.

By Representatives Insko and LaRoque (Primary Sponsors); Brisson, Fisher, Floyd, Gill, Glazier, Hamilton, Harrison, Lucas, Parfitt, Rapp, and Wray:

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H.B. 503, A BILL TO BE ENTITLED AN ACT DIRECTING THE STATE BOARD OF EDUCATION TO ANNUALLY REVIEW NUTRITION STANDARDS FOR FOODS AND BEVERAGES ADMINISTERED BY THE DEPARTMENT OF PUBLIC INSTRUCTION AND CHILD NUTRITION PROGRAMS OF LOCAL SCHOOL ADMINISTRATIVE UNITS AND TO REQUIRE OTHER FOOD SALE OPERATIONS ON THE SCHOOL CAMPUS DURING THE INSTRUCTIONAL DAY TO MEET CERTAIN STANDARDS BY THE 2011-2012 SCHOOL YEAR, is referred to the Committee on Education.

By Representatives Insko and Hackney (Primary Sponsors); Hamilton and Harrison:

H.B. 504, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF CARRBORO TO ADOPT AND ENFORCE WITHIN ITS CORPORATE LIMITS AND EXTRATERRITORIAL PLANNING JURISDICTION THE 2012 ENERGY CONSERVATION CODE AND 2012 RESIDENTIAL CODE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Parmon and Womble (Primary Sponsors); and Floyd:

H.B. 505, A BILL TO BE ENTITLED AN ACT RELATING TO STORMWATER MANAGEMENT BEST PRACTICES IN CONNECTION WITH PUBLIC AND PRIVATE LINEAR TRANSPORTATION PROJECTS SUCH AS ROADS AND GREENWAYS, is referred to the Committee on Transportation.

By Representatives McComas, Hamilton, and Harrison:

H.B. 506, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF WRIGHTSVILLE BEACH TO REMOVE AND DISPOSE OF ABANDONED VESSELS WITHIN THE TOWN'S ZONING JURISDICTION, is referred to the Committee on Government.

By Representative Owens:

H.B. 507, A BILL TO BE ENTITLED AN ACT AUTHORIZING PROPERTY OWNERS ASSOCIATIONS THAT OWN STREETS THAT ARE LOCATED OUTSIDE INCORPORATED MUNICIPALITIES AND THAT HAVE NOT BEEN ACCEPTED FOR MAINTENANCE BY THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION FOR A

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PERIOD OF THIRTY YEARS TO FILE, WITH THE APPROVAL OF THE COUNTY COMMISSIONERS, A DECLARATION WITHDRAWING THE DEDICATION TO PUBLIC USE OF SUCH STREETS, is referred to the Committee on Transportation.

By Representatives Earle, R. Moore, and Samuelson (Primary Sponsors); and M. Alexander:

H.B. 508, A BILL TO BE ENTITLED AN ACT TO MODIFY CERTAIN MECKLENBURG COUNTY LOCAL TAXES, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

By Representatives Hurley and Bradley:

H.B. 509, A BILL TO BE ENTITLED AN ACT TO EXCLUDE FROM LICENSURE AS A FACILITY CONSUMERS LIVING IN THEIR OWN HOME AND RECEIVING SERVICES, is referred to the Committee on Health and Human Services.

By Representative Jones:

H.B. 510, A BILL TO BE ENTITLED AN ACT TO RESTORE ELECTIONS IN THE CITY OF REIDSVILLE TO NOVEMBER, SUBJECT TO A REFERENDUM, is referred to the Committee on Government.

By Representatives Sager, Bell, and LaRoque (Primary Sponsors):

H.B. 511, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF GOLDSBORO TO CONVEY BY PRIVATE NEGOTIATION AND SALE ITS RIGHT, TITLE, AND INTEREST IN THE GOLDSBORO-WAYNE MUNICIPAL AIRPORT TO WAYNE COUNTY, DISSOLVING THE GOLDSBORO-WAYNE AIRPORT AUTHORITY, AND CREATING THE WAYNE AIRPORT AUTHORITY, is referred to the Committee on Government.

By Representatives Torbett, Dixon, Justice, and Lewis:

H.B. 512, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS GOVERNING RENDERING PLANTS AND OPERATIONS AND TO BRING THE COLLECTION AND PROCESSING OF WASTE KITCHEN GREASE WITHIN THE PURVIEW OF THE ACT, is referred to the Committee on Agriculture and, if favorable, to Judiciary Subcommittee B.

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By Representative Boles:

H.B. 513, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF ABERDEEN TO REGULATE THE REMOVAL OF TREES WITHIN ITS TERRITORIAL AND EXTRATERRITORIAL JURISDICTION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Martin, Killian, Lewis, and Glazier (Primary Sponsors); Bradley, Cook, Floyd, Gill, Hamilton, Harrison, Horn, Hurley, Ingle, Lucas, R. Moore, Parfitt, Sager, Spear, and Wray:

H.B. 514, A BILL TO BE ENTITLED AN ACT TO ADOPT PROVISIONS OF THE UNIFORM MILITARY AND OVERSEAS VOTERS ACT PROMULGATED BY THE NATIONAL CONFERENCE OF COMMISSIONERS ON UNIFORM STATE LAW, WHILE RETAINING EXISTING NORTH CAROLINA LAW MORE BENEFICIAL TO THOSE VOTERS, is referred to the Committee on Homeland Security, Military, and Veterans Affairs and, if favorable, to the Committee on Elections.

By Representatives Boles and Floyd (Primary Sponsors); Cook, Glazier, Hamilton, Harrison, Insko, Lucas, R. Moore, Pierce, Rapp, and Stone:

H.B. 515, A BILL TO BE ENTITLED AN ACT TO PERMIT COMMUNITY COLLEGES TO INCLUDE THE COSTS OF TEXTBOOKS IN THE TUITION CHARGED FOR MEMBERS OF THE ARMED SERVICES, is referred to the Committee on Homeland Security, Military, and Veterans Affairs and, if favorable, to the Committee on Education.

By Representative Stevens:

H.B. 516, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF MOUNT AIRY, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

By Representatives Stevens and Sager (Primary Sponsors); and Cleveland:

H.B. 517, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR SUPERVISION OF MAGISTRATES BY THE CLERK OF SUPERIOR COURT IN EACH COUNTY, TO PROVIDE THE JUDICIAL STANDARDS COMMISSION WITH THE AUTHORITY TO INVESTIGATE AND DISCIPLINE MAGISTRATES, TO AUTHORIZE THE USE OF SIX-PERSON JURIES IN MISDEMEANOR CASES, AND TO PROVIDE FOR

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CERTAIN CONTROL OF CALENDARING IN SUPERIOR COURT BY THE SENIOR RESIDENT SUPERIOR COURT JUDGE, is referred to Judiciary Subcommittee B.

By Representatives Wilkins and Floyd:

H.B. 518, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE AN ADDITIONAL ONE PERCENT OCCUPANCY TAX FOR PERSON COUNTY, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

By Representative Brubaker:

H.B. 519, A BILL TO BE ENTITLED AN ACT TO PROVIDE THE PIEDMONT TRIAD REGIONAL WATER AUTHORITY WITH THE AUTHORITY TO CONTROL FISHING IN RANDLEMAN RESERVOIR, is referred to the Committee on Government.

By Representatives McCormick and Mills (Primary Sponsors):

H.B. 520, A BILL TO BE ENTITLED AN ACT TO ALLOW VOLUNTARY ANNEXATION BY THE TOWN OF TROUTMAN UNDER CERTAIN CONDITIONS AND SUBJECT TO THE APPROVAL OF THE IREDELL COUNTY BOARD OF COMMISSIONERS, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

By Representatives Mills and McCormick (Primary Sponsors):

H.B. 521, A BILL TO BE ENTITLED AN ACT ALLOWING THE TOWN OF TROUTMAN TO EXTEND ITS EXTRATERRITORIAL JURISDICTION OVER A DEFINED AREA SUBJECT TO THE APPROVAL OF THE IREDELL COUNTY BOARD OF COMMISSIONERS, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

By Representatives Wilkins, Hurley, Current, and Carney (Primary Sponsors); Bradley, Cleveland, Fisher, Goodman, Hamilton, Harrison, Hill, Ingle, Insko, Jordan, Luebke, McElraft, R. Moore, and Rapp:

H.B. 522, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE CERTIFIED PROFESSIONAL MIDWIVES LICENSING ACT, is referred to the Committee on Health and Human Services and, if favorable, to the Committee on Finance.

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RE-REFERRAL

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 395**, A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE LAW PROHIBITING COCKFIGHTING AND RELATED ACTIVITIES, is withdrawn from Judiciary Subcommittee B and re-referred to the Committee on Judiciary.

CALENDAR

Action is taken on the following:

H.B. 201, A BILL TO BE ENTITLED AN ACT TO EXTEND AND AMEND THE SEASONS FOR TAKING FOXES WITH WEAPONS AND BY TRAPPING IN BLADEN COUNTY, passes its second reading by electronic vote (110-4) 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. 265, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A SEASON FOR TAKING FOXES WITH WEAPONS AND BY TRAPPING IN CHOWAN COUNTY, 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.

S.B. 46 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A SEASON FOR THE TAKING OF FOXES AND COYOTES IN SURRY COUNTY.

Representative Stevens offers Amendment No. 1 which is adopted by electronic vote (111-4).

The bill, as amended, passes its second reading, by electronic vote (110-2), and there being no objection is read a third time.

Representative Justice requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (111-2).

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

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

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S.B. 68, A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING AND FISHING ON THE PROPERTY OF ANOTHER WITHOUT WRITTEN PERMISSION IN ROBESON COUNTY, 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.

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

S.B. 81, A BILL TO BE ENTITLED AN ACT TO REPEAL A LOCAL ACT CONCERNING FINANCIAL DISCLOSURE BY MEMBERS OF THE BOARD OF COMMISSIONERS OF ORANGE COUNTY SINCE A GENERAL LAW NOW PROVIDES FOR AN ETHICS POLICY, 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.

VOTE ADJUSTED

Without objection, Representative Brandon is granted leave of the House to change his vote on March 29, 2011, from "aye" to "no" on the second reading of **H.B. 111** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW PERSONS WITH CONCEALED HANDGUN PERMITS TO PROTECT THEMSELVES AND THEIR FAMILIES IN RESTAURANTS AND TO ALLOW A CONCEALED HANDGUN PERMITTEE TO CARRY A HANDGUN IN A PARK. The adjusted vote total is (76-42).

CALENDAR (continued)

H.B. 33 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN CONSULATE OR EMBASSY DOCUMENTS MAY NOT BE USED TO DETERMINE A PERSON'S IDENTIFICATION OR RESIDENCE FOR GOVERNMENTAL AND LAW ENFORCEMENT PURPOSES.

Representative Faison moves that the bill be removed from the Calendar and re-referred to Judiciary Subcommittee A. The motion fails by electronic vote (51-65).

The bill passes its third reading, by electronic vote (66-50), and is ordered sent to the Senate.

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H.B. 111 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW PERSONS WITH CONCEALED HANDGUN PERMITS TO PROTECT THEMSELVES AND THEIR FAMILIES IN RESTAURANTS AND TO ALLOW A CONCEALED HANDGUN PERMITTEE TO CARRY A HANDGUN IN A PARK.

Representative Jackson offers Amendment No. 4 which fails of adoption by electronic vote (45-71).

The bill, as amended, passes its third reading, by electronic vote (74-42), and is ordered engrossed and sent to the Senate.

H.B. 261 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE INTRASTATE MOTOR CARRIERS TO BE MARKED, passes its second reading, by electronic vote (113-2), and there being no objection is read a third time.

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

H.B. 336 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE HAULING OF READY-MIXED CONCRETE IN EXCESS OF WEIGHT LIMITS SO LONG AS CERTAIN CONDITIONS ARE MET, passes its second reading, by electronic vote (111-5), and there being no objection is read a third time.

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

BILL PLACED ON CALENDAR

On motion of Representative T. Moore, pursuant to Rule 36(b) and without objection, **S.B. 265** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE APPROPRIATIONS AND ADJUSTMENTS FOR THE 2011-2013 FISCAL BIENNIUM TO THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES; AND TO TRANSFER THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES TO THE OFFICE OF STATE TREASURER, is placed on today's Calendar.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following report from standing committee is presented:

By Representatives Current, Dollar, and Hollo, Chairs, for the Committee on Health and Human Services:

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H.B. 115, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA HEALTH BENEFIT EXCHANGE, 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 Insurance.

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

CALENDAR (continued)

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

S.B. 49 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE FINE FOR SPEEDING IN A SCHOOL ZONE, 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.

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

S.B. 51, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT CERTAIN ORGANIZATIONS OF EDUCATIONAL INSTITUTIONS ARE COVERED BY THE EDUCATIONAL INSTITUTION EXEMPTION FROM CHARITABLE SOLICITATION LICENSING REQUIREMENTS, 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. 265 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE APPROPRIATIONS AND ADJUSTMENTS FOR THE 2011-2013 FISCAL BIENNIUM TO THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES; AND TO TRANSFER THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES TO THE OFFICE OF STATE TREASURER.

Representative Jackson offers Amendment No. 1.

The Speaker rules the amendment to be out of order.

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The bill passes its second reading by electronic vote (64-51).

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

On motion of Representative LaRoque, seconded by Representative Dockham, the House adjourns at 4:58 p.m. to reconvene March 31 at 1:00 p.m.

THIRTY-EIGHTH DAY

HOUSE OF REPRESENTATIVES
Thursday, March 31, 2011

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

Prayer is offered by Representative Jean Farmer-Butterfield.

Representative LaRoque, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of March 30 has been examined and found correct. Upon his motion, the Journal is approved as written.

Representative Folwell is excused for a portion of the Session.

ENROLLED BILLS

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

S.B. 51, AN ACT TO CLARIFY THAT CERTAIN ORGANIZATIONS OF EDUCATIONAL INSTITUTIONS ARE COVERED BY THE EDUCATIONAL INSTITUTION EXEMPTION FROM CHARITABLE SOLICITATION LICENSING REQUIREMENTS.

H.B. 90, AN ACT TO ALLOW CONFECTIONERS TO PRODUCE CONFECTIONERIES WHICH CONTAIN NO MORE THAN FIVE PERCENT ALCOHOL BY VOLUME.

H.B. 187, AN ACT TO DIRECT THE GASOLINE AND OIL INSPECTION BOARD TO ADOPT RULES RELATED TO THE LABELING OF DISPENSING PUMPS AND OTHER DISPENSING DEVICES THAT OFFER ETHANOL-BLENDED GASOLINE FOR RETAIL SALE IN NORTH CAROLINA.

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

S.B. 68, AN ACT TO PROHIBIT HUNTING AND FISHING ON THE PROPERTY OF ANOTHER WITHOUT WRITTEN PERMISSION IN ROBESON COUNTY.

S.B. 81, AN ACT TO REPEAL A LOCAL ACT CONCERNING FINANCIAL DISCLOSURE BY MEMBERS OF THE BOARD OF COMMISSIONERS OF ORANGE COUNTY SINCE A GENERAL LAW NOW PROVIDES FOR AN ETHICS POLICY.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

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

By Representatives Howard, Folwell, Setzer, and Starnes, Chairs, for the Committee on Finance:

S.B. 107 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REDUCE THE PROPERTY TAX OWED FOR IMPROVED PROPERTY INSIDE CERTAIN ROADWAY CORRIDORS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 4.

By Representative McGee, Chair, for the Committee on State Personnel:

H.B. 153, A BILL TO BE ENTITLED AN ACT TO PROHIBIT A PERSON WHO HAS BEEN CONVICTED OF A FELONY FROM RECEIVING RETIREMENT FROM THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 4. The original bill is placed on the Unfavorable Calendar.

By Representatives T. Moore and Rhyne, Chairs, for Judiciary Subcommittee C, with approval of standing committee Chair for reports to be made directly to the floor of the House:

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H.B. 199, A BILL TO BE ENTITLED AN ACT REQUIRING ANY PERSON SEEKING RELIEF PURSUANT TO A DOMESTIC VIOLENCE PROTECTIVE ORDER TO INCLUDE IN THE COMPLAINT OR MOTION FILED WHETHER THE PERSON HAS PREVIOUSLY FILED AN ACTION OR MOTION FOR DOMESTIC VIOLENCE AGAINST THE DEFENDANT AND IF SO, THE DISPOSITION OF THAT ACTION, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

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

H.B. 382, A BILL TO BE ENTITLED AN ACT AMENDING THE JUVENILE CODE UNDER THE LAWS PERTAINING TO ABUSE, NEGLECT, AND DEPENDENCY, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

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

By Representatives McElraft, Samuelson, and West, Chairs, for the Committee on Environment:

H.B. 268, A BILL TO BE ENTITLED AN ACT TO DISAPPROVE CERTAIN REVISIONS TO THE RECLAIMED WATER RULES, 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. 368 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE APPLICABILITY OF CERTAIN FENCING REQUIREMENTS FOR PUBLIC SWIMMING POOLS, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the Senate committee substitute bill.

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

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WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative LaRoque and without objection, **S.B. 31** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PENALTY FOR THE UNAUTHORIZED PRACTICE OF MEDICINE, is withdrawn from the Calendar and placed on the Calendar of April 4.

RULES SUSPENDED

On motion of Representative Pierce and without objection, the Rules are suspended in order for him to file a local bill after the filing deadline has passed.

RE-REFERRAL

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 30**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE GARNISHMENT OF WAGES AS AN ADDITIONAL MEANS OF SATISFYING JUDGMENTS IN CIVIL ACTIONS, is withdrawn from Judiciary Subcommittee A and re-referred to Judiciary Subcommittee C.

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representatives Folwell, McGee, and L. Brown (Primary Sponsors):

H.B. 523, A BILL TO BE ENTITLED AN ACT TO CHANGE THE ELECTION YEAR FOR THE CITY OF WINSTON-SALEM AND THE ELECTION METHOD FOR THE WINSTON-SALEM/FORSYTH COUNTY BOARD OF EDUCATION, is referred to the Committee on Government.

By Representatives Hall, Luebke, Michaux, and Wilkins (Primary Sponsors):

H.B. 524, A BILL TO BE ENTITLED AN ACT TO IMPOSE AN APPLICATION FEE OF TEN DOLLARS FOR A PERMIT OR LICENSE TO PURCHASE A PISTOL IN DURHAM COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Pierce and Pridgen (Primary Sponsors); Glazier and Goodman:

H.R. 525, A HOUSE RESOLUTION HONORING HOKE COUNTY'S ONE HUNDREDTH ANNIVERSARY, is referred to the Committee on Rules, Calendar, and Operations of the House.

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By Representatives Pierce, Goodman, and Pridgen:

H.R. 526, A HOUSE RESOLUTION HONORING THE TOWN OF WAGRAM ON THE TOWN'S ONE HUNDREDTH ANNIVERSARY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Adams and Harrison (Primary Sponsors):

H.B. 527, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF GREENSBORO TO INCREASE ITS MOTOR VEHICLE TAX BY UP TO AN ADDITIONAL SIX DOLLARS PER YEAR, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Dixon:

H.B. 528, A BILL TO BE ENTITLED AN ACT TO ADD AN ADDITIONAL MEMBER TO THE DUPLIN COUNTY BOARD OF EDUCATION AND THE BOARD OF COMMISSIONERS OF DUPLIN COUNTY, AND TO CONFIRM THAT NORMAL REDISTRICTING REQUIREMENTS APPLY TO THOSE UNITS, is referred to the Committee on Government.

By Representatives Dixon, Sager, Hill, and Brisson (Primary Sponsors); Bell, Cleveland, Cook, Daughtry, Horn, LaRoque, Shepard, Spear, and Wilkins:

H.B. 529, A BILL TO BE ENTITLED AN ACT TO FACILITATE IMPROVED OPERATIONS AND CONDITIONS AT CERTAIN PRE-EXISTING SWINE FARMS BY PROVIDING FOR THE CONSTRUCTION OR RENOVATION OF SWINE HOUSES AT THOSE FARMS, is referred to the Committee on Agriculture.

By Representatives Blackwell, Brisson, Earle, and Hurley (Primary Sponsors); Floyd, Glazier, Insko, and Lucas:

H.B. 530, A BILL TO BE ENTITLED AN ACT AMENDING THE NORTH CAROLINA PERSONS WITH DISABILITIES PROTECTION ACT TO CONFORM WITH FEDERAL CHANGES UNDER THE AMERICANS WITH DISABILITIES ACT AMENDMENTS ACT OF 2008 (ADAAA), is referred to Judiciary Subcommittee A.

By Representatives L. Brown, Dollar and H. Warren (Primary Sponsors); Bradley, Cleveland, Folwell, Hastings, Ingle, McElraft, Moffitt, Sager, Starnes, and Stone:

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H.B. 531, A BILL TO BE ENTITLED AN ACT TO PROVIDE ONE PROCESS FOR INVOLUNTARY ANNEXATION FOR ALL MUNICIPALITIES AND TO MAKE OTHER CHANGES TO THE ANNEXATION PROCESS IN NORTH CAROLINA, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative West:

H.B. 532, A BILL TO BE ENTITLED AN ACT PROVIDING FOR THE MAINTENANCE OF CEMETERIES IN GRAHAM COUNTY FROM AD VALOREM TAXES UNDER GENERAL LAW, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

By Representative Hill:

H.B. 533, A BILL TO BE ENTITLED AN ACT PROVIDING THAT UNPAID CHARGES FOR UTILITY SERVICE IN THE TOWNS OF CERRO GORDO AND FAIR BLUFF SHALL CONSTITUTE A LIEN UPON THE REAL PROPERTY SERVED AND THE TOWNS MAY COLLECT THE LIENS IN THE SAME MANNER AS UNPAID PROPERTY TAXES, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

By Representatives Cotham, M. Alexander, K. Alexander, and Carney (Primary Sponsors); Floyd, R. Moore, and Samuelson:

H.B. 534, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE REQUIREMENT THAT THE ADDRESS OF EACH QUALIFIED PERSON SELECTED FOR THE JURY LIST APPEAR ON THE LIST FILED WITH THE REGISTER OF DEEDS IN MECKLENBURG COUNTY, IN ORDER TO ALLAY JUROR PRIVACY CONCERNS, is referred to the Committee on Government.

By Representatives Cotham, M. Alexander, K. Alexander, and Carney (Primary Sponsors); Bradley, Floyd, Glazier, and R. Moore:

H.B. 535, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE REQUIREMENT THAT THE ADDRESS OF EACH QUALIFIED PERSON SELECTED FOR THE JURY LIST APPEAR ON THE LIST FILED WITH THE REGISTER OF DEEDS, IN ORDER TO ALLAY JUROR PRIVACY CONCERNS, is referred to the Committee on Government.

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By Representative Rhyne:

H.B. 536, A BILL TO BE ENTITLED AN ACT REQUIRING THE LINCOLN COUNTY BOARD OF EDUCATION TO REVISE ITS RESIDENCY DISTRICTS AFTER EACH CENSUS AS IF THEY WERE ELECTORAL DISTRICTS, is referred to the Committee on Government.

By Representative Randleman:

H.B. 537, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE BOUNDARY BETWEEN THE BROADWAY AND MORAVIAN FALLS FIRE TAX DISTRICTS IN WILKES COUNTY, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

By Representatives Randleman, Dollar, Cotham, and Faircloth (Primary Sponsors); Carney, Dixon, Glazier, Hamilton, Harrison, Hollo, Insko, Jackson, Lucas, McLawhorn, Murry, and Weiss:

H.B. 538, A BILL TO BE ENTITLED AN ACT TO REMOVE THE REQUIREMENT THAT LAW ENFORCEMENT OFFICERS HAVE ONE YEAR OF CREDITABLE SERVICE IN ORDER TO QUALIFY FOR DISABILITY RETIREMENT BENEFITS UNDER THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM FOR INJURIES INCURRED IN THE LINE OF DUTY, is referred to the Committee on State Personnel and, if favorable, to the Committee on Finance.

By Representatives Steen and H. Warren (Primary Sponsors):

H.B. 539, A BILL TO BE ENTITLED AN ACT TO EXEMPT FLEA AND FARMERS' MARKETS IN ROWAN COUNTY FROM CERTAIN REQUIREMENTS OF THE NORTH CAROLINA BUILDING CODE, is referred to the Committee on Government.

By Representatives Cook, Dixon, and Bradley (Primary Sponsors):

H.B. 540, A BILL TO BE ENTITLED AN ACT TO REMOVE ADULT CARE HOMES FROM THE CERTIFICATE OF NEED APPROVAL PROCESS, is referred to the Committee on Health and Human Services.

By Representative Hurley:

H.B. 541, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF MEDICAL ASSISTANCE, TO AMEND THE CAP-MR/DD WAIVER TO EXPAND THE TYPE OF FACILITIES IN WHICH A RECIPIENT MAY RECEIVE RESIDENTIAL SUPPORTS, is referred to the Committee on Health and Human Services.

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By Representatives Rhyne, McComas, Brisson, and Crawford (Primary Sponsors); Bradley, Cook, Folwell, Moffitt, and Murry:

H.B. 542, A BILL TO BE ENTITLED AN ACT TO PROVIDE TORT REFORM FOR NORTH CAROLINA CITIZENS AND BUSINESSES, is referred to Committee on Judiciary.

By Representatives Samuelson and Cotham:

H.B. 543, A BILL TO BE ENTITLED AN ACT PROVIDING THAT A LIST OF E-MAIL ADDRESSES OF PERSONS SUBSCRIBING TO E-MAIL LISTS KEPT BY THE CITY OF CHARLOTTE SHALL BE OPEN TO PUBLIC INSPECTION BUT THE CITY IS NOT REQUIRED TO PROVIDE A COPY OF THE LIST, AND PROVIDING THAT THE CITY MAY USE THE LIST ONLY FOR THE PURPOSES THAT IT WAS SUBSCRIBED TO, is referred to the Committee on Government.

By Representatives Samuelson, Cotham, Iler, and Tolson (Primary Sponsors); Moffitt and Murry:

H.B. 544, A BILL TO BE ENTITLED AN ACT TO MAKE EFFECTIVE STATEWIDE A LOCAL ACT PROVIDING THAT A LIST OF THE E-MAIL ADDRESSES OF PERSONS SUBSCRIBING TO LOCAL GOVERNMENT E-MAIL LISTS IS OPEN TO PUBLIC INSPECTION BUT IS NOT REQUIRED TO BE PROVIDED, AND TO PROVIDE THAT THE LOCAL GOVERNMENT MAY USE THAT LIST ONLY FOR THE PURPOSE THAT IT WAS SUBSCRIBED TO, is referred to the Committee on Government.

By Representatives Boles and Floyd:

H.B. 545, A BILL TO BE ENTITLED AN ACT TO MODIFY THE MOORE COUNTY OCCUPANCY TAX, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

By Representatives Samuelson, Killian, and M. Alexander (Primary Sponsors):

H.B. 546, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CHARLOTTE-MECKLENBURG SCHOOLS TO DEVELOP AND IMPLEMENT ALTERNATIVE SALARY PLANS FOR INSTRUCTIONAL PERSONNEL AND SCHOOL ADMINISTRATORS, is referred to the Committee on Government.

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By Representative Haire:

H.B. 547, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE EASTERN BAND OF CHEROKEE INDIANS, A FEDERALLY RECOGNIZED INDIAN TRIBE AND SOVEREIGN NATION, TO ESTABLISH A TRIBAL ALCOHOLIC BEVERAGE CONTROL COMMISSION TO REGULATE THE PURCHASE, POSSESSION, CONSUMPTION, SALE, AND DELIVERY OF ALCOHOLIC BEVERAGES AT RETAIL AND TO RECEIVE SHIPMENTS OF SPIRITUOUS LIQUOR AND FORTIFIED WINES FROM THE NORTH CAROLINA ALCOHOLIC BEVERAGE CONTROL COMMISSION, is referred to the Committee on Commerce and Job Development.

By Representative Haire:

H.B. 548, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LOCATION OF THE BOUNDARY BETWEEN THE COUNTIES OF GRAHAM AND SWAIN, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Iler and Hill (Primary Sponsors):

H.B. 549, A BILL TO BE ENTITLED AN ACT ALLOWING COUNTIES TO REQUIRE THE USE OF SOLID WASTE AND RECYCLING COLLECTION SERVICES, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

By Representatives Fisher and Keever (Primary Sponsors); and Moffitt:

H.B. 550, A BILL TO BE ENTITLED AN ACT TO CREATE THE ASHEVILLE-BUNCOMBE REGIONAL PARK AUTHORITY, is referred to the Committee on Government.

By Representatives Faison and Floyd:

H.B. 551, A BILL TO BE ENTITLED AN ACT REPEALING THE PROHIBITION OF DISCOVERY IN CIVIL ACTIONS OF INFORMATION OBTAINED IN PEER REVIEW PROCEEDINGS, is referred to Judiciary Subcommittee A.

By Representatives Moffitt, McGrady, and Keever (Primary Sponsors):

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H.B. 552, A BILL TO BE ENTITLED AN ACT TO CREATE THE GREATER ASHEVILLE REGIONAL AIRPORT AUTHORITY, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

By Representatives Burr, Floyd, and McGrady:

H.B. 553, A BILL TO BE ENTITLED AN ACT AUTHORIZING A SCHOOL CALENDAR PILOT PROGRAM IN THE STANLY COUNTY SCHOOLS, is referred to the Committee on Education.

By the Committee on Rules, Calendar, and Operations of the House:

H.B. 554, A BILL TO BE ENTITLED AN ACT REQUIRING COUNTIES AND CITIES TO HAVE REASONABLE CAUSE BEFORE INSPECTING RESIDENTIAL BUILDINGS OR STRUCTURES, is referred to the Committee on Commerce and Job Development.

By the Committee on Rules, Calendar, and Operations of the House, and Representatives Moffitt and Samuelson:

H.B. 555, A BILL TO BE ENTITLED AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE RECOMMENDATION OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By the Committee on Rules, Calendar, and Operations of the House and Representatives Hamilton and Harrison:

H.B. 556, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF RETIREMENT TO CLARIFY THAT SERVICE AS AN UNPAID VOLUNTEER IS NOT CONSIDERED SERVICE FOR THE PURPOSE OF THAT DEFINITION, is referred to the Committee on State Personnel and, if favorable, to the Committee on Finance.

By Representatives Steen and H. Warren (Primary Sponsors):

H.B. 557, A BILL TO BE ENTITLED AN ACT TO EXEMPT ROWAN COUNTY FROM LOCAL MATCH REQUIREMENTS FOR HOME AND COMMUNITY CARE BLOCK GRANT FUNDS UPON WITHDRAWAL OF MEMBERSHIP FROM THE LEAD REGIONAL ORGANIZATION AND TO DIVEST ROWAN COUNTY OF ANY RIGHT OR DUTY TO UTILIZE THE LEAD REGIONAL ORGANIZATION FOR GRANT WRITING ASSISTANCE, is referred to the Committee on Government.

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By Representatives Womble, Parmon, L. Brown, and McGee (Primary Sponsors):

H.B. 558, A BILL TO BE ENTITLED AN ACT TO AMEND THE ENABLING LAWS RELATING TO CITY-COUNTY PLANNING AND ZONING IN FORSYTH COUNTY AND THE CITY OF WINSTON-SALEM, is referred to the Committee on Government.

By Representatives Farmer-Butterfield, Collins, and Bryant (Primary Sponsors); Harrison, Moffitt, Pierce, and Wainwright:

H.B. 559, A BILL TO BE ENTITLED AN ACT CREATING THE MUNICIPAL ELECTRIC POWER STUDY COMMISSION TO STUDY THE ELECTRIC RATES CHARGED AND SERVICE PROVIDED BY THE CITIES AND TOWNS IN EASTERN NORTH CAROLINA THAT COMPRISE THE NORTH CAROLINA EASTERN MUNICIPAL POWER AGENCY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Farmer-Butterfield, Tolson, Michaux, and Hackney (Primary Sponsors); Hamilton, Harrison, and Wainwright:

H.R. 560, A HOUSE RESOLUTION HONORING THE LIFE AND MEMORY OF JEANNE TUCKER FENNER, FORMER MEMBER OF THE GENERAL ASSEMBLY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives LaRoque and Wainwright (Primary Sponsors):

H.B. 561, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE DEPARTMENT OF TRANSPORTATION FROM CONSTRUCTING TRAFFIC MEDIANS ON THAT PORTION OF U.S. HIGHWAY 70 IN LENOIR COUNTY BETWEEN THE INTERSECTIONS OF U.S. HIGHWAY 258 SOUTH AND NC HIGHWAY 58 SOUTH, is referred to the Committee on Transportation.

By Representative Fisher:

H.B. 562, A BILL TO BE ENTITLED AN ACT (1) TO ANNEX TO THE CITY OF ASHEVILLE CERTAIN DESCRIBED STATE-OWNED PROPERTY, (2) TO REMOVE FROM THE CORPORATE LIMITS OF THE TOWN OF WOODFIN AND ANNEX TO THE CITY OF ASHEVILLE OTHER CERTAIN STATE-OWNED PROPERTY, (3) TO ANNEX TO THE TOWN OF WOODFIN CERTAIN DESCRIBED STATE-OWNED

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PROPERTY, AND (4) TO ALLOW THE CITY OF ASHEVILLE, WITH THE APPROVAL OF THE PROPERTY OWNER AND THE TOWN OF WOODFIN, TO ANNEX ANY PART OF THE TOWN OF WOODFIN THAT IS TOTALLY SURROUNDED BY THE CITY OF ASHEVILLE, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

By Representatives Michaux, Ross, Martin, and Weiss (Primary Sponsors); M. Alexander, Avila, Bell, Carney, Dollar, Floyd, Gill, Hackney, Hamilton, Harrison, Jackson, Lucas, McComas, R. Moore, Murry, Pierce, Stam, Wainwright, and Wray:

H.R. 563, A HOUSE RESOLUTION HONORING THE LIFE AND MEMORY OF RALPH CAMPBELL, JR., FORMER STATE AUDITOR, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Hilton, Fisher, Kever, and Moffitt (Primary Sponsors); Justice, McGrady, and Starnes:

H.B. 564, A BILL TO BE ENTITLED AN ACT TO CHANGE THE SCHOOL CAPITAL CONSTRUCTION FORMULA IN THE STATE LOTTERY ACT TO PROVIDE FOR DISTRIBUTION OF ALL THE FUNDS BASED ON AVERAGE DAILY MEMBERSHIP, is referred to the Committee on Education and, if favorable, to the Committee on Finance and, if favorable, to the Committee on Appropriations.

By Representative McElraft:

H.B. 565, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A BOUNDARY LINE AGREEMENT AND LIMIT THE EXTRATERRITORIAL JURISDICTION AND ANNEXATION AUTHORITY WHICH MAY BE EXERCISED BY THE TOWNS OF MOREHEAD CITY AND BEAUFORT, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

By Representative Sanderson:

H.B. 566, A BILL TO BE ENTITLED AN ACT TO CHANGE THE TERM OF OFFICE OF THE MAYOR AND COUNCIL OF THE TOWN OF GRANTSBORO TO FOUR YEARS, is referred to the Committee on Government.

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By Representatives McGrady and Rapp (Primary Sponsors); Harrison, Jordan, and Moffitt:

H.B. 567, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR STAGGERED TERMS FOR THE MOUNTAIN RESOURCES COMMISSION ESTABLISHED BY CHAPTER 153B OF THE GENERAL STATUTES, is referred to the Committee on Government.

By Representatives Womble and Parmon (Primary Sponsors); Bell, Floyd, and Lucas:

H.B. 568, A BILL TO BE ENTITLED AN ACT TO UPDATE THE LEGISLATIVE MILEAGE RATE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Lewis and Bradley:

H.B. 569, A BILL TO BE ENTITLED AN ACT TO REGULATE TRESPASSING TO HUNT IN ORDER TO PROTECT RESPONSIBLE HUNTERS, is referred to the Committee on Agriculture and, if favorable, to the Committee on Judiciary.

By Representatives T. Moore, Lewis, and Brandon (Primary Sponsors); Adams, M. Alexander, Brisson, Carney, Cook, Cotham, Glazier, Hackney, Hamilton, Harrison, Hastings, Ingle, Jeffus, Lucas, Martin, McComas, McGrady, Murry, Sager, Shepard, Wainwright, and Wray:

H.B. 570, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FEDERAL FUNDS UNDER THE TANF BLOCK GRANT FOR BOYS AND GIRLS CLUBS, is referred to the Committee on Appropriations.

By Representatives Sager, Justice, Bryant, and Brawley (Primary Sponsors):

H.B. 571, A BILL TO BE ENTITLED AN ACT IMPOSING A SERVICE CHARGE OF ONE AND TWO-TENTHS PERCENT ON THE PURCHASE OF PREPAID WIRELESS TELECOMMUNICATIONS SERVICE FOR ANY PURPOSE OTHER THAN RESALE OCCURRING IN THIS STATE, REQUIRING THAT THE SERVICE CHARGE BE COLLECTED BY THE SELLER OF PREPAID WIRELESS TELECOMMUNICATION SERVICE AND REMITTED TO THE DEPARTMENT OF REVENUE, AND PROVIDING THAT THE DEPARTMENT OF

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REVENUE SHALL TRANSFER ALL SERVICE CHARGES COLLECTED, MINUS THE COSTS OF COLLECTION, TO THE 911 FUND TO SUPPORT 911 SERVICES IN THE STATE, is referred to the Committee on Commerce and Job Development and, if favorable, to the Committee on Finance.

By Representatives Justice, Sager, Stevens, and West (Primary Sponsors); Blust, Cleveland, McElraft, Moffitt, Murry, and Stone:

H.B. 572, A BILL TO BE ENTITLED AN ACT TO PROVIDE GREATER ACCOUNTABILITY FOR NONPROFIT ENTITIES THAT RECEIVE PUBLIC FUNDING, is referred to the Committee on Finance.

By Representative Avila:

H.B. 573, A BILL TO BE ENTITLED AN ACT TO REMOVE FROM THE CORPORATE LIMITS OF THE CITY OF RALEIGH PART OF THE RIGHT-OF-WAY OF THE HIGHWAY 98 BYPASS IN WAKE FOREST TOWNSHIP, AS REQUESTED BY THE CITY OF RALEIGH, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 42 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT A COURT MAY RELY SOLELY ON LAY TESTIMONY WHEN MAKING A DETERMINATION THAT A CHILD WITNESS IN A CRIMINAL CASE WOULD SUFFER SERIOUS EMOTIONAL DISTRESS AND THE CHILD'S ABILITY TO COMMUNICATE WITH THE TRIER OF FACT WOULD BE IMPAIRED BY TESTIFYING IN THE DEFENDANT'S PRESENCE, is read the first time and referred to Judiciary Subcommittee B.

S.B. 252, A BILL TO BE ENTITLED AN ACT TO APPLY THROUGHOUT THE GENERAL STATUTES THE DEFINITION OF "DEVISEE" FOUND IN CHAPTER 28A OF THE GENERAL STATUTES RELATING TO THE ADMINISTRATION OF DECEDENTS' ESTATES AND TO DEFINE "DEVISE" CONSISTENTLY WITH THAT DEFINITION, TO MAKE THE USAGE OF THESE TERMS MORE UNIFORM THROUGHOUT THE GENERAL STATUTES, AND TO MAKE TECHNICAL CHANGES TO SECTIONS OF THE GENERAL STATUTES

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OTHERWISE AMENDED BY THIS ACT, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is read the first time and referred to the Committee on Judiciary.

S.B. 323 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN THE INSURANCE LAWS TO PRIVATIZE ONLINE AND ADMINISTRATIVE PROCESSES FOR LICENSE APPLICANTS, CODIFY THE EXISTING SENIORS' HEALTH INSURANCE INFORMATION PROGRAM, ENSURE ACCURACY IN CERTIFICATES OF INSURANCE, REQUIRE PRIOR APPROVAL OF SMALL GROUP HEALTH INSURANCE RATES AND ENCOURAGE THE SALE OF CHILD-ONLY HEALTH INSURANCE POLICIES, AMEND THE RISK-BASED CAPITAL LAW TO MAINTAIN NAIC ACCREDITATION, PROVIDE AN EXEMPTION FOR LICENSING OF CLAIMS INPUT EMPLOYEES FOR PORTABLE ELECTRONIC DEVICES, PROHIBIT FEDERAL PREEMPTION OF CROP ADJUSTERS' REGULATION, AND EASE THE REGULATORY BURDEN ON THE NORTH CAROLINA SELF-INSURANCE SECURITY ASSOCIATION AND THE ASSOCIATION AGGREGATE SECURITY SYSTEM, is read the first time and referred to the Committee on Insurance.

WITHDRAWAL OF BILL FROM COMMITTEE

On motion of Representative T. Moore and without objection, **S.J.R. 369**, A JOINT RESOLUTION TO CONFIRM THE GOVERNOR'S REAPPOINTMENT OF JOSEPH A. SMITH TO THE OFFICE OF COMMISSIONER OF BANKS, 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 April 4.

RE-REFERRAL

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 542**, A BILL TO BE ENTITLED AN ACT TO PROVIDE TORT REFORM FOR NORTH CAROLINA CITIZENS AND BUSINESSES, is withdrawn from the Committee on Judiciary and re-referred to the Select Committee on Tort Reform.

CALENDAR

Action is taken on the following:

H.B. 56, A BILL TO BE ENTITLED AN ACT TO EXERCISE THE POWER OF THE GENERAL ASSEMBLY UNDER SECTION 1 OF ARTICLE VII OF THE NORTH CAROLINA CONSTITUTION TO FIX

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THE BOUNDARIES OF CITIES AND GIVE SUCH POWERS TO CITIES AS IT DEEMS ADVISABLE BY WITHDRAWING THE DELEGATION OF AUTHORITY TO THE CITY OF ROCKY MOUNT TO MAKE CERTAIN ANNEXATIONS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Avila, Barnhart, Blackwell, Blust, Boles, Bradley, Brawley, Brisson, L. Brown, R. Brown, Brubaker, Burr, Cleveland, Collins, Cook, Current, Daughtry, Dixon, Dockham, Dollar, Faircloth, Faison, Floyd, Folwell, Frye, Gillespie, Guice, Hager, Hastings, Hilton, Hollo, Holloway, Horn, Howard, Hurley, Iler, Ingle, Johnson, Jones, Jordan, Justice, Killian, LaRoque, Lewis, McComas, McCormick, McElraft, McGee, McGrady, Mills, Moffitt, T. Moore, Murry, Pridgen, Randleman, Rhyne, Sager, Samuelson, Sanderson, Setzer, Shepard, Stam, Starnes, Steen, Stevens, Stone, Torbett, H. Warren, and West - 69.

Voting in the negative: Representatives Adams, K. Alexander, M. Alexander, Bell, Bordsen, Brandon, Bryant, Carney, Cotham, Crawford, Earle, Farmer-Butterfield, Fisher, Gill, Glazier, Goodman, Graham, Hackney, Haire, Hall, Hamilton, Harrison, Hill, Insko, Jackson, Jeffus, Kever, Langdon, Lucas, Luebke, Martin, McGuirt, McLawhorn, Michaux, Mobley, Owens, Parfitt, Parmon, Pierce, Rapp, Ross, Spear, Tolson, Wainwright, E. Warren, Weiss, Wilkins, Womble, and Wray - 49.

Excused absences: None.

H.B. 180, A BILL TO BE ENTITLED AN ACT TO EXERCISE THE POWER OF THE GENERAL ASSEMBLY UNDER SECTION 1 OF ARTICLE VII OF THE NORTH CAROLINA CONSTITUTION TO FIX THE BOUNDARIES OF CITIES AND GIVE SUCH POWERS TO CITIES AS IT DEEMS ADVISABLE, BY SUSPENDING THE DELEGATION OF AUTHORITY TO THE CITY OF WILMINGTON TO MAKE A CERTAIN ANNEXATION, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Avila, Barnhart, Blackwell, Blust, Boles, Bradley, Brawley, Brisson, L. Brown, R. Brown, Brubaker, Burr, Cleveland, Collins, Cook, Crawford, Current, Daughtry, Dixon, Dockham, Dollar, Faircloth, Faison, Floyd, Folwell, Frye, Gillespie, Guice, Hager, Hastings, Hill, Hilton, Hollo, Holloway, Howard, Hurley, Iler, Ingle, Johnson, Jones, Jordan, Justice, Killian, Langdon, LaRoque,

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Lewis, Luebke, McComas, McCormick, McElraft, McGee, McGrady, Mills, Mobley, Moffitt, T. Moore, Murry, Pridgen, Randleman, Rhyne, Sager, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Torbett, H. Warren, West, and Wray - 75.

Voting in the negative: Representatives Adams, K. Alexander, M. Alexander, Bell, Bordsen, Brandon, Bryant, Carney, Cotham, Earle, Farmer-Butterfield, Fisher, Gill, Glazier, Goodman, Graham, Hackney, Haire, Hall, Hamilton, Harrison, Insko, Jackson, Jeffus, Keever, Lucas, Martin, McGuirt, McLawhorn, Michaux, R. Moore, Owens, Parfitt, Parmon, Pierce, Rapp, Ross, Tolson, Wainwright, E. Warren, Weiss, Wilkins, and Womble - 43.

Excused absences: None.

H.B. 236, A BILL TO BE ENTITLED AN ACT TO EXERCISE THE POWER OF THE GENERAL ASSEMBLY UNDER SECTION 1 OF ARTICLE VII OF THE NORTH CAROLINA CONSTITUTION TO FIX THE BOUNDARIES OF CITIES AND GIVE SUCH POWERS TO CITIES AS IT DEEMS ADVISABLE BY WITHDRAWING THE DELEGATION OF AUTHORITY TO THE CITY OF ASHEVILLE TO MAKE A CERTAIN ANNEXATION, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Avila, Barnhart, Blackwell, Blust, Boles, Bradley, Brawley, Brisson, L. Brown, R. Brown, Brubaker, Burr, Cleveland, Collins, Cook, Current, Daughtry, Dixon, Dockham, Dollar, Faircloth, Faison, Floyd, Folwell, Frye, Gillespie, Guice, Hager, Hastings, Hilton, Hollo, Holloway, Horn, Howard, Hurley, Iler, Ingle, Johnson, Jones, Jordan, Justice, Killian, LaRoque, Lewis, McComas, McCormick, McElraft, McGee, McGrady, Mills, Moffitt, T. Moore, Murry, Pridgen, Randleman, Rhyne, Sager, Samuelson, Sanderson, Setzer, Shepard, Stam, Starnes, Steen, Stevens, Stone, Torbett, H. Warren, and West - 69.

Voting in the negative: Representatives Adams, K. Alexander, M. Alexander, Bell, Bordsen, Brandon, Bryant, Carney, Cotham, Crawford, Earle, Farmer-Butterfield, Fisher, Gill, Glazier, Goodman, Graham, Hackney, Haire, Hall, Hamilton, Harrison, Hill, Insko, Jackson, Jeffus, Keever, Langdon, Lucas, Luebke, Martin, McGuirt, McLawhorn, Michaux, Mobley, R. Moore, Owens, Parfitt, Parmon, Pierce, Rapp, Ross, Spear, Tolson, Wainwright, E. Warren, Weiss, Wilkins, Womble, and Wray - 50.

Excused absences: None.

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H.B. 156 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A SEASON FOR THE TRAPPING OF FOXES IN LENOIR COUNTY, passes its second reading and there being no objection is read a third time.

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

S.B. 265 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE APPROPRIATIONS AND ADJUSTMENTS FOR THE 2011-2013 FISCAL BIENNIUM TO THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES; AND TO TRANSFER THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES TO THE OFFICE OF STATE TREASURER.

Representative Dockham offers Amendment No. 2 which is adopted by electronic vote (118-0).

Representative Michaux moves to suspend Rule 24.1B to separate the bill into four parts and each part be voted upon separately.

The Speaker rules that the components of the bill are not separable and the motion is out of order.

Representative Jackson offers an amendment for consideration. The Speaker rules that, pursuant to Rule 43(b), the amendment is out of order.

Representative Jackson moves that the Rules be suspended in order that all amendments which are not in compliance with the Rules may be heard.

Representative T. Moore moves, seconded by Representative LaRoque, that the motion to suspend the Rules do lie upon the table. The motion carries by electronic vote (66-49).

Representative Floyd requests and is granted leave of the House to be recorded as voting "no". The adjusted vote total is (66-50).

The bill, as amended, passes its third reading, by electronic vote (66-53), and is ordered engrossed and sent to the Senate for concurrence in the House committee substitute bill by Special Message.

H.B. 218, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE LEGISLATIVE TASK FORCE ON CHILDHOOD OBESITY, passes its second reading, by electronic vote (112-5), and there being no objection is read a third time.

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

H.B. 263, A BILL TO BE ENTITLED AN ACT TO ALLOW CERTAIN RETIRED MEMBERS OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM WHO REMARRIED PRIOR TO THE EFFECTIVE DATE OF A TECHNICAL CORRECTION TO THE RETIREMENT LAWS TO NOMINATE THEIR NEW SPOUSES TO RECEIVE THE SURVIVOR BENEFITS IN ACCORDANCE WITH THAT TECHNICAL CORRECTION, passes its second reading, by electronic vote (119-0), and there being no objection is read a third time.

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

H.B. 383 (Committee Substitute), A BILL TO BE ENTITLED AN ACT ESTABLISHING THE COMMUNICATIONS REGULATORY REFORM AND INVESTMENT ACT OF 2011, passes its second reading by electronic vote (104-15).

[Pursuant to the motion made by Representative Mobley on April 4, 2011, and without objection, she is granted leave of the House to change her vote from "no" to "aye". The adjusted vote total is (105-14).]

Representative Faison objects to the third reading. The bill is placed on the Calendar of April 5.

S.B. 368 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO (1) MODIFY THE APPLICABILITY OF CERTAIN FENCING REQUIREMENTS TO PUBLIC SWIMMING POOLS; (2) PROVIDE THAT REQUIREMENTS RELATED TO DRESSING AND SANITARY FACILITIES DO NOT APPLY TO INTERACTIVE PLAY ATTRACTIONS; (3) DIRECT THE COMMISSION FOR PUBLIC HEALTH TO STUDY ISSUES RELATED TO FENCING REQUIREMENTS FOR WADING POOLS; AND (4) TEMPORARILY PROHIBIT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES FROM ENFORCING CERTAIN REQUIREMENTS RELATED TO FENCING FOR WADING POOLS, passes its second reading, by electronic vote (118-0), and there being no objection is read a third time.

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

March 31, 2011

S.B. 18 (Committee Substitute), A BILL TO BE ENTITLED AN ACT CLARIFYING THE DEFINITION OF JUDICIAL DISTRICTS UNDER THE LAWS REGULATING THE NORTH CAROLINA STATE BAR, 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.

S.B. 248, A BILL TO BE ENTITLED AN ACT TO UPDATE CERTAIN TERMINOLOGY IN REFERENCE TO PERSONS WITH DISABILITIES, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, 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.

Representative LaRoque moves, seconded by Representative Brubaker, that the House adjourn, subject to committee assignments and the receipt of Committee Reports, to reconvene Monday, April 4, 2011 at 7:00 p.m.

The motion carries.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committee are presented:

By Representatives L. Brown and Ingle, Chairs, for the Committee on Government:

H.B. 280, A BILL TO BE ENTITLED AN ACT TO CHANGE THE QUALIFICATION REQUIREMENT FOR A COUNTY SERVICE DISTRICT ESTABLISHED FOR LAW ENFORCEMENT, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 4. The original bill is placed on the Unfavorable Calendar.

H.B. 296, A BILL TO BE ENTITLED AN ACT TO ALLOW THE SAMPSON COUNTY BOARD OF COMMISSIONERS TO ADOPT A RESOLUTION DISALLOWING RECORDATION BY THE REGISTER

March 31, 2011

OF DEEDS ABSENT A CERTIFICATION OF NO DELINQUENT AD VALOREM TAXES ON THE 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.

H.B. 310, A BILL TO BE ENTITLED AN ACT TO GIVE A VETO OF KINSTON CITY COUNCIL ACTIONS TO THE MAYOR, 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 April 4. The original bill is placed on the Unfavorable Calendar.

H.B. 322, A BILL TO BE ENTITLED AN ACT TO ALLOW THE HAYWOOD COUNTY BOARD OF ELECTIONS TO EXTEND THE FILING PERIOD IF NO PERSON FILES FOR A SEAT ON THE HAYWOOD COUNTY BOARD OF EDUCATION, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 4.

H.B. 328, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A VACANCY IN THE OFFICE OF SHERIFF IN WAYNE COUNTY IS FILLED BY RECOMMENDATION OF THE EXECUTIVE COMMITTEE OF THE POLITICAL PARTY OF THE VACATING SHERIFF, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 4.

H.B. 335, A BILL TO BE ENTITLED AN ACT TO REPEAL THE PROHIBITION ON CONTRACTING FOR THE MAINTENANCE OF PRISON FACILITIES AND TO DIRECT THE DEPARTMENT OF CORRECTION TO EXPAND THE SCOPE OF A CURRENT MAINTENANCE REQUEST FOR PROPOSALS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 4.

H.B. 338, A BILL TO BE ENTITLED AN ACT TO ALLOW RECALL OF MEMBERS OF THE BURKE COUNTY BOARD OF EDUCATION, with a favorable report.

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Pursuant to Rule 36(b), the bill is placed on the Calendar of April 4.

H.B. 360, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF COLUMBIA TO HAVE LIMITED ONE-STOP EARLY VOTING FOR MUNICIPAL ELECTIONS WHEN NO OTHER ELECTIONS ARE ON THE BALLOT, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 4. The original bill is placed on the Unfavorable Calendar.

H.B. 362, A BILL TO BE ENTITLED AN ACT TO REGULATE HUNTING WITH CENTERFIRE RIFLES IN PASQUOTANK COUNTY, 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. 365, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE TOWN OF PINK HILL TO PROVIDE A FOUR-YEAR TERM FOR THE MAYOR AND STAGGERED FOUR-YEAR TERMS FOR THE TOWN COMMISSIONERS, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 4. The original bill is placed on the Unfavorable Calendar.

S.B. 155, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWNS OF GARNER, KNIGHTDALE, MORRISVILLE, WENDELL, AND ZEBULON TO COLLECT DELINQUENT STORMWATER UTILITY FEES IN THE SAME MANNER AS THEY MAY COLLECT DELINQUENT PERSONAL AND REAL PROPERTY TAXES, 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.

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ADDENDA TO COMMITTEE ASSIGNMENTS

March 31, 2011

The Speaker makes the following committee assignment:

REDISTRICTING: Remove Representative McComas; add Representative Justice.

The House stands adjourned at 3:23 p.m.

THIRTY-NINTH DAY

HOUSE OF REPRESENTATIVES
Monday, April 4, 2011

The House meets at 7:00 p.m. pursuant to adjournment and is called to order by Representative Folwell, Speaker Pro Tempore.

Prayer is offered by Representative Becky Carney.

The Chair leads the Body in the Pledge of Allegiance.

Representative T. Moore, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of March 31 has been examined and found correct. Upon his motion, the Journal is approved as written.

A leave of absence is granted Representative Mills for today.

ENROLLED BILLS

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

S.B. 18, AN ACT CLARIFYING THE DEFINITION OF JUDICIAL DISTRICTS UNDER THE LAWS REGULATING THE NORTH CAROLINA STATE BAR.

S.B. 248, AN ACT TO UPDATE CERTAIN TERMINOLOGY IN REFERENCE TO PERSONS WITH DISABILITIES, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

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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. 68, AN ACT TO PROHIBIT HUNTING AND FISHING ON THE PROPERTY OF ANOTHER WITHOUT WRITTEN PERMISSION IN ROBESON COUNTY. (S.L. 2011-16)

S.B. 81, AN ACT TO REPEAL A LOCAL ACT CONCERNING FINANCIAL DISCLOSURE BY MEMBERS OF THE BOARD OF COMMISSIONERS OF ORANGE COUNTY SINCE A GENERAL LAW NOW PROVIDES FOR AN ETHICS POLICY. (S.L. 2011-17)

H.B. 92, AN ACT TO REPEAL THE LAND TRANSFER TAX. (S.L. 2011-18)

H.B. 27, AN ACT TO (1) CREATE THE NORTH CAROLINA FORENSIC SCIENCE ADVISORY BOARD, (2) ENCOURAGE EFFORTS TO ELIMINATE SOURCES OF HUMAN ERROR IN FORENSIC EXAMINATIONS, (3) REQUIRE CERTIFICATION OF FORENSIC SCIENCE PROFESSIONALS, (4) RENAME THE STATE BUREAU OF INVESTIGATION LABORATORY AS THE NORTH CAROLINA STATE CRIME LABORATORY, (5) CREATE THE POSITION OF OMBUDSMAN TO ENSURE THAT THE BEST FORENSIC PROCESSES AND PROCEDURES ARE UTILIZED IN THE STATE CRIME LABORATORY, (6) CLARIFY STATUTES THAT ALLOW FOR THE ADMISSIBILITY OF FORENSIC ANALYSES INTO EVIDENCE, (7) CLARIFY THE STATE'S OBLIGATION TO DISCLOSE TO THE DEFENDANT ALL INFORMATION RELATING TO THE TESTING OR EXAMINATION OF EVIDENCE AND TO PENALIZE OMISSION OR MISREPRESENTATION RELATING TO DISCLOSURE, AND (8) CLARIFY THAT STATE CRIME LABORATORY PERSONNEL SERVE THE PUBLIC AND THE CRIMINAL JUSTICE SYSTEM, AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON THE PRESERVATION OF BIOLOGICAL EVIDENCE, AND TO PROVIDE THAT THE ACT SHALL BE ENTITLED "THE FORENSIC SCIENCES ACT OF 2011". (S.L. 2011-19)

H.B. 60, AN ACT TO EXTEND THE TASK FORCE DEVELOPING GUIDELINES FOR CONSUMERS TO USE WHEN PURCHASING A HEARING AID, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING. (S.L. 2011-20)

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S.B. 20, AN ACT TO AMEND THE LAW REGULATING PROPRIETARY SCHOOLS. (S.L. 2011-21)

H.B. 29, AN ACT TO AUTHORIZE THE RETRIEVAL OF KILLED OR WOUNDED BIG GAME USING A SINGLE DOG ON A LEASH. (S.L. 2011-22)

S.B. 58, AN ACT MODIFYING THE FEDERAL MEDICAL ASSISTANCE PERCENTAGES CUTS IN THE 2010-2011 STATE BUDGET. (S.L. 2011-23)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following report from standing committee is presented:

By Representatives Howard, Folwell, Setzer, and Starnes, Chairs, for the Committee on Finance:

H.B. 358 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE APPROVAL OF THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY BEFORE THE TOWNS OF APEX OR CARY MAY MAKE AN INVOLUNTARY ANNEXATION INTO CHATHAM COUNTY, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 5.

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representatives Hall, Killian, R. Moore, and Adams (Primary Sponsors); Howard, Lucas, McCormick, McElraft, and Pierce:

H.B. 574, A BILL TO BE ENTITLED AN ACT TO MODIFY THE DISTRIBUTION OF PROCEEDS OF THE EXCISE TAX LEVIED ON INSTRUMENTS BY WHICH INTERESTS IN REAL PROPERTY ARE CONVEYED TO ANOTHER, is referred to the Committee on Appropriations.

By Representative Dockham:

H.B. 575, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT IN LIEU OF CONTRACTUAL LIABILITY INSURANCE, A SERVICE CONTRACT PROVIDER MAY MAINTAIN A FUNDED RESERVE

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ACCOUNT FOR ITS OBLIGATIONS UNDER SERVICE CONTRACTS ISSUED AND OUTSTANDING IN THIS STATE, is referred to the Committee on Insurance.

By Representatives Bradley and Lewis:

H.B. 576, A BILL TO BE ENTITLED AN ACT TO ALLOW THE BOARD OF COMMISSIONERS OF A COUNTY TO CALL A SPECIAL ELECTION TO FILL A VACANCY IN ELECTIVE OFFICE, is referred to the Committee on Elections.

By Representatives K. Alexander, Keever, and Harrison (Primary Sponsors); Bradley, Fisher, and Luebke:

H.B. 577, A BILL TO BE ENTITLED AN ACT TO ENACT THE NORTH CAROLINA MEDICAL CANNABIS ACT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Murry, Dockham, and Barnhart (Primary Sponsors):

H.B. 578, A BILL TO BE ENTITLED AN ACT TO EXEMPT HEALTH CARE SHARING ORGANIZATIONS FROM THE HEALTH INSURANCE REGULATORY LAWS, is referred to the Committee on Insurance.

By Representatives M. Alexander and Johnson (Primary Sponsors); K. Alexander, Carney, Cotham, Fisher, Glazier, and Weiss:

H.B. 579, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE INVOLVEMENT OF A PARENT OR GUARDIAN BEFORE SCHOOL OFFICIALS MAY ADMINISTER CORPORAL PUNISHMENT ON A STUDENT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Barnhart and Gillespie (Primary Sponsors):

H.B. 580, A BILL TO BE ENTITLED AN ACT CONCERNING ADMINISTRATION OF HUMAN SERVICES IN COUNTIES THAT HAVE ELECTED TO CONSOLIDATE THOSE SERVICES DIRECTLY EITHER UNDER THE COUNTY OR UNDER A CONSOLIDATED HUMAN SERVICE BOARD, AND TO MAKE THAT STATUTE STATEWIDE IN APPLICABILITY, is referred to the Committee on Health and Human Services.

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By Representatives Pierce, Pridgen, and Graham (Primary Sponsors):

H.B. 581, A BILL TO BE ENTITLED AN ACT TO AMEND THE PROVISIONS OF THE CITY OF LUMBERTON FIREMEN'S RELIEF FUND AND SUPPLEMENTARY PENSION FUND, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

By Representatives Daughtry and Jordan (Primary Sponsors); Cook, Glazier, Ingle, Lucas, and McGee:

H.B. 582, A BILL TO BE ENTITLED AN ACT TO INCREASE THE CRIMINAL PENALTY FOR CERTAIN VIOLATIONS OF THE FELONY FIREARMS ACT, is referred to Judiciary Subcommittee B.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.J.R. 5, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF JOHN MCNEILL SMITH, JR., FORMER MEMBER OF THE GENERAL ASSEMBLY, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 130 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT A WINE WHOLESALER FROM DISTRIBUTING WINE BEYOND ITS DESIGNATED SALES TERRITORY AND TO AUTHORIZE CERTAIN INTRATERRITORY TRANSFERS OF WINE BETWEEN OFF-PREMISES WINE PERMITTEES UNDER COMMON OWNERSHIP, is read the first time and referred to the Committee on Commerce and Job Development.

S.B. 340 (Committee Substitute), A BILL TO BE ENTITLED AN ACT ESTABLISHING THE STATE HISTORIC SITES FUND IN THE DIVISION OF STATE HISTORIC SITES, is read the first time and referred to the Committee on Finance.

S.B. 399, A BILL TO BE ENTITLED AN ACT TO PROVIDE A PROCESS FOR AN APPEAL OF A DECISION OF THE COUNTY BOARD OF ELECTIONS TO THE STATE BOARD OF ELECTIONS BY A MEMBER OF THE COUNTY BOARD OF ELECTIONS, is read the first time and referred to the Committee on Elections.

S.B. 406, A BILL TO BE ENTITLED AN ACT TO REPEAL THE REQUIREMENT THAT A PERSON OBTAIN A PERMIT TO RECEIVE, SELL, PURCHASE, OR OTHERWISE TRANSFER A CROSSBOW, is read the first time and referred to Judiciary Subcommittee C.

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WITHDRAWAL OF BILLS FROM CALENDAR

On motion of Representative LaRoque and without objection, **H.B. 153** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT A PERSON WHO HAS BEEN CONVICTED OF A FELONY FROM RECEIVING RETIREMENT BENEFITS FROM THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, THE CONSOLIDATED JUDICIAL RETIREMENT SYSTEM, OR THE LEGISLATIVE RETIREMENT SYSTEM, is withdrawn from the Calendar and placed on the Calendar of April 5.

On motion of Representative LaRoque and without objection, **H.B. 335**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE PROHIBITION ON CONTRACTING FOR THE MAINTENANCE OF PRISON FACILITIES AND TO DIRECT THE DEPARTMENT OF CORRECTION TO EXPAND THE SCOPE OF A CURRENT MAINTENANCE REQUEST FOR PROPOSALS, is withdrawn from the Calendar and placed on the Calendar of April 11.

CALENDAR

Action is taken on the following:

H.B. 56, A BILL TO BE ENTITLED AN ACT TO EXERCISE THE POWER OF THE GENERAL ASSEMBLY UNDER SECTION 1 OF ARTICLE VII OF THE NORTH CAROLINA CONSTITUTION TO FIX THE BOUNDARIES OF CITIES AND GIVE SUCH POWERS TO CITIES AS IT DEEMS ADVISABLE BY WITHDRAWING THE DELEGATION OF AUTHORITY TO THE CITY OF ROCKY MOUNT TO MAKE CERTAIN ANNEXATIONS, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Avila, Barnhart, Blackwell, Boles, Brawley, Brisson, L. Brown, R. Brown, Brubaker, Burr, Cleveland, Collins, Cook, Crawford, Current, Daughtry, Dixon, Dockham, Dollar, Faircloth, Faison, Floyd, Folwell, Frye, Gillespie, Guice, Hager, Hastings, Hilton, Hollo, Holloway, Horn, Howard, Hurley, Iler, Ingle, Johnson, Jones, Jordan, Justice, Killian, LaRoque, McComas, McCormick, McElraft, McGee, McGrady, Moffitt, T. Moore, Murry, Pridgen, Randleman, Rhyne, Sager, Samuelson, Sanderson, Setzer, Shepard, Stam, Starnes, Steen, Stevens, Stone, Torbett, H. Warren, and West - 66.

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Voting in the negative: Representatives Adams, K. Alexander, M. Alexander, Bell, Bordsen, Brandon, Bryant, Carney, Cotham, Earle, Farmer-Butterfield, Fisher, Gill, Glazier, Goodman, Graham, Hackney, Haire, Hall, Hamilton, Harrison, Hill, Insko, Jeffus, Keever, Langdon, Lucas, Luebke, Martin, McGuirt, McLawhorn, Michaux, Mobley, R. Moore, Owens, Parfitt, Parmon, Pierce, Rapp, Ross, Spear, Tolson, Wainwright, E. Warren, Weiss, Wilkins, Womble, and Wray - 48.

Excused absence: Representative Mills.

Representative Bradley requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (67-48).

H.B. 180, A BILL TO BE ENTITLED AN ACT TO EXERCISE THE POWER OF THE GENERAL ASSEMBLY UNDER SECTION 1 OF ARTICLE VII OF THE NORTH CAROLINA CONSTITUTION TO FIX THE BOUNDARIES OF CITIES AND GIVE SUCH POWERS TO CITIES AS IT DEEMS ADVISABLE, BY SUSPENDING THE DELEGATION OF AUTHORITY TO THE CITY OF WILMINGTON TO MAKE A CERTAIN ANNEXATION, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Avila, Barnhart, Blackwell, Blust, Boles, Bradley, Brawley, Brisson, L. Brown, R. Brown, Brubaker, Burr, Cleveland, Collins, Cook, Crawford, Current, Daughtry, Dixon, Dockham, Dollar, Faircloth, Faison, Floyd, Folwell, Frye, Gillespie, Guice, Hager, Haire, Hastings, Hill, Hilton, Hollo, Holloway, Horn, Howard, Hurley, Iler, Ingle, Johnson, Jones, Jordan, Justice, Killian, Langdon, LaRoque, McComas, McCormick, McElraft, McGee, McGrady, McGuirt, Moffitt, T. Moore, Murry, Pridgen, Randleman, Rhyne, Sager, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Torbett, H. Warren, and West - 73.

Voting in the negative: Representatives Adams, M. Alexander, Bell, Bordsen, Brandon, Bryant, Carney, Cotham, Earle, Farmer-Butterfield, Fisher, Gill, Glazier, Graham, Hackney, Hall, Hamilton, Harrison, Insko, Jackson, Jeffus, Keever, Lucas, Luebke, Martin, McLawhorn, Michaux, Mobley, R. Moore, Owens, Parfitt, Parmon, Pierce, Rapp, Ross, Tolson, Wainwright, E. Warren, Weiss, Wilkins, Womble, and Wray - 42.

Excused absence: Representative Mills.

April 4, 2011

H.B. 236, A BILL TO BE ENTITLED AN ACT TO EXERCISE THE POWER OF THE GENERAL ASSEMBLY UNDER SECTION 1 OF ARTICLE VII OF THE NORTH CAROLINA CONSTITUTION TO FIX THE BOUNDARIES OF CITIES AND GIVE SUCH POWERS TO CITIES AS IT DEEMS ADVISABLE BY WITHDRAWING THE DELEGATION OF AUTHORITY TO THE CITY OF ASHEVILLE TO MAKE A CERTAIN ANNEXATION, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Avila, Barnhart, Blackwell, Blust, Boles, Bradley, Brawley, Brisson, L. Brown, R. Brown, Brubaker, Burr, Collins, Cook, Crawford, Current, Daughtry, Dixon, Dockham, Dollar, Faircloth, Faison, Floyd, Folwell, Frye, Gillespie, Guice, Hager, Hastings, Hilton, Hollo, Holloway, Horn, Howard, Hurley, Iler, Ingle, Johnson, Jones, Jordan, Justice, Killian, LaRoque, McComas, McCormick, McElraft, McGee, McGrady, Moffitt, T. Moore, Murry, Pridgen, Randleman, Rhyne, Sager, Samuelson, Sanderson, Setzer, Shepard, Stam, Starnes, Steen, Stevens, Stone, Torbett, H. Warren, and West - 67.

Voting in the negative: Representatives Adams, K. Alexander, M. Alexander, Bell, Bordsen, Brandon, Bryant, Carney, Cotham, Earle, Farmer-Butterfield, Fisher, Gill, Glazier, Goodman, Graham, Hackney, Haire, Hall, Hamilton, Harrison, Hill, Insko, Jackson, Jeffus, Keever, Langdon, Lucas, Luebke, Martin, McGuirt, McLawhorn, Michaux, Mobley, R. Moore, Owens, Parfitt, Parmon, Pierce, Rapp, Ross, Spear, Tolson, Wainwright, E. Warren, Weiss, Wilkins, Womble, and Wray - 49.

Excused absence: Representative Mills.

VOTE ADJUSTED

Without objection, Representative Mobley is granted leave of the House to change her vote on March 31, 2011, from "no" to "aye" on the second reading of **H.B. 383** (Committee Substitute), A BILL TO BE ENTITLED AN ACT ESTABLISHING THE COMMUNICATIONS REGULATORY REFORM AND INVESTMENT ACT OF 2011. The adjusted vote total is (105-14).

CALENDAR (continued)

H.B. 310 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO GIVE A VETO OF KINSTON CITY COUNCIL ACTIONS TO THE MAYOR, CONTINGENT ON THE APPROVAL OF THIS ACT BY THE VOTERS OF THE CITY OF KINSTON.

April 4, 2011

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

H.B. 322, A BILL TO BE ENTITLED AN ACT TO ALLOW THE HAYWOOD COUNTY BOARD OF ELECTIONS TO EXTEND THE FILING PERIOD IF NO PERSON FILES FOR A SEAT ON THE HAYWOOD COUNTY BOARD OF EDUCATION, passes its second reading and there being no objection is read a third time.

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

H.B. 328, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A VACANCY IN THE OFFICE OF SHERIFF IN WAYNE COUNTY IS FILLED BY RECOMMENDATION OF THE EXECUTIVE COMMITTEE OF THE POLITICAL PARTY OF THE VACATING SHERIFF, passes its second reading and there being no objection is read a third time.

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

H.B. 338, A BILL TO BE ENTITLED AN ACT TO ALLOW RECALL OF MEMBERS OF THE BURKE COUNTY BOARD OF EDUCATION, passes its second reading and there being no objection is read a third time.

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

H.B. 360 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF COLUMBIA TO HAVE LIMITED OR NO ONE-STOP EARLY VOTING FOR MUNICIPAL ELECTIONS WHEN NO OTHER ELECTIONS ARE ON THE BALLOT, passes its second reading and there being no objection is read a third time.

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

H.B. 365 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE TOWN OF PINK HILL TO PROVIDE A FOUR-YEAR TERM FOR THE MAYOR AND STAGGERED FOUR-YEAR TERMS FOR THE TOWN COMMISSIONERS, SUBJECT TO A REFERENDUM, 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.

April 4, 2011

H.B. 310 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO GIVE A VETO OF KINSTON CITY COUNCIL ACTIONS TO THE MAYOR, CONTINGENT ON THE APPROVAL OF THIS ACT BY THE VOTERS OF THE CITY OF KINSTON, which was temporarily displaced, is before the Body.

The bill passes its second reading and there being no objection is read a third time.

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

H.B. 280 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CHANGE THE QUALIFICATION REQUIREMENT FOR A COUNTY SERVICE DISTRICT ESTABLISHED FOR LAW ENFORCEMENT, 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, Barnhart, Bell, Blackwell, Blust, Boles, Bordsen, Bradley, Brandon, Brawley, Brisson, L. Brown, R. Brown, Brubaker, Bryant, Burr, Carney, Cleveland, Collins, Cook, Cotham, Crawford, Current, Daughtry, Dixon, Dockham, Dollar, Earle, Faircloth, Faison, Farmer-Butterfield, Fisher, Floyd, Folwell, Frye, Gill, Gillespie, Glazier, Goodman, Graham, Guice, Hackney, Hager, Haire, Hall, Hamilton, Harrison, Hastings, Hill, Hilton, Hollo, Holloway, Horn, Howard, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Jordan, Justice, Keever, Killian, Langdon, LaRoque, Lewis, Lucas, Luebke, Martin, McComas, McCormick, McElraft, McGee, McGrady, McLawhorn, Michaux, Mobley, Moffitt, R. Moore, T. Moore, Murry, Owens, Parfitt, Parmon, Pierce, Pridgen, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Wainwright, E. Warren, H. Warren, Weiss, West, Wilkins, Womble, and Wray - 117.

Voting in the negative: Representative McGuirt.

Excused absence: Representative Mills.

S.B. 31 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PENALTY FOR THE UNAUTHORIZED PRACTICE OF MEDICINE.

On motion of Representative Glazier and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of April 5.

April 4, 2011

S.B. 107 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REDUCE THE PROPERTY TAX OWED FOR IMPROVED PROPERTY INSIDE CERTAIN ROADWAY CORRIDORS, passes its second reading, by electronic vote (117-1), and there being no objection is read a third time.

Representative Cook requests and is granted leave of the House to change his vote from "no" to "aye". The adjusted vote total is (118-0).

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

S.J.R. 369, A JOINT RESOLUTION TO CONFIRM THE GOVERNOR'S REAPPOINTMENT OF JOSEPH A. SMITH TO THE OFFICE OF COMMISSIONER OF BANKS.

Pursuant to Rule 24.1A, Representative Rhyne requests that he be excused from voting on this bill because he chairs the board of a bank supervised by the Commissioner of Banks. This request is granted.

The resolution passes its second reading, by electronic vote (118-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered enrolled.

INTRODUCTION OF PAGES

Pages for the week of April 4 are introduced to the membership. They are: Erin Armstead of Gaston; Sarah Cook of Johnston; Sonia Gantt of Gaston; Amanda Keyser of Wake; Razi Lane of Chowan; Margaret Lee of Wake; Davis McKinney of Mitchell; Alexander Moffitt of Buncombe; Caroline Ricciarelli of Pitt; Sydney Swain of Mecklenburg; and Jessica Williams of Robeson.

Representative LaRoque moves, seconded by Representative Rhyne, that the House adjourn, subject to the receipt of Committee Reports, to reconvene April 5 at 2:00 p.m.

The motion carries.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following report from standing committee is presented:

April 4, 2011

By Representatives LaRoque and T. Moore, Chairs, for the Committee on Rules, Calendar, and Operations of the House:

H.B. 278 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO GIVE THE ONSLOW COUNTY SCHOOLS BOARD OF EDUCATION ADDITIONAL FLEXIBILITY WITH REGARD TO INSTRUCTIONAL TIME LOST IN CERTAIN SCHOOLS DUE TO A DECLARED STATE OF EMERGENCY, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

The committee substitute bill changes the bill from public to local.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 5. The original bill is placed on the Unfavorable Calendar.

The House stands adjourned at 8:07 p.m.

FORTIETH DAY

HOUSE OF REPRESENTATIVES
Tuesday, April 5, 2011

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 Representative Rayne Brown:

"Dear Lord:

"We know that we are in this place at this time, only by Your will. We have tasks before us in the coming weeks and months that will take all the strength and fortitude we can summon. We ask that You be with us every minute of every day. We ask for guidance, wisdom, and for Your protection.

"You tell us in Your Word, 'If my people, who are called by my name, will humble themselves and pray and seek my face and turn from their wicked ways, then I will hear from heaven, and I will forgive their sin and will heal their land.' (II Chronicles 7:14)

April 5, 2011

"May those in this Assembly who know Your Name and those in this State who are called by Your Name humble themselves and pray and seek You. Please give us a servant's heart, a humble heart that always acknowledges what a privilege and a blessing it is to serve the people of this extraordinary State. Help us give them the best that is within us to give.

"We ask all this in Your Name, Lord, the Creator of all things good, of all that ever was, of all that is, and of all that will ever be. Amen."

(Taken from prayers by the Reverend Glenn Sanford of Lexington and Nanci Hudspeth from Winston-Salem.)

Representative T. Moore, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of April 4 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Insko and Mills for today.

ENROLLED BILLS

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

S.B. 107, AN ACT TO REDUCE THE PROPERTY TAX OWED FOR IMPROVED PROPERTY INSIDE CERTAIN ROADWAY CORRIDORS.

S.B. 265, AN ACT TO MAKE APPROPRIATIONS AND ADJUSTMENTS FOR THE 2011-2013 FISCAL BIENNIUM TO THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES; AND TO TRANSFER THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES TO THE OFFICE OF STATE TREASURER.

H.B. 7, AN ACT TO PROVIDE THAT CONSTITUENT INSTITUTIONS OF THE NORTH CAROLINA COMMUNITY COLLEGE SYSTEM MAY OPT OUT OF PARTICIPATION IN THE WILLIAM D. FORD FEDERAL DIRECT LOAN PROGRAM.

H.B. 21, AN ACT TO CLARIFY THE ADMINISTRATION OF NONPARTISAN MUNICIPAL ELECTIONS BY COUNTY BOARDS OF ELECTIONS.

H.B. 159, AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO MAKE A NOTATION ON A NORTH CAROLINA DRIVERS LICENSE SHOWING A LICENSE HOLDER'S MILITARY VETERAN STATUS.

April 5, 2011

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

S.J.R. 369, A JOINT RESOLUTION TO CONFIRM THE GOVERNOR'S REAPPOINTMENT OF JOSEPH A. SMITH TO THE OFFICE OF COMMISSIONER OF BANKS. (RESOLUTION 2011-4)

CHAPTERED BILLS

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

H.B. 62, AN ACT TO PROHIBIT THE RULE TO CHANGE THE WATER QUALITY CLASSIFICATION OF BOYLSTON CREEK FROM BECOMING EFFECTIVE. (S.L. 2011-24) [Became law without the approval of the Governor.]

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

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

By Representative Blust, Chair, for Judiciary Subcommittee A, with approval of standing committee Chair for report to be made directly to the floor of the House:

H.B. 293, A BILL TO BE ENTITLED AN ACT PROVIDING THAT THE SUMMONS AND COMPLAINTS IN A SUMMARY EJECTMENT ACTION IF AFFIXED TO THE DEMISED PREMISES SHALL BE PLACED IN AN ENVELOPE CONTAINING A WINDOW THROUGH WHICH THE NAME AND ADDRESS OF THE TENANT ARE DISPLAYED, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 6. The original bill is placed on the Unfavorable Calendar.

Representatives Current, Dollar, and Hollo, for the Committee on Health and Human Services submit the following bill and resolution with a favorable report for introduction.

A BILL TO BE ENTITLED AN ACT TO PROVIDE FUNDING TO THE DEPARTMENT OF CORRECTION TO COMPLETE THE CONSTRUCTION OF AN AUTHORIZED PRISON HOSPITAL.

April 5, 2011

Pursuant to Rule 31(a), the bill is filed, assigned the number **H.B. 646**, and placed on the Calendar for its first reading.

A JOINT RESOLUTION TO ESTABLISH THE JOINT LEGISLATIVE TASK FORCE ON DIABETES PREVENTION AND AWARENESS.

Pursuant to Rule 31(a), the resolution is filed, assigned the number **H.J.R. 647**, and placed on the Calendar for its first reading.

By Representatives Current, Dollar, and Hollo, Chairs, for the Committee on Health and Human Services:

S.B. 245 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE LOCAL PUBLIC HEALTH DEPARTMENTS, DISTRICT HEALTH DEPARTMENTS, AND CONSOLIDATED HUMAN SERVICES AGENCIES TO BILL MEDICAID THROUGH AN APPROVED MEDICAID CLEARINGHOUSE OR THROUGH THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF PUBLIC HEALTH, 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.

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representatives Sager, Shepard, and Fisher (Primary Sponsors); Burr, Carney, Cook, Hager, Hall, Hastings, Johnson, Jordan, McGuirt, R. Moore, T. Moore, Murry, Owens, Samuelson, and Steen:

H.B. 583, A BILL TO BE ENTITLED AN ACT TO ALLOW CREDIT UNIONS TO CONDUCT SAVINGS PROMOTION RAFFLES, is referred to the Committee on Banking.

By Representatives Gillespie, Barnhart, Brubaker, and Johnson (Primary Sponsors):

H.B. 584, A BILL TO BE ENTITLED AN ACT TO MAKE BASE BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, is referred to the Committee on Appropriations.

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By Representatives Pridgen, Hastings, and Jones (Primary Sponsors); Collins, Cook, Hager, McElraft, McGuirt, Moffitt, Murry, Stam, and Stone:

H.B. 585, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA ENERGY INDEPENDENCE SEARCH COMMITTEE TO CONTACT AND INVITE MAJOR ENERGY COMPANIES TO EXPLORE IN NORTH CAROLINA FOR NATURAL GAS, OIL, WIND, OR OTHER ENERGY SOURCES CAPABLE OF LARGE SCALE ENERGY PRODUCTION FOR THE PURPOSE OF NORTH CAROLINA BECOMING MORE ENERGY INDEPENDENT, is referred to the Committee on Public Utilities.

By Representatives Gillespie, Cook, and Rapp:

H.B. 586, A BILL TO BE ENTITLED AN ACT TO AMEND THE CLEAN WATER MANAGEMENT TRUST FUND TO PROVIDE THAT THE FUND MAY BE USED TO PRESERVE LANDS FOR THE DEVELOPMENT OF WATER SUPPLY RESERVOIRS, is referred to the Committee on Environment.

By Representatives Bradley, H. Warren, Torbett, and Hastings (Primary Sponsors); Avila, Blust, R. Brown, Collins, Cook, Folwell, Frye, Hilton, Jones, Jordan, Killian, LaRoque, Lewis, McCormick, McGee, Moffitt, T. Moore, Murry, Sanderson, Setzer, Steen, Stevens, and Stone:

H.B. 587, A BILL TO BE ENTITLED AN ACT TO PROMOTE NORTH CAROLINA JOB GROWTH THROUGH REGULATORY REFORM, is referred to the Committee on Commerce and Job Development.

By Representatives Brubaker, Blust, Bradley, Collins, Cook, Current, Faircloth, Hager, Horn, Hurley, Ingle, Jones, Jordan, Justice, McGee, Moffitt, T. Moore, Murry, Sanderson, Setzer, Steen, Stevens, Stone, Torbett, and H. Warren:

H.B. 588, A BILL TO BE ENTITLED AN ACT TO ENACT THE FOUNDING PRINCIPLES ACT, is referred to the Committee on Education.

By Representatives Stevens, Cook, Jordan, and T. Moore:

H.B. 589, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE PROVISION OF LAW THAT STATES ALLEGATIONS IN A DIVORCE COMPLAINT ARE DEEMED DENIED REGARDLESS OF WHETHER

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THE DEFENDANT FILES A PLEADING DENYING THE ALLEGATIONS, AND TO AMEND THE LAWS RELATING TO DOMESTIC VIOLENCE PROTECTIVE ORDERS, AS RECOMMENDED BY THE NORTH CAROLINA BAR ASSOCIATION; AND TO PROVIDE FOR TERMINATION OF CHILD SUPPORT WHEN A CHILD IS ENROLLED IN AN EARLY COLLEGE PROGRAM, is referred to Judiciary Subcommittee B.

By Representatives M. Alexander, Insko, Lucas, and Parfitt:

H.B. 590, A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING CHANGES REGARDING CUED SPEECH UNDER THE LAWS REGULATING THE PRACTICE OF INTERPRETERS AND TRANSLITERATORS, is referred to the Committee on Education.

By Representatives Ingle, Faircloth, and Stevens (Primary Sponsors); Cook and Faison:

H.B. 591, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A LIMITED DRIVING PRIVILEGE WITH AN IGNITION INTERLOCK REQUIREMENT FOR FIRST-TIME DWI OFFENDERS WITH A REFUSAL REVOCATION, TO AUTHORIZE A LIMITED DRIVING PRIVILEGE FOR CERTAIN EIGHTEEN-, NINETEEN-, AND TWENTY-YEAR OLDS, AND TO PROVIDE AN EXCLUSION FROM THE IGNITION INTERLOCK REQUIREMENT AFTER TWO YEARS OF NONOPERATION, is referred to the Committee on Transportation and, if favorable, to Judiciary Subcommittee B.

By Representatives Collins, Howard, Tolson, and Carney (Primary Sponsors); Bell, Glazier, Harrison, Insko, Johnson, Jordan, Lucas, Moffitt, R. Moore, and Steen:

H.B. 592, A BILL TO BE ENTITLED AN ACT TO STUDY WHETHER TO AUTHORIZE COUNTIES TO ENTER INTO PUBLIC-PRIVATE PARTNERSHIPS AND TO PROVIDE COMMUNICATIONS SERVICES THROUGH PUBLIC-PRIVATE PARTNERSHIPS, is referred to the Committee on Public Utilities and, if favorable, to the Committee on Finance.

By Representatives Collins, Bell, Faison, Lucas, Moffitt, and Stevens:

H.B. 593, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COUNTIES TO ENTER INTO PUBLIC-PRIVATE PARTNERSHIPS AND TO ALLOW COUNTIES TO PROVIDE COMMUNICATIONS SERVICES

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THROUGH PUBLIC-PRIVATE PARTNERSHIPS, is referred to the Committee on Public Utilities and, if favorable, to the Committee on Finance.

By Representatives Hilton and Gillespie (Primary Sponsors); Bradley, Cook, and Jordan:

H.B. 594, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COMMISSION FOR PUBLIC HEALTH TO DESIGNATE AS AN ACCEPTED ON-SITE SUBSURFACE WASTEWATER SYSTEM ANY WASTEWATER SYSTEM THAT IS SHOWN BY THE CERTIFIED DOCUMENTATION OF AN INDEPENDENT, THIRD-PARTY ENGINEERING OR TESTING LABORATORY TO BE FUNCTIONALLY EQUIVALENT TO AN ACCEPTED ON-SITE SUBSURFACE WASTEWATER SYSTEM, is referred to the Committee on Environment.

By Representatives Barnhart and Burr (Primary Sponsors); Collins, Lewis, and Moffitt:

H.B. 595, A BILL TO BE ENTITLED AN ACT CHANGING THE STRUCTURE OF CERTAIN LEGISLATIVE COMMITTEES AND COMMISSIONS, TRANSFERRING THE DUTIES OF CERTAIN COMMITTEES AND COMMISSIONS TO OTHER COMMITTEES AND COMMISSIONS, CHANGING THE COMPOSITION OF VARIOUS LEGISLATIVE COMMITTEES AND COMMISSIONS, AND MAKING CONFORMING CHANGES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Hastings, Stam, and Crawford (Primary Sponsors); Current, Faircloth, Faison, Floyd, Ingle, Jordan, T. Moore, and H. Warren:

H.B. 596, A BILL TO BE ENTITLED AN ACT TO FACILITATE THE IDENTIFICATION OF SURPLUS STATE-OWNED REAL PROPERTY; TO REQUIRE THAT THE OWNERSHIP OF THAT PROPERTY BE TRANSFERRED TO THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM; TO REQUIRE THE STATE TREASURER TO MANAGE THAT PROPERTY FOR THE BENEFIT OF THE STATE RETIREMENT SYSTEM; AND TO MAKE CONFORMING CHANGES TO THE GENERAL STATUTES, is referred to the Committee on Finance.

By Representatives Murry, Faircloth, Jordan, and Stam:

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H.B. 597, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT AN INDIVIDUAL WHO HAS BEEN AWARDED UNEMPLOYMENT INSURANCE BENEFITS BY THE EMPLOYMENT SECURITY COMMISSION, BUT DOES NOT RECEIVE THOSE BENEFITS AS THE RESULT OF AN ACT OR OMISSION OF THE COMMISSION, IS DEEMED AN AGGRIEVED PARTY FOR THE PURPOSES OF JUDICIAL REVIEW WITHOUT THE REQUIREMENT TO EXHAUST ADMINISTRATIVE REMEDIES, is referred to Judiciary Subcommittee A.

By Representatives Murry, Dollar, and Weiss (Primary Sponsors):

H.B. 598, A BILL TO BE ENTITLED AN ACT TO EXPAND THE NC 54/I-40 CORRIDOR STUDY TO INCLUDE THOSE PORTIONS OF NC HIGHWAY 54 IN WAKE COUNTY PASSING THROUGH CARY AND MORRISVILLE, is referred to the Committee on Transportation.

By Representatives Insko, Farmer-Butterfield, and Harrison (Primary Sponsors); Fisher, Floyd, Gill, Jordan, Lucas, and Parfitt:

H.B. 599, A BILL TO BE ENTITLED AN ACT TO GIVE ADULT CARE HOME AND NURSING HOME RESIDENTS THE RIGHT TO RECEIVE WRITTEN NOTICE OF THE FACILITY'S PROFESSIONAL LIABILITY INSURANCE COVERAGE AND TO REQUIRE ADULT CARE HOMES AND NURSING HOMES TO POST INFORMATION ABOUT THEIR PROFESSIONAL LIABILITY INSURANCE COVERAGE, is referred to the Committee on Health and Human Services.

By Representatives Insko, Glazier, Cotham, and Harrison (Primary Sponsors); Fisher, Gill, Lucas, and Parfitt:

H.B. 600, A BILL TO BE ENTITLED AN ACT ALLOWING THE NORTH CAROLINA DEPARTMENT OF HEALTH AND HUMAN SERVICES TO OPT OUT OF THE BAN THAT ONLY ALLOWS INDIVIDUALS CONVICTED OF EITHER CLASS H OR I CONTROLLED SUBSTANCE FELONY OFFENSES TO BE ELIGIBLE TO PARTICIPATE IN THE WORK FIRST PROGRAM AND FOOD AND NUTRITION SERVICES PROGRAM (SNAP), is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Insko and Harrison (Primary Sponsors); Fisher, Gill, Lucas, and Parfitt:

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H.B. 601, A BILL TO BE ENTITLED AN ACT TO REDUCE BLOODBORNE DISEASE INFECTION AND NEEDLE STICK INJURIES BY EXCLUDING NEEDLES, SYRINGES, AND OTHER INJECTION EQUIPMENT FROM THE LIST OF ITEMS DESIGNATED AS DRUG PARAPHERNALIA AND BY DECRIMINALIZING THE USE, POSSESSION, MANUFACTURE, AND DELIVERY OF INJECTION EQUIPMENT UNDER THE NORTH CAROLINA DRUG PARAPHERNALIA ACT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Justice, Dollar, Stevens, and Glazier (Primary Sponsors); Avila, Collins, Cotham, Faison, Gill, Hamilton, Harrison, Hastings, Hollo, Iler, Insko, Jackson, Jordan, LaRoque, Lucas, Martin, McLawhorn, Mobley, T. Moore, Murry, Parfitt, Ross, Sager, Shepard, Weiss, and Wray:

H.B. 602, A BILL TO BE ENTITLED AN ACT TO STANDARDIZE THE DISMISSAL OF MUNICIPAL LAW ENFORCEMENT OFFICERS, is referred to Judiciary Subcommittee B.

By Representatives Justice and McComas (Primary Sponsors); Jordan and Wray:

H.B. 603, A BILL TO BE ENTITLED AN ACT TO ALLOW INDIVIDUALS WHO ARE NOT OPERATING AS A BUSINESS, AS A MOTOR CARRIER, OR UNDER THE AUTHORITY OF A MOTOR CARRIER AND WHO OWE CIVIL FINES FOR OVERWEIGHT VEHICLES TO MAKE PAYMENT ARRANGEMENTS WITH THE SECRETARY OF CRIME CONTROL AND PUBLIC SAFETY, is referred to the Committee on Transportation.

By Representatives Iler and Martin (Primary Sponsors); Floyd, Hamilton, Harrison, Lucas, Sager, and Wray:

H.B. 604, A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM INCOME TAX MILITARY RETIREMENT INCOME, is referred to the Committee on Finance.

By Representative McElraft:

H.B. 605, A BILL TO BE ENTITLED AN ACT TO EXPAND THE DEFINITION OF LOCAL AGENCY FOR PURPOSES OF THE DEBT SET-OFF COLLECTION ACT, is referred to the Committee on Government.

April 5, 2011

By Representatives McElraft, Randleman, and McLawhorn (Primary Sponsors); Hurley, Jordan, and Wray:

H.B. 606, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A SHERIFF OR A DESIGNATED DEPUTY SHERIFF INVESTIGATING THE DIVERSION AND ILLEGAL USE OF CONTROLLED SUBSTANCES MAY INSPECT PRESCRIPTION AND PHARMACEUTICAL RECORDS AND MAY ALSO OBTAIN DATA IN THE CONTROLLED SUBSTANCE REPORTING SYSTEM MAINTAINED BY THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, is referred to Judiciary Subcommittee B.

By Representatives McElraft, Harrison, Insko, and Sanderson:

H.B. 607, A BILL TO BE ENTITLED AN ACT TO CLARIFY WHEN A PERSON MAY APPLY FOR A RESTORATION OF THE PERSON'S LICENSE AFTER A HABITUAL DWI CONVICTION, is referred to Judiciary Subcommittee B.

By Representatives Bordsen, M. Alexander, Ingle, and Hackney (Primary Sponsors); Carney, Cotham, Earle, Faison, Fisher, Gill, Glazier, Harrison, Hill, Insko, Jackson, Jeffus, Luebke, Martin, McLawhorn, Michaux, Mobley, Parmon, Rapp, Ross, Wainwright, E. Warren, and Weiss:

H.R. 608, A HOUSE RESOLUTION HONORING THE LIFE AND MEMORY OF BERTHA "B" MERRILL HOLT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives McGrady, Stam, Gillespie, and Carney (Primary Sponsors); Faircloth, T. Moore, and Samuelson:

H.B. 609, A BILL TO BE ENTITLED AN ACT TO PROMOTE THE DEVELOPMENT OF WATER SUPPLY RESERVOIRS AND OTHER WATER SUPPLY RESOURCES, is referred to the Committee on Environment.

By Representatives Harrison and Luebke (Primary Sponsors); and Insko:

H.B. 610, A BILL TO BE ENTITLED AN ACT TO PHASE OUT TRADITIONAL ANIMAL WASTE MANAGEMENT SYSTEMS THAT SERVE SWINE FARMS AND TO ESTABLISH MINIMUM HUMANE STANDARDS FOR THE TREATMENT OF COWS, POULTRY, AND SWINE, is referred to the Committee on Rules, Calendar, and Operations of the House.

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By Representatives Harrison, Martin, Current, and Hurley (Primary Sponsors); Carney, Faison, Glazier, Ingle, Insko, Lucas, Luebke, McGee, McGrady, Parfitt, and Weiss:

H.B. 611, A BILL TO BE ENTITLED AN ACT TO ADD POLITICAL ROBO CALLS TO THE "DO NOT CALL REGISTRY", is referred to the Committee on Elections.

By Representatives Randleman and Hurley (Primary Sponsors); Carney, Glazier, Insko, and Lucas:

H.J.R. 612, A JOINT RESOLUTION TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE CURRENT CRIMINAL AND MENTAL HEALTH LAWS AND PROCEDURES REGARDING INCAPACITY TO PROCEED TO TRIAL AND INVOLUNTARY COMMITMENT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Dollar and McGee (Primary Sponsors); and Jordan:

H.B. 613, A BILL TO BE ENTITLED AN ACT MAKING PROGRAMMATIC AMENDMENTS TO THE NC-THINKS STATE EMPLOYEE SUGGESTION PROGRAM, is referred to the Committee on Appropriations.

By Representatives Murry, Dollar, and Brisson (Primary Sponsors); Glazier, Jordan, and Lucas:

H.B. 614, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO PUBLISH ON ITS WEB SITE PUBLIC NOTICES OF CHANGES IN STATEWIDE METHODS AND STANDARDS FOR SETTING MEDICAID PAYMENT RATES, is referred to the Committee on Health and Human Services.

By Representatives Burr, Stevens, Ingle, and Stam (Primary Sponsors); Blust, Faircloth, Folwell, Hilton, Hurley, Jones, Jordan, LaRoque, T. Moore, Randleman, Sanderson, and H. Warren:

H.B. 615, A BILL TO BE ENTITLED AN ACT TO REFORM THE RACIAL JUSTICE ACT OF 2009 TO BE CONSISTENT WITH THE UNITED STATES SUPREME COURT'S RULING IN MCCLESKEY V. KEMP, is referred to Judiciary Subcommittee B.

April 5, 2011

By Representatives Gillespie and Wray:

H.B. 616, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS RELATING TO THE REGULATION OF ENGINEERING AND LAND SURVEYING, is referred to Judiciary Subcommittee C.

SPECIAL MESSAGE FROM THE SENATE

**2011 GENERAL ASSEMBLY
FIRST SESSION 2011**

Senate Chamber
April 4, 2011

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives informing that Honorable Body that the Senate has elected Sarah Clapp to fill the vacancy of Senate Principal Clerk for the remainder of the 2011 Session.

Respectfully,
S/ Sarah Clapp
Principal Clerk

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 281 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CITIES TO ESTABLISH A MUNICIPAL SERVICE DISTRICT FOR THE PURPOSE OF CONVERTING PRIVATE RESIDENTIAL STREETS TO PUBLIC STREETS AND TO AUTHORIZE RELATED COMMUNITY ASSOCIATIONS TO TRANSFER PLANNED COMMUNITY PROPERTY TO CITIES, is read the first time and referred to the Committee on Finance.

S.B. 295, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF MARSHVILLE, is read the first time and referred to the Committee on Government.

S.B. 346, A BILL TO BE ENTITLED AN ACT TO EXEMPT BONA FIDE COOKING SCHOOLS FROM REGULATIONS GOVERNING THE SANITATION OF ESTABLISHMENTS THAT PREPARE OR SERVE FOOD OR DRINK TO THE PUBLIC, is read the first time and referred to the Committee on Commerce and Job Development.

April 5, 2011

S.B. 347, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO ESTABLISH A STATEWIDE SURVEILLANCE AND REPORTING SYSTEM FOR HEALTH CARE-ASSOCIATED INFECTIONS AND TO SUBJECT HOSPITALS TO THE REQUIREMENTS OF THE STATEWIDE SURVEILLANCE AND REPORTING SYSTEM, is read the first time and referred to the Committee on Health and Human Services.

S.B. 384, A BILL TO BE ENTITLED AN ACT AMENDING THE NORTH CAROLINA PERSONS WITH DISABILITIES PROTECTION ACT TO CONFORM WITH FEDERAL CHANGES UNDER THE AMERICANS WITH DISABILITIES ACT AMENDMENTS ACT OF 2008 (ADAAA), is read the first time and referred to Judiciary Subcommittee A.

S.B. 416, A BILL TO BE ENTITLED AN ACT PROVIDING THAT THE STATE AND LOCAL BOARDS OF EDUCATION SHALL USE THE MOST COST-EFFICIENT TIRE RETREADS ON AND PRESERVE CRITICAL TIRE INFORMATION FOR STATE VEHICLES AND SCHOOL BUSES, RESPECTIVELY, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

WITHDRAWAL OF BILL FROM COMMITTEE

On motion of Representative T. Moore and without objection, **H.B. 362** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REGULATE HUNTING WITH CENTERFIRE RIFLES IN PASQUOTANK COUNTY, is withdrawn from the Committee on Finance and pursuant to Rule 36(b), is placed on the Calendar of April 6.

WITHDRAWAL OF BILLS FROM CALENDAR

On motion of Representative T. Moore and without objection, **H.B. 61**, A BILL TO BE ENTITLED AN ACT AMENDING THE NORTH CAROLINA CONSTITUTION TO LIMIT THE TERMS OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT PRO TEMPORE OF THE SENATE TO TWO GENERAL ASSEMBLIES, is withdrawn from the Calendar and placed on the Calendar of April 6.

On motion of Representative Glazier and without objection, **S.B. 31** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PENALTY FOR THE UNAUTHORIZED PRACTICE OF MEDICINE, is withdrawn from the Calendar and placed on the Calendar of April 6.

April 5, 2011

CALENDAR

Action is taken on the following:

H.B. 278 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO GIVE THE ONSLOW COUNTY SCHOOLS BOARD OF EDUCATION ADDITIONAL FLEXIBILITY WITH REGARD TO INSTRUCTIONAL TIME LOST IN CERTAIN SCHOOLS DUE TO A DECLARED STATE OF EMERGENCY, 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.

H.B. 358 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE APPROVAL OF THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY BEFORE THE TOWNS OF APEX OR CARY MAY MAKE AN INVOLUNTARY ANNEXATION INTO CHATHAM COUNTY, passes its second reading, by electronic vote (116-0), and there being no objection is read a third time.

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

H.B. 280 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CHANGE THE QUALIFICATION REQUIREMENT FOR A COUNTY SERVICE DISTRICT ESTABLISHED FOR LAW ENFORCEMENT, 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, M. Alexander, Avila, Barnhart, Bell, Blackwell, Blust, Boles, Bordsen, Bradley, Brandon, Brawley, Brisson, L. Brown, R. Brown, Brubaker, Bryant, Burr, Carney, Cleveland, Collins, Cook, Cotham, Crawford, Current, Daughtry, Dixon, Dockham, Dollar, Earle, Fairecloth, Faison, Farmer-Butterfield, Fisher, Floyd, Folwell, Frye, Gill, Gillespie, Glazier, Goodman, Graham, Guice, Hackney, Hager, Haire, Hall, Hamilton, Harrison, Hastings, Hill, Hilton, Hollo, Holloway, Horn, Howard, Hurley, Iler, Ingle, Jackson, Jeffus, Johnson, Jones, Jordan, Justice, Keever, Killian, Langdon, LaRoque, Lucas, Luebke, Martin, McComas, McCormick, McElraft, McGee, McGrady, McLawhorn, Michaux, Mobley, Moffitt, R. Moore, T. Moore, Murry, Owens, Parfitt, Parmon, Pierce, Pridgen, Randleman, Rapp, Rhyne, Sager, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Wainwright, E. Warren, H. Warren, Weiss, West, Wilkins, Womble, and Wray - 114.

Voting in the negative: None.

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Excused absences: Representatives Insko and Mills - 2.

H.B. 383 (Committee Substitute), A BILL TO BE ENTITLED AN ACT ESTABLISHING THE COMMUNICATIONS REGULATORY REFORM AND INVESTMENT ACT OF 2011, passes its third reading, by electronic vote (107-8), and is ordered sent to the Senate.

H.B. 153 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT A PERSON WHO HAS BEEN CONVICTED OF A FELONY FROM RECEIVING RETIREMENT BENEFITS FROM THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, THE CONSOLIDATED JUDICIAL RETIREMENT SYSTEM, OR THE LEGISLATIVE RETIREMENT SYSTEM.

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

The bill, as amended, passes its second reading by electronic vote (102-15).

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

DEADLINE FOR PUBLIC BILLS EXTENDED

The Speaker states that, without objection, the filing deadline for public bills on April 6 has been extended until 5:00 p.m.

Representative LaRoque moves, seconded by Representative McComas, that the House adjourn, subject to the receipt of Committee Reports, to reconvene April 6 at 2:00 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 Stam and Stevens, Chairs, for Judiciary Subcommittee B, with approval of standing committee Chair for report to be made directly to the floor of the House:

April 5, 2011

H.B. 149, A BILL TO BE ENTITLED AN ACT TO CREATE THE CRIMINAL OFFENSE OF TERRORISM, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

The serial referral to the Committee on Appropriations is stricken.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 6. The original bill is placed on the Unfavorable Calendar.

By Representatives LaRoque and T. Moore, Chairs, for the Committee on Rules, Calendar, and Operations of the House:

H.B. 235, A BILL TO BE ENTITLED AN ACT TO OFFICIALLY DESIGNATE SENATE BILL 140, SESSION LAW 2010-5, AS "BONNIE'S LAW", with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 6. The original bill is placed on the Unfavorable Calendar.

The House stands adjourned at 4:28 p.m.

FORTY-FIRST DAY

HOUSE OF REPRESENTATIVES
Wednesday, April 6, 2011

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 Representative Nelson Dollar.

"Lord, our Creator, Redeemer and Sustainer:

"We thank You for Your grace and we ask for Your blessing on this House.

"While our words may clash and the debate swing to and fro - Lord, You know our hearts - we are all here under Your divine authority, united in our desire to faithfully serve Your people.

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"Give us strength for today and faith in Your providence for tomorrow.

"Lord, as the sweetener hides in the tea so let us hide in thee.

"And all God's people said...Amen."

Representative T. Moore, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of April 5 has been examined and found correct. Upon his motion, the Journal is approved as written.

A leave of absence is granted Representative Wray for today.

ENROLLED BILLS

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

S.B. 368, AN ACT TO (1) MODIFY THE APPLICABILITY OF CERTAIN FENCING REQUIREMENTS TO PUBLIC SWIMMING POOLS; (2) PROVIDE THAT REQUIREMENTS RELATED TO DRESSING AND SANITARY FACILITIES DO NOT APPLY TO INTERACTIVE PLAY ATTRACTIONS; (3) DIRECT THE COMMISSION FOR PUBLIC HEALTH TO STUDY ISSUES RELATED TO FENCING REQUIREMENTS FOR WADING POOLS; AND (4) TEMPORARILY PROHIBIT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES FROM ENFORCING CERTAIN REQUIREMENTS RELATED TO FENCING FOR WADING POOLS.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives LaRoque and T. Moore, Chairs, for the Committee on Rules, Calendar, and Operations of the House:

H.R. 186, A HOUSE RESOLUTION CREATING A HOUSE SELECT COMMITTEE TO INVESTIGATE THE HANDLING OF THE CTS CONTAMINATION SITE IN BUNCOMBE COUNTY BY THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES, with a favorable report for adoption.

Pursuant to Rule 36(b), the resolution is placed on the Calendar of April 7.

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Representative LaRoque and T. Moore, for the Committee on Rules, Calendar, and Operations of the House submit the following bills and resolution with a favorable report for introduction.

A BILL TO BE ENTITLED AN ACT TO CREATE THE COMMERCIAL POULTRY HOUSE FIRE CODE LEGISLATIVE STUDY COMMISSION.

Pursuant to Rule 31(a), the bill is filed, assigned the number **H.B. 759** and placed on the Calendar for its first reading.

A JOINT RESOLUTION TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE OBSTACLES ENCOUNTERED IN SEEKING EMPLOYMENT BY PERSONS WHO HAVE COMMITTED RELATIVELY MINOR CRIMINAL OFFENSES, THE NEED FOR EMPLOYERS TO HAVE ACCURATE CRIMINAL INFORMATION ABOUT POTENTIAL EMPLOYEES, AND THE FEASIBILITY OF DEVELOPING AND IMPLEMENTING AN EXPUNCTION PROCEDURE THAT STRIKES THE APPROPRIATE BALANCE BETWEEN THOSE CONCERNS.

Pursuant to Rule 31(a), the resolution is filed, assigned the number **H.J.R. 760**, and placed on the Calendar for its first reading.

A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR STUDIES BY THE HOUSE OF REPRESENTATIVES AND THE SENATE, STATUTORY OVERSIGHT COMMITTEES AND COMMISSIONS, AND OTHER AGENCIES, COMMITTEES, AND COMMISSIONS.

Pursuant to Rule 31(a), the bill is filed, assigned the number **H.B. 773**, and placed on the Calendar for its first reading.

A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENTS OF AGRICULTURE AND INSURANCE TO STUDY OPTIONS FOR AGRICULTURAL CONTRACT GROWERS TO PROTECT THEMSELVES AGAINST FINANCIAL LOSSES DUE TO WEATHER, NATURAL DISASTERS, OR OTHER ACTS OF GOD.

Pursuant to Rule 31(a), the bill is filed, assigned the number **H.B. 774**, and placed on the Calendar for its first reading.

A BILL TO BE ENTITLED AN ACT TO ALLOW WINERIES TO SELL MALT BEVERAGES AT RETAIL ON THE PREMISES OF THE WINERY.

Pursuant to Rule 31(a), the bill is filed, assigned the number **H.B. 775**, and placed on the Calendar for its first reading.

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By Representatives Holloway and Langdon, Chairs, for the Committee on Education:

S.B. 137, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE FORGIVABLE EDUCATION LOANS FOR SERVICE PROGRAM AND THE FORGIVABLE EDUCATION LOANS FOR SERVICE FUND AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON STATE FUNDED STUDENT FINANCIAL AID, 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.

By Representatives Langdon and Sager, Chairs, for the Committee on Agriculture:

H.B. 432, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE TRANSPORTATION OF SWINE UNLESS THE SWINE HAS AN OFFICIAL FORM OF IDENTIFICATION APPROVED BY THE STATE VETERINARIAN FOR THIS PURPOSE, TO CLASSIFY ALL FREE-RANGING MAMMALS OF THE SPECIES *SUS SCROFA* AS FERAL SWINE, TO PROVIDE FOR THE TAKING OF FERAL SWINE AS A NONGAME ANIMAL, AND TO PROHIBIT THE REMOVAL OF LIVE FERAL SWINE FROM TRAPS, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 7. The original bill is placed on the Unfavorable Calendar.

H.B. 463, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW PROVIDING FOR THE TAKING OF FOXES WITH WEAPONS AND BY TRAPPING IN ROCKINGHAM COUNTY, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 7.

H.B. 476, A BILL TO BE ENTITLED AN ACT TO PROVIDE CERTAIN PROTECTIONS TO GALAX AND VENUS FLYTRAP UNDER THE PLANT PROTECTION AND CONSERVATION ACT, TO REQUIRE ANY PERSON WHO ACTS IN THE CAPACITY OF A DEALER OF EITHER OF THESE PLANTS TO OBTAIN A DEALER PERMIT, AND

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TO INCREASE THE CIVIL PENALTY FOR VIOLATIONS OF CERTAIN RULES OF THE WILDLIFE RESOURCES COMMISSION, with a favorable report as to the committee substitute bill, unfavorable as to the original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

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

Representatives Langdon and Sager, for the Committee on Agriculture submit the following bill with a favorable report for introduction.

A BILL TO BE ENTITLED AN ACT TO PROVIDE THE WILDLIFE RESOURCES COMMISSION AUTHORITY TO REGULATE THE TAKING OF FOXES AND COYOTES.

Pursuant to Rule 31(a), the bill is filed, assigned the number **H.B. 755**, and placed on the Calendar for its first reading.

Representative Daughtry, for the Committee on Judiciary submits the following bill with a favorable report for introduction.

A BILL TO BE ENTITLED AN ACT TO COMPLY WITH THE FEDERAL SEX OFFENDER REGISTRATION AND NOTIFICATION ACT.

Pursuant to Rule 31(a), the bill is filed, assigned the number **H.B. 772**, and placed on the Calendar for its first reading.

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representatives Dockham, K. Alexander, Faison, and Wray:

H.B. 617, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE REGULATION OF PORTABLE ELECTRONICS INSURANCE, is referred to the Committee on Insurance.

By Representatives Lewis and Hurley (Primary Sponsors); Adams, M. Alexander, Collins, Cotham, Moffitt, Murry, and Parfitt:

H.B. 618, A BILL TO BE ENTITLED AN ACT TO STREAMLINE DUPLICATE OVERSIGHT OF DHHS SERVICE PROVIDERS, is referred to the Committee on Health and Human Services.

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By Representatives Howard, McLawhorn, Carney, and Ingle (Primary Sponsors); Faison, Hamilton, Lucas, and Parfitt:

H.B. 619, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA PHYSICAL THERAPY PRACTICE ACT BY PROVIDING FOR PROFESSIONAL ASSOCIATION BUSINESS ORGANIZATION STATUS FOR PHYSICAL THERAPISTS AND SOME ASSOCIATED PROFESSIONALS, CLARIFYING THE DEFINITION OF PHYSICAL THERAPY AIDE, AUTHORIZING THE NORTH CAROLINA BOARD OF PHYSICAL THERAPY EXAMINERS TO CONDUCT CRIMINAL BACKGROUND CHECKS OF APPLICANTS FOR LICENSURE, AND MAKING OTHER MODERNIZING STATUTORY CHANGES, is referred to the Committee on Health and Human Services.

By Representatives Bordsen, Gill, Graham, Hamilton, and Harrison:

H.B. 620, A BILL TO BE ENTITLED AN ACT TO ALLOW THE DEPARTMENT OF TRANSPORTATION TO MAINTAIN OR PAVE CERTAIN ROADS IN A MANNER CONSISTENT WITH THE ORIGINAL CONSTRUCTION OF THE ROAD TO PRESERVE THE HISTORIC APPEARANCE AND VALUE OF HISTORIC PROPERTIES ADJOINING THE ROAD OR TO PRESERVE HIGH SCENIC VALUE PROPERTIES OR ENHANCE LOW-VOLUME BUSINESS OR AGRIBUSINESS VENTURES, is referred to the Committee on Transportation.

By Representatives Gillespie, Langdon, Brisson, and Hill (Primary Sponsors); Bradley, Collins, Cook, Faircloth, Faison, Hastings, Moffitt, T. Moore, Sager, Sanderson, Setzer, Starnes, and Wray:

H.B. 621, A BILL TO BE ENTITLED AN ACT TO ENHANCE THE PROTECTION OF LANDOWNERS' WATER RIGHTS, AND TO EXEMPT AGRICULTURAL PONDS FROM THE DAM SAFETY ACT, is referred to the Committee on Environment.

By Representatives McCormick, Stevens, Cleveland, and Glazier (Primary Sponsors); Faircloth, Hamilton, Harrison, Jordan, Lucas, and Mobley:

H.B. 622, A BILL TO BE ENTITLED AN ACT DIRECTING THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE TO STUDY HOW TO RECONCILE AND HARMONIZE ADMINISTRATIVE HEARINGS IN CONTESTED CASES ARISING UNDER ARTICLE 3A OF CHAPTER 150B OF THE GENERAL STATUTES, is referred to the Committee on Rules, Calendar, and Operations of the House.

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By Representatives McCormick, Stevens, Cleveland, and Glazier (Primary Sponsors); Cook, Jordan, Lucas, and McGrady:

H.B. 623, A BILL TO BE ENTITLED AN ACT TO MODIFY THE PROCEDURES CONCERNING FINAL ADMINISTRATIVE DECISIONS IN CONTESTED CASES HEARD BY THE OFFICE OF ADMINISTRATIVE HEARINGS, is referred to Judiciary Subcommittee A.

By Representatives Harrison, Martin, Current, and Hurley (Primary Sponsors); K. Alexander, M. Alexander, Cotham, Gill, Glazier, Hamilton, Insko, Jackson, Lucas, Luebke, and Weiss:

H.B. 624, A BILL TO BE ENTITLED AN ACT PROVIDING FOR SHAREHOLDER VOTE ON CORPORATE INDEPENDENT EXPENDITURES AND ELECTIONEERING COMMUNICATIONS, is referred to the Committee on Elections.

By Representatives Blackwell and Farmer-Butterfield (Primary Sponsors); M. Alexander, Earle, Gill, Glazier, Graham, Hamilton, Harrison, Hurley, Jordan, Lucas, Parfitt, Rapp, and Wray:

H.B. 625, A BILL TO BE ENTITLED AN ACT ESTABLISHING A BILL OF RIGHTS FOR CHILDREN WHO ARE DEAF OR HEARING IMPAIRED, is referred to Judiciary Subcommittee A.

By Representatives Blackwell, K. Alexander, Graham, Hamilton, Harrison, Mobley, Sager, Spear, and Starnes:

H.B. 626, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE CHARGING OF A SURCHARGE ON PERSONS WHO ELECT TO USE A CREDIT CARD, CHARGE CARD, OR DEBIT CARD IN LIEU OF PAYMENT BY CASH, CHECK, OR SIMILAR MEANS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Blackwell and Crawford (Primary Sponsors); Bradley, Collins, Cook, Faircloth, Hamilton, Harrison, Jordan, Mobley, Moffitt, Steen, and Wray:

H.B. 627, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE JOINT LEGISLATIVE EFFICIENCY AND COST-SAVINGS IN STATE GOVERNMENT STUDY COMMISSION, is referred to the Committee on Rules, Calendar, and Operations of the House.

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By Representatives Jeffus and Faircloth (Primary Sponsors); Hamilton, Harrison, and Lucas:

H.B. 628, A BILL TO BE ENTITLED AN ACT TO DIRECT THE REVENUE LAWS STUDY COMMITTEE TO STUDY POLICIES AND INCENTIVES THAT CAN BE ESTABLISHED TO STIMULATE THE CREATION OF DEVELOPMENT READY SITES TO AID IN JOB RECRUITMENT AND RETENTION EFFORTS, is referred to the Committee on Finance.

By Representatives Guice, Ingle, and Faircloth (Primary Sponsors); Insko, Jordan, and Parfitt:

H.B. 629, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE SCREENING AND ASSESSING FOR CHEMICAL DEPENDENCY FOR DEFENDANTS ORDERED TO SUBMIT TO RESIDENTIAL TREATMENT AT THE BLACK MOUNTAIN SUBSTANCE ABUSE TREATMENT CENTER FOR WOMEN AND TO PROVIDE THAT A DEFENDANT MAY BE REQUIRED TO PARTICIPATE IN TREATMENT ORDERED BY THE COURT FOR ITS DURATION REGARDLESS OF THE LENGTH OF THE SUSPENDED SENTENCE IMPOSED, is referred to Judiciary Subcommittee B.

By Representatives Guice and McGrady (Primary Sponsors); Faircloth, Jordan, and Sager:

H.B. 630, A BILL TO BE ENTITLED AN ACT TO UPDATE AND CLARIFY NORTH CAROLINA'S GENERAL STATUTES ON OLDER ADULTS AND LONG-TERM SERVICES AND SUPPORTS, is referred to the Committee on Health and Human Services.

By Representatives Guice, Ingle, and Faircloth (Primary Sponsors):

H.B. 631, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE USE OF BONDS TO SECURE THE APPEARANCE OF A DEFENDANT THAT IS RELEASED POSTCONVICTION AND IS DETERMINED TO HAVE ABSCONDED, is referred to Judiciary Subcommittee C.

By Representatives Lewis, Randleman, Avila, and Bordsen (Primary Sponsors); M. Alexander, Barnhart, Bell, Carney, Cotham, Earle, Fisher, Gill, Glazier, Graham, Guice, Haire, Hamilton, Harrison, Insko, Jackson, Jordan, Lucas, McGrady, Mobley, Moffitt, Murry, Parfitt, Ross, Torbett, and Weiss:

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H.B. 632, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF DELINQUENT JUVENILE TO RAISE THE AGE FROM SIXTEEN TO EIGHTEEN YEARS IN SIX-MONTH INCREMENTS OF AGE OVER A FOUR-YEAR PERIOD, TO PROVIDE THAT SIXTEEN- AND SEVENTEEN-YEAR-OLDS WHO HAVE BEEN PREVIOUSLY CONVICTED OF A FELONY IN ADULT COURT SHALL REMAIN IN ADULT COURT, TO PROVIDE THAT SIXTEEN- AND SEVENTEEN-YEAR-OLDS ALLEGED DELINQUENT FOR A CLASS A-E FELONY SHALL BE TRANSFERRED TO ADULT COURT, TO MAKE CONFORMING CHANGES TO OTHER STATUTES RELEVANT TO CHANGING THE DEFINITION OF DELINQUENT JUVENILE, AND TO EXTEND THE YOUTH ACCOUNTABILITY TASK FORCE, is referred to Rules, Calendar, and Operations of the House.

By Representatives Current, Avila, Blust, and Harrison (Primary Sponsors); Bradley, Faircloth, Hurley, Justice, Killian, McGee, and Randleman:

H.B. 633, A BILL TO BE ENTITLED AN ACT TO LIMIT THE ROLE OF POLITICAL PARTIES IN CAMPAIGN FUND-RAISING BY LIMITING CONTRIBUTIONS FROM POLITICAL PARTIES TO CANDIDATES AND CANDIDATE CAMPAIGN COMMITTEES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Samuelson, Graham, Hamilton, Harrison, and Hastings:

H.B. 634, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO PRODUCE A SPECIAL PLATE FOR THE ARTHRITIS FOUNDATION, INC., is referred to the Committee on Transportation and, if favorable, to the Committee on Finance.

By Representatives Murry, Killian, Blust, and Hilton (Primary Sponsors); R. Brown, Burr, Jackson, Setzer, and Steen:

H.B. 635, A BILL TO BE ENTITLED AN ACT TO ADJUST THE DISTRIBUTION FORMULA FOR FUNDS EXPENDED ON THE INTRA-STATE SYSTEM AND TRANSPORTATION IMPROVEMENT PROGRAM, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Haire, Graham, Hamilton, and Harrison:

H.B. 636, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE CRIMINAL PENALTY FOR THE THEFT OF ANY FINANCIAL

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TRANSACTION CARD SHALL BE THE SAME AS THE CRIMINAL PENALTY FOR THE THEFT OF A CREDIT CARD WHICH IS A CLASS I FELONY, is referred to the Committee on Judiciary.

By Representatives Jordan and Stevens (Primary Sponsors):

H.B. 637, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS APPLICABLE TO ADOPTIONS, AS RECOMMENDED BY THE NORTH CAROLINA BAR ASSOCIATION, is referred to Judiciary Subcommittee C.

By Representatives Jordan and Stam (Primary Sponsors); and Faison:

H.B. 638, A BILL TO BE ENTITLED AN ACT TO ADOPT THE UNIFORM FAITHFUL PRESIDENTIAL ELECTORS ACT, is referred to the Committee on Elections.

By Representatives M. Alexander, Lucas, and Parfitt:

H.B. 639, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE CLINICAL EXERCISE PHYSIOLOGIST LICENSING ACT, is referred to the Committee on Health and Human Services and, if favorable, to the Committee on Finance.

By Representatives Cleveland and Killian (Primary Sponsors); Bradley, Collins, Stone, and Torbett:

H.B. 640, A BILL TO BE ENTITLED AN ACT TO PROTECT RIGHTS AND PRIVILEGES GRANTED UNDER THE NORTH CAROLINA AND UNITED STATES CONSTITUTIONS IN THE APPLICATION OF FOREIGN LAW, is referred to Judiciary Subcommittee C.

By Representatives Guice and Floyd (Primary Sponsors); Hamilton, Harrison, Insko, and Lucas:

H.B. 641, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A CERTIFICATE OF RESTORATION OF RIGHTS THAT WILL ASSIST INDIVIDUALS CONVICTED OF LESS SERIOUS CRIMES IN DEALING WITH COLLATERAL SANCTIONS AND DISQUALIFICATIONS THAT RESULT FROM A CRIMINAL CONVICTION AND A PROCEDURE FOR ISSUING THAT CERTIFICATE, is referred to the Committee on Rules, Calendar, and Operations of the House.

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By Representatives Guice, Faircloth, Bordsen, and Parmon (Primary Sponsors); Carney, Cleveland, Graham, Hamilton, Harrison, Horn, Insko, Jordan, and Lucas:

H.B. 642, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT CERTAIN RECOMMENDATIONS OF THE JUSTICE REINVESTMENT PROJECT, AND TO PROVIDE THAT THE ACT SHALL BE ENTITLED "THE JUSTICE REINVESTMENT ACT OF 2011", is referred to the Committee on Judiciary and, if favorable, to the Committee on Finance and, if favorable, to the Committee on Appropriations.

By Representatives LaRoque, McLawhorn, Wainwright, and Brawley (Primary Sponsors):

H.B. 643, A BILL TO BE ENTITLED AN ACT TO EXEMPT TRANSFERS OF WATER IN THE CENTRAL COASTAL PLAIN CAPACITY USE AREA FROM INTERBASIN TRANSFER CERTIFICATION REQUIREMENTS, is referred to the Committee on Environment.

By Representatives Murry, Dollar, Crawford, and Wilkins (Primary Sponsors); Jones, Setzer, and Wray:

H.B. 644, A BILL TO BE ENTITLED AN ACT TO ESTABLISH PHARMACY AUDIT RIGHTS AND TO ESTABLISH STANDARDS FOR RECOUPMENT OF CLAIMS, is referred to Judiciary Subcommittee A.

By Representatives T. Moore, Carney, Cook, Faircloth, Hamilton, Horn, Hurley, Jordan, Justice, Moffitt, Randleman, Sager, Setzer, and Torbett:

H.B. 645, A BILL TO BE ENTITLED AN ACT PROVIDING THAT THE 2011 GENERAL ASSEMBLY SHALL MEET FOR A DAY AT THE STATE CAPITOL, is referred to the Committee on Rules, Calendar, and Operations of the House.

By the Committee on Health and Human Services and Representative Dollar:

H.B. 646, A BILL TO BE ENTITLED AN ACT TO PROVIDE FUNDING TO THE DEPARTMENT OF CORRECTION TO COMPLETE THE CONSTRUCTION OF AN AUTHORIZED PRISON HOSPITAL, is referred to the Committee on Rules, Calendar, and Operations of the House.

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By the Committee on Health and Human Services, and Representatives K. Alexander, Bell, Cotham, Dockham, Dollar, Earle, Faison, Gill, Graham, Hamilton, Harrison, Insko, Jordan, Lucas, Parfitt, and Wray:

H.J.R. 647, A JOINT RESOLUTION TO ESTABLISH THE JOINT LEGISLATIVE TASK FORCE ON DIABETES PREVENTION AND AWARENESS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Hastings and Hager (Primary Sponsors); Hamilton, Harrison, and Wray:

H.B. 648, A BILL TO BE ENTITLED AN ACT TO CLARIFY AND AMEND THE LAWS PERTAINING TO EXCEPTIONS AND BUILDING PERMITS AS RELATED TO GENERAL CONTRACTORS, is referred to the Committee on Commerce and Job Development and, if favorable, to Judiciary Subcommittee B.

By Representative Randleman:

H.B. 649, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS PERTAINING TO GROUNDS FOR REVOCATION OF LICENSURE UNDER THE LAWS REGULATING BAIL BONDSMAN, is referred to Judiciary Subcommittee B.

By Representatives Hilton, LaRoque, Cleveland, and Hastings (Primary Sponsors); Bradley and Wray:

H.B. 650, A BILL TO BE ENTITLED AN ACT TO AMEND VARIOUS LAWS REGARDING THE RIGHT TO OWN, POSSESS, OR CARRY A FIREARM IN NORTH CAROLINA, is referred to Judiciary Subcommittee C.

By Representatives Luebke and Rhyne (Primary Sponsors); M. Alexander, Gill, Hamilton, Harrison, Lucas, Martin, Parfitt, Rapp, and Sager:

H.J.R. 651, A JOINT RESOLUTION TO PARDON WILLIAM W. HOLDEN FROM THE JUDGMENT IMPOSED UPON HIM BY THE SENATE ON MARCH 22, 1871, ON CONVICTION OF ARTICLES OF IMPEACHMENT, is referred to the Committee on Rules, Calendar, and Operations of the House.

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MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 244 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE SURVIVOR'S ALTERNATE BENEFIT TO SURVIVORS OF FIREFIGHTERS AND RESCUE SQUAD WORKERS WHO ARE MEMBERS OF THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM AND ARE KILLED IN THE LINE OF DUTY, is read the first time and referred to the Committee on Government.

S.B. 375 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO FACILITATE AND REGULATE THE DISCLOSURE OF PROTECTED HEALTH INFORMATION THROUGH A VOLUNTARY, STATEWIDE HEALTH INFORMATION EXCHANGE NETWORK, is read the first time and referred to the Committee on Health and Human Services.

CALENDAR

Action is taken on the following:

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

H.B. 321, A BILL TO BE ENTITLED AN ACT ADOPTING THE TOWN OF GRIFTON'S SHAD FESTIVAL AS THE OFFICIAL SHAD FESTIVAL OF THE STATE OF NORTH CAROLINA, 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. 199 (Committee Substitute), A BILL TO BE ENTITLED AN ACT REQUIRING ANY PERSON SEEKING RELIEF PURSUANT TO A DOMESTIC VIOLENCE PROTECTIVE ORDER TO INCLUDE IN THE COMPLAINT OR MOTION FILED WHETHER THE PERSON HAS PREVIOUSLY FILED AN ACTION OR MOTION FOR DOMESTIC VIOLENCE AGAINST THE DEFENDANT AND, IF SO, THE DISPOSITION OF THAT ACTION, 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.

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BILL PLACED ON CALENDAR

Representative T. Moore, is recognized and states that he has placed **H.J.R. 688**, A JOINT RESOLUTION PROVIDING THAT THE 2011 GENERAL ASSEMBLY SHALL MEET FOR A DAY AT THE STATE CAPITOL, with the Clerk for consideration by the Body.

Upon his motion, Rule 31(a) is suspended and the resolution 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 (115-0), and there being no objection is read a third time.

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

CALENDAR (continued)

H.B. 268 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT USES OF RECLAIMED WATER THAT ARE DEEMED TO BE PERMITTED BY REGULATION, WITHOUT THE ISSUANCE OF AN INDIVIDUAL PERMIT OR COVERAGE UNDER A GENERAL PERMIT, INCLUDES IRRIGATION OF ORNAMENTAL CROPS BY FIELD NURSERIES AND ABOVEGROUND CONTAINER NURSERIES AND TO PROVIDE THAT CERTAIN SETBACK REQUIREMENTS AND DESIGN CRITERIA FOR WASTEWATER TREATMENT STORAGE FACILITIES DO NOT APPLY TO ARTIFICIAL LAKES OR PONDS THAT ARE USED FOR STORAGE AND IRRIGATION OF RECLAIMED WATER AS PART OF A CONJUNCTIVE USE RECLAIMED WATER SYSTEM.

Representative Gillespie 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 engrossed and sent to the Senate.

H.B. 329 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXPAND THE EXEMPTION FROM BUILDING RULES FOR

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FARM BUILDINGS TO INCLUDE FARM BUILDINGS USED FOR SPECTATOR EVENTS.

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

The bill, as amended, passes its second reading, by electronic vote (118-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H.B. 382 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE JUVENILE CODE UNDER THE LAWS PERTAINING TO ABUSE, NEGLECT, AND DEPENDENCY, passes its second reading, by electronic vote (118-0), and there being no objection is read a third time.

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

H.B. 362 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REGULATE HUNTING WITH CENTERFIRE RIFLES IN PASQUOTANK COUNTY, passes its second reading, by electronic vote (117-1), and there being no objection is read a third time.

Representative Torbett requests and is granted leave of the House to change his vote from "no" to "aye". The adjusted vote total is (118-0).

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

H.B. 61, A BILL TO BE ENTITLED AN ACT AMENDING THE NORTH CAROLINA CONSTITUTION TO LIMIT THE TERMS OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT PRO TEMPORE OF THE SENATE TO TWO GENERAL ASSEMBLIES.

Representative Blust offers Amendment No. 1.

Representative Hackney inquires of the Chair whether this amendment will affect other amendments that are expected to be put forth. The Speaker rules that other amendments will not be affected, and the Rules will be suspended if necessary in order to allow the amendments to be considered.

Amendment No. 1 is adopted by electronic vote (115-2).

Representative Spear offers Amendment No. 2.

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Without objection, the Rules are suspended in order to consider Amendment No. 2.

Amendment No. 2 fails of adoption by electronic vote (50-68).

Representative Hackney offers Amendment No. 3 which fails of adoption by electronic vote (52-65).

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

Those voting in the affirmative are: Speaker Tillis; Representatives Avila, Barnhart, Blackwell, Blust, Boles, Bradley, Brawley, L. Brown, R. Brown, Brubaker, Burr, Cleveland, Collins, Cook, Current, Daughtry, Dixon, Dockham, Dollar, Faircloth, Faison, Folwell, Frye, Gillespie, Guice, Hager, Hastings, Hill, Hilton, Hollo, Holloway, Horn, Howard, Hurley, Iler, Ingle, Johnson, Jones, Jordan, Justice, Killian, Langdon, LaRoque, Lewis, McComas, McCormick, McElraft, McGee, McGrady, McLawhorn, Mills, Moffitt, T. Moore, Murry, Owens, Pridgen, Randleman, Rhyne, Sager, Samuelson, Sanderson, Setzer, Shepard, Stam, Starnes, Steen, Stevens, Stone, Torbett, H. Warren, West, Wilkins, and Womble - 74.

Voting in the negative: Representatives Adams, K. Alexander, M. Alexander, Bell, Bordsen, Brandon, Brisson, Bryant, Carney, Cotham, Crawford, Earle, Farmer-Butterfield, Fisher, Floyd, Gill, Glazier, Goodman, Graham, Hackney, Haire, Hall, Hamilton, Harrison, Insko, Jackson, Jeffus, Keever, Lucas, Luebke, Martin, McGuirt, Michaux, Mobley, R. Moore, Parfitt, Parmon, Pierce, Rapp, Ross, Spear, Tolson, Wainwright, E. Warren, and Weiss - 45.

Excused absence: Representative Wray.

Representatives Owens and Womble request and are granted leave of the House to change their votes from "aye" to "no". The adjusted vote total is (72-47).

H.B. 153 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT A PERSON WHO HAS BEEN CONVICTED OF A FELONY FROM RECEIVING RETIREMENT BENEFITS FROM THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, THE CONSOLIDATED JUDICIAL RETIREMENT SYSTEM, OR THE LEGISLATIVE RETIREMENT SYSTEM.

Representative Howard offers Amendment No. 2 which is adopted by electronic vote (115-0).

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Representative Womble offers Amendment No. 3 which is adopted by electronic vote (116-1).

The bill, as amended, passes its third reading, by electronic vote (116-1), and is ordered engrossed and sent to the Senate.

RE-REFERRALS

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 24**, A BILL TO BE ENTITLED AN ACT TO MODIFY AND EXPAND THE DUTIES OF THE JOINT LEGISLATIVE ECONOMIC DEVELOPMENT OVERSIGHT COMMITTEE, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Commerce and Job Development.

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 348**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT OFFENDERS ARE PROHIBITED FROM OBTAINING PUBLIC EMPLOYEES' PERSONNEL RECORDS, TO PROVIDE CRIMINAL PENALTIES FOR PROVIDING SUCH PROHIBITED INFORMATION TO OFFENDERS, AND TO MAKE IT A MISDEMEANOR FOR OFFENDERS TO POSSESS SUCH INFORMATION, is withdrawn from Judiciary Subcommittee C and re-referred to Judiciary Subcommittee A.

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 642**, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT CERTAIN RECOMMENDATIONS OF THE JUSTICE REINVESTMENT PROJECT, AND TO PROVIDE THAT THE ACT SHALL BE ENTITLED "THE JUSTICE REINVESTMENT ACT OF 2011", is withdrawn from the Committee on Judiciary and re-referred to Judiciary Subcommittee B and, if favorable, to the Committee on Appropriations.

The serial referral to the Committee on Finance is stricken.

ADDENDA TO COMMITTEE ASSIGNMENTS

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SELECT COMMITTEE ON TORT REFORM: Remove Representatives Jackson and Parmon; add Representatives Faison and Hall.

Representative LaRoque moves, seconded by Representative Starnes, that the House adjourn, subject to the receipt of Committee Reports and the receipt of Messages from the Senate, to reconvene April 7 at 1:15 p.m.

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The motion carries.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committee and permanent subcommittee are presented:

By Representative Daughtry, Chair, for the Committee on Judiciary:

H.B. 8, 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 the committee substitute bill, which changes the title, unfavorable as to the original bill.

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

By Representative McCormick, Chair, for the Commerce and Job Development Subcommittee on Business and Labor, with approval of standing committee Chair for report to be made directly to the floor of the House:

H.B. 297, A BILL TO BE ENTITLED AN ACT TO MAKE IT UNLAWFUL FOR ANY BUSINESS TO REQUIRE THAT A LICENSED DRIVER RELINQUISH HIS OR HER DRIVERS LICENSE, 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 Judiciary Subcommittee A.

The committee substitute bill is re-referred to Judiciary Subcommittee A. The original bill is placed on the Unfavorable Calendar.

SPECIAL MESSAGE FROM THE SENATE

The following Special Message is received from the Senate:

S.B. 378 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE INTERAGENCY GROUP TO ESTABLISH AGRONOMIC RATES FOR ENERGY CROPS FOR UTILIZATION BY BIO-FUELS FACILITIES, is read the first time and referred to the Committee on Agriculture and, if favorable, to the Committee on Finance.

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MESSAGE FROM THE SENATE

The following is received from the Senate:

H.B. 59 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT SEX OFFENDERS FROM BEING EMERGENCY MEDICAL SERVICES PERSONNEL, 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 April 7.

The House stands adjourned at 3:58 p.m.

FORTY-SECOND DAY

HOUSE OF REPRESENTATIVES
Thursday, April 7, 2011

The House meets at 1:15 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by Representative James Langdon, Jr.:

"Almighty God:

"Bless us with Your spirit as we serve You and North Carolina in our capacity as Representatives. O God, bless us with wisdom and understanding as we serve the people of North Carolina. Grant us patience and insight as we work together to pass legislation for the citizens of North Carolina. May we bless You with our willingness to serve You and our fellow man. May we demonstrate this day and every day our love for You in how we conduct ourselves with respect and appreciation for one another. O God, it is our aim to make our world a better place; however, we are only human and need Your guidance to accomplish such a high goal. Bless us with that ability. In Jesus' name I pray. Amen."

Representative T. Moore, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of April 6 has been examined and found correct. Upon his motion, the Journal is approved as written.

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

ENROLLED BILLS

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

H.B. 103, AN ACT TO CLARIFY REQUIREMENTS APPLICABLE TO NOTICE, COLLECTION, AND REMOVAL OF MINERAL OIL DISCHARGES FROM ELECTRICAL EQUIPMENT.

H.B. 321, AN ACT ADOPTING THE TOWN OF GRIFTON'S SHAD FESTIVAL AS THE OFFICIAL SHAD FESTIVAL OF THE STATE OF NORTH CAROLINA.

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

S.B. 46, AN ACT TO ESTABLISH A SEASON FOR THE TAKING OF FOXES AND COYOTES IN SURRY COUNTY.

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

H.J.R. 688, A JOINT RESOLUTION PROVIDING THAT THE 2011 GENERAL ASSEMBLY SHALL MEET FOR A DAY AT THE STATE CAPITOL. (RESOLUTION 2011-5)

RE-REFERRALS

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.J.R. 647**, A JOINT RESOLUTION TO ESTABLISH THE JOINT LEGISLATIVE TASK FORCE ON DIABETES PREVENTION AND AWARENESS, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Health and Human Services.

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 632**, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF DELINQUENT JUVENILE TO RAISE THE AGE FROM SIXTEEN TO EIGHTEEN YEARS IN SIX-MONTH INCREMENTS OF AGE OVER A FOUR-YEAR PERIOD, TO PROVIDE THAT SIXTEEN- AND SEVENTEEN-YEAR-OLDS WHO HAVE BEEN PREVIOUSLY CONVICTED OF A FELONY IN ADULT COURT SHALL

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REMAIN IN ADULT COURT, TO PROVIDE THAT SIXTEEN- AND SEVENTEEN-YEAR-OLDS ALLEGED DELINQUENT FOR A CLASS A-E FELONY SHALL BE TRANSFERRED TO ADULT COURT, TO MAKE CONFORMING CHANGES TO OTHER STATUTES RELEVANT TO CHANGING THE DEFINITION OF DELINQUENT JUVENILE, AND TO EXTEND THE YOUTH ACCOUNTABILITY TASK FORCE, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to Judiciary Subcommittee B.

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 434**, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF DURHAM TO AUTHORIZE THE CITY TO ESTABLISH A SMALL BUSINESS ENTERPRISE PROGRAM TO PROMOTE THE DEVELOPMENT OF SMALL BUSINESSES IN THE CITY AND TO ENHANCE THE OPPORTUNITIES FOR SMALL BUSINESSES TO PARTICIPATE IN CITY CONTRACTS, is withdrawn from the Committee on Government and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 359**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE CITY AND COUNTY RETAIL BEER AND WINE LICENSE TAXES FOR THE CITY AND COUNTY OF DURHAM TO TWO HUNDRED FIFTY DOLLARS AND TO INCREASE THE CITY WHOLESALER LICENSE FEE TO TWO HUNDRED FIFTY DOLLARS, is withdrawn from the Committee on Government and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 145** (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, is withdrawn from Judiciary Subcommittee A and re-referred to Judiciary Subcommittee B.

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On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **S.B. 26** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE NORTH CAROLINA BENEFIT CORPORATION ACT, is withdrawn from Judiciary Subcommittee C and re-referred to the Committee on Commerce and Job Development, and, if favorable, to Judiciary Subcommittee C.

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 635**, A BILL TO BE ENTITLED AN ACT TO ADJUST THE DISTRIBUTION FORMULA FOR FUNDS EXPENDED ON THE INTRASTATE SYSTEM AND TRANSPORTATION IMPROVEMENT PROGRAM, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Transportation and, if favorable, to the Committee on Appropriations.

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 613**, A BILL TO BE ENTITLED AN ACT MAKING PROGRAMMATIC AMENDMENTS TO THE NC-THINKS STATE EMPLOYEE SUGGESTION PROGRAM, is withdrawn from the Committee on Appropriations and re-referred to the Committee on State Personnel.

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 465**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT, WHEN THE NORTH CAROLINA UTILITY COMMISSION ASSIGNS TRIPLE CREDIT TO ANY ELECTRIC POWER OR RENEWABLE ENERGY CERTIFICATES GENERATED FROM RENEWABLE ENERGY RESOURCES AT A BIOMASS RENEWABLE ENERGY FACILITY LOCATED IN A CLEANFIELDS RENEWABLE ENERGY DEMONSTRATION PARK, THE ADDITIONAL CREDITS ARE ELIGIBLE TO MEET THE REQUIREMENTS FOR PUBLIC UTILITIES, ELECTRIC MEMBERSHIP CORPORATIONS, AND MUNICIPALITIES UNDER THE RENEWABLE ENERGY AND ENERGY EFFICIENCY PORTFOLIO STANDARDS (REPS) RATHER THAN REQUIRING THAT THESE ADDITIONAL CREDITS MUST FIRST BE USED TO MEET ALL THE REPS REQUIREMENTS THROUGH THE USE OF POULTRY WASTE RESOURCES, is withdrawn from the Committee on Public Utilities and re-referred to the Committee on Agriculture.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative T. Moore and without objection, **H.B. 235** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO OFFICIALLY DESIGNATE SENATE BILL 140, SESSION LAW 2010-5, AS "BONNIE'S LAW", is withdrawn from the Calendar and placed on the Calendar of April 11.

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**REPORTS OF STANDING COMMITTEES AND PERMANENT
SUBCOMMITTEES**

The following report from standing committee is presented:

By Representatives Howard, Folwell, Setzer, and Starnes, Chairs, for the Committee on Finance:

S.B. 8 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE EDUCATIONAL OPPORTUNITIES FOR THE CHILDREN OF NORTH CAROLINA BY REMOVING THE CAP ON CHARTER SCHOOLS, BY CREATING A NEW PUBLIC CHARTER SCHOOLS COMMISSION TO APPROVE AND MONITOR CHARTER SCHOOLS, BY STRENGTHENING THE STANDARDS FOR GRANTING AND RETAINING A CHARTER FOR A CHARTER SCHOOL, BY AUTHORIZING LOCAL BOARDS OF EDUCATION TO CONVERT SCHOOLS TO CHARTER SCHOOLS WITHOUT FORMING A NON-PROFIT CORPORATION, BY CLARIFYING THE FUNDING FORMULA FOR CHARTER SCHOOLS, AND BY PROVIDING THAT COUNTIES MAY PROVIDE FUNDING FOR CHARTER SCHOOLS IN THEIR JURISDICTIONS; AND TO MAKE OTHER CHANGES TO THE GENERAL STATUTES GOVERNING CHARTER SCHOOLS, with a favorable report as to House Committee Substitute Bill No. 2, which changes the title, unfavorable as to House Committee Substitute Bill No. 1.

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

RE-REFERRAL

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **S.B. 75** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROMOTE THE USE OF ELECTRICITY DEMAND REDUCTION TO SATISFY RENEWABLE ENERGY PORTFOLIO STANDARDS, is withdrawn from the Committee on Finance and re-referred to the Committee on Public Utilities and, if favorable, to the Committee on Finance.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Moffitt and without objection, **H.R. 186**, A HOUSE RESOLUTION CREATING A HOUSE SELECT COMMITTEE TO INVESTIGATE THE HANDLING OF THE CTS CONTAMINATION

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SITE IN BUNCOMBE COUNTY BY THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES, is withdrawn from the Calendar and placed on the Calendar of April 11.

CALENDAR

Action is taken on the following:

H.B. 59 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT SEX OFFENDERS FROM BEING EMERGENCY MEDICAL SERVICES PERSONNEL.

On motion of Representative McGrady, 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. 149 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE CRIMINAL OFFENSE OF TERRORISM, 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.

H.B. 293 (Committee Substitute), A BILL TO BE ENTITLED AN ACT PROVIDING THAT THE SUMMONS AND COMPLAINT IN A SUMMARY EJECTMENT ACTION IF AFFIXED TO THE DEMISED PREMISES SHALL BE PLACED IN AN ENVELOPE CONTAINING THE NAME AND ADDRESS OF THE TENANT, 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.

BILL PLACED ON CALENDAR

On motion of Representative T. Moore, pursuant to Rule 36(b), and without objection, **S.B. 8** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO INCREASE EDUCATIONAL OPPORTUNITIES FOR THE CHILDREN OF NORTH CAROLINA BY REMOVING THE CAP ON CHARTER SCHOOLS, BY CREATING A NEW PUBLIC CHARTER SCHOOLS COMMISSION TO OVERSEE CHARTER SCHOOLS, BY STRENGTHENING THE STANDARDS FOR GRANTING AND RETAINING A CHARTER FOR A CHARTER SCHOOL, BY AUTHORIZING LOCAL BOARDS OF EDUCATION TO CONVERT SCHOOLS TO CHARTER SCHOOLS WITHOUT FORMING A NON-

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PROFIT CORPORATION, BY CLARIFYING THE FUNDING FORMULA FOR CHARTER SCHOOLS, AND BY PROVIDING THAT COUNTIES MAY PROVIDE FUNDING FOR CHARTER SCHOOLS IN THEIR JURISDICTIONS; AND TO MAKE OTHER CHANGES TO THE GENERAL STATUTES GOVERNING CHARTER SCHOOLS, is placed on today's Calendar.

CALENDAR (continued)

S.B. 31 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PENALTY FOR THE UNAUTHORIZED PRACTICE OF MEDICINE.

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

The bill, as amended, passes its second reading, by electronic vote (111-5), and there being no objection is read a third time.

[Pursuant to the motion made by Representative Parfitt on April 11, 2011, and without objection, she is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (112-5).]

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

H.B. 463, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW PROVIDING FOR THE TAKING OF FOXES WITH WEAPONS AND BY TRAPPING IN ROCKINGHAM COUNTY, passes its second reading, by electronic vote (112-2), and there being no objection is read a third time.

Representative Cleveland requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (113-2).

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

H.B. 61, A BILL TO BE ENTITLED AN ACT AMENDING THE NORTH CAROLINA CONSTITUTION TO LIMIT THE TERMS OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT PRO TEMPORE OF THE SENATE TO TWO GENERAL ASSEMBLIES.

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The bill, as amended, passes its third reading, by the following three-fifths majority vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Speaker Tillis; Representatives Avila, Barnhart, Blackwell, Blust, Boles, Bradley, Brawley, L. Brown, R. Brown, Brubaker, Burr, Cleveland, Collins, Cook, Current, Daughtry, Dixon, Dockham, Dollar, Faircloth, Faison, Farmer-Butterfield, Folwell, Frye, Gillespie, Guice, Hager, Hamilton, Hastings, Hill, Hilton, Hollo, Holloway, Horn, Howard, Hurley, Iler, Ingle, Johnson, Jones, Jordan, Justice, Killian, Langdon, LaRoque, Lewis, McComas, McCormick, McElraft, McGee, McGrady, Mills, Moffitt, T. Moore, Murry, Pridgen, Randleman, Rhyné, Sager, Samuelson, Sanderson, Setzer, Shepard, Stam, Starnes, Steen, Stevens, Stone, Torbett, H. Warren, and West - 72.

Voting in the negative: Representatives Adams, K. Alexander, M. Alexander, Bell, Bordsen, Brandon, Brisson, Bryant, Carney, Cotham, Crawford, Earle, Fisher, Floyd, Gill, Glazier, Graham, Hackney, Hall, Harrison, Insko, Jackson, Jeffus, Keever, Lucas, Luebke, Martin, McGuirt, McLawhorn, Michaux, Mobley, R. Moore, Owens, Parfitt, Parmon, Pierce, Rapp, Ross, Spear, Tolson, Wainwright, E. Warren, Weiss, Wilkins, Womble, and Wray - 46.

Excused absences: Representatives Goodman and Haire - 2.

H.B. 432 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE TRANSPORTATION OF LIVE SWINE UNLESS THE SWINE HAS AN OFFICIAL FORM OF IDENTIFICATION APPROVED BY THE STATE VETERINARIAN FOR THIS PURPOSE, TO CLASSIFY ALL FREE-RANGING MAMMALS OF THE SPECIES *SUS SCROFA* AS FERAL SWINE, TO PROVIDE FOR THE TAKING OF FERAL SWINE AS A NONGAME ANIMAL, AND TO PROHIBIT THE REMOVAL OF LIVE FERAL SWINE FROM TRAPS, passes its second reading, by electronic vote (114-2), and there being no objection is read a third time.

Representative Hamilton requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (115-2).

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

S.B. 8 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO INCREASE EDUCATIONAL OPPORTUNITIES FOR THE CHILDREN OF NORTH CAROLINA BY REMOVING THE CAP ON CHARTER SCHOOLS, BY CREATING A NEW PUBLIC CHARTER SCHOOLS COMMISSION TO OVERSEE CHARTER SCHOOLS, BY

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STRENGTHENING THE STANDARDS FOR GRANTING AND RETAINING A CHARTER FOR A CHARTER SCHOOL, BY AUTHORIZING LOCAL BOARDS OF EDUCATION TO CONVERT SCHOOLS TO CHARTER SCHOOLS WITHOUT FORMING A NON-PROFIT CORPORATION, BY CLARIFYING THE FUNDING FORMULA FOR CHARTER SCHOOLS, AND BY PROVIDING THAT COUNTIES MAY PROVIDE FUNDING FOR CHARTER SCHOOLS IN THEIR JURISDICTIONS; AND TO MAKE OTHER CHANGES TO THE GENERAL STATUTES GOVERNING CHARTER SCHOOLS.

Representative T. Moore calls the previous question on the passage of the bill and the call is sustained by electronic vote (66-48).

The bill passes its second reading, by electronic vote (69-48), and remains on the Calendar.

DEADLINE EXTENDED

On motion of Representative Blust and without objection, the deadline for co-sponsorship of today's introductions is extended until Monday, April 11, 2011, at 8:00 p.m.

Representative McElraft moves, seconded by Representative Stam, that the House adjourn, subject to the introduction of bills and resolutions, the receipt of Committee Reports, and the receipt of Messages from the Senate, to reconvene Monday, April 11, 2011 at 7:00 p.m.

The motion carries by electronic vote (62-45).

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representatives Moffitt, Brubaker, Brawley, and McComas (Primary Sponsors); Blust, Bradley, L. Brown, Burr, Collins, Dixon, Dockham, Faircloth, Folwell, Gillespie, Iler, Ingle, Jones, Jordan, Lewis, McGee, T. Moore, Murry, Setzer, Starnes, Stone, Torbett, and H. Warren:

H.B. 652, A BILL TO BE ENTITLED AN ACT ESTABLISHING THE PROPERTY OWNERS PROTECTION ACT, is referred to the Committee on Commerce and Job Development.

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By Representatives Justice, McComas, and Bradley (Primary Sponsors); Blackwell, Blust, L. Brown, Bryant, Dockham, Faircloth, Hamilton, Harrison, Hastings, Iler, Jones, Jordan, Killian, Lewis, McGee, Moffitt, Murry, Setzer, Starnes, Torbett, and Wray:

H.R. 653, A HOUSE RESOLUTION OBSERVING THE TWO HUNDRED THIRTY-FIFTH ANNIVERSARY OF THE HALIFAX RESOLVES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives McCormick and LaRoque (Primary Sponsors); Moffitt and Wray:

H.B. 654, A BILL TO BE ENTITLED AN ACT AMENDING THE HOMEOWNER AND HOMEBUYER PROTECTION ACT, is referred to the Committee on Commerce and Job Development.

By Representatives Parmon and Womble (Primary Sponsors); and Floyd:

H.B. 655, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A NUTRIENT MANAGEMENT PLAN SHALL NOT BE DEVELOPED, ADOPTED, OR IMPLEMENTED FOR SURFACE WATERS OF THE STATE UNLESS THOSE WATERS HAVE FIRST BEEN CLASSIFIED AS NUTRIENT SENSITIVE WATERS, is referred to the Committee on Environment.

By Representatives Guice, Ingle, and Faircloth (Primary Sponsors); L. Brown, Cook, Folwell, Horn, Jones, Jordan, Spear, Torbett, and H. Warren:

H.B. 656, A BILL TO BE ENTITLED AN ACT TO DIRECT PHARMACIES TO REQUIRE PHOTO IDENTIFICATION PRIOR TO DISPENSING SCHEDULE II CONTROLLED SUBSTANCES, is referred to Judiciary Subcommittee B.

By Representatives McGrady, Holloway, Fisher, and Hurley (Primary Sponsors); Bradley, Carney, Cotham, Faircloth, Floyd, Gill, Glazier, Graham, Hamilton, Harrison, Hastings, Ingle, Jordan, McGee, Parfitt, Parmon, Pridgen, Rapp, and Torbett:

H.R. 657, A HOUSE RESOLUTION EXPRESSING SUPPORT FOR HEALTHY AND ACTIVE CHILDREN IN NORTH CAROLINA AND ENCOURAGING CHILDREN TO PARTICIPATE IN OUTDOOR ACTIVITIES, is referred to the Committee on Rules, Calendar, and Operations of the House.

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By Representatives Jones, Stam, Collins, and Sager (Primary Sponsors); Bradley, R. Brown, Dixon, Faircloth, Hollo, Horn, Iler, Ingle, Jordan, LaRoque, McGee, Moffitt, Pridgen, Randleman, Sanderson, Starnes, Torbett, and H. Warren:

H.B. 658, A BILL TO BE ENTITLED AN ACT TO CHANGE THE EARLY VOTING PERIOD, is referred to the Committee on Elections.

By Representatives Stevens, Glazier, McGrady, and Harrison (Primary Sponsors); M. Alexander, Brandon, Bryant, Cotham, Crawford, Fisher, Floyd, Gill, Graham, Guice, Hall, Hamilton, Hurley, Ingle, Insko, Jackson, Jordan, Keever, Lucas, Luebke, McCormick, Michaux, Mobley, Moffitt, R. Moore, Parfitt, Parmon, Randleman, Rapp, Samuelson, E. Warren, Weiss, and Wray:

H.B. 659, A BILL TO BE ENTITLED AN ACT TO AMEND THE CAPITAL TRIAL, SENTENCING, AND POSTCONVICTION PROCEDURES FOR A PERSON WITH A SEVERE MENTAL DISABILITY AND TO PROVIDE THAT INSANITY IS NOT AVAILABLE AS A DEFENSE TO A CRIMINAL ACTION IF PRIOR ALCOHOL OR DRUG USE OR BOTH ARE THE SOLE CAUSE OF THE PSYCHOSIS OR IF VOLUNTARY INTOXICATION, A VOLUNTARY DRUGGED CONDITION, OR BOTH COMBINED ARE THE SOLE SUPPORT FOR THE DEFENSE, is referred to Judiciary Subcommittee B.

By Representatives Stevens, Faircloth, Ingle, and Jordan:

H.B. 660, A BILL TO BE ENTITLED AN ACT ALLOWING A RESPONDENT IN AN ACTION FOR A CIVIL NO CONTACT ORDER TO BE SERVED BY MEANS OTHER THAN SERVICE IN PERSON BY A SHERIFF, is referred to Judiciary Subcommittee B.

By Representatives Cook and Shepard (Primary Sponsors); and Bradley:

H.B. 661, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DIVISION OF MOTOR VEHICLES TO MAKE A COMMERCIAL DRIVERS LICENSE AND A HAZARDOUS MATERIALS ENDORSEMENT EXPIRE AT THE SAME TIME, is referred to the Committee on Transportation.

By Representatives Cook and Shepard (Primary Sponsors); Faircloth, Faison, Graham, Horn, Ingle, Jordan, Starnes, Torbett, and H. Warren:

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H.B. 662, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COUNTIES THAT PROVIDE ELECTRONIC MONITORING FOR OFFENDERS TO COLLECT A FEE TO RECOVER THE ACTUAL COSTS OF PROVIDING THAT MONITORING, is referred to the Committee on Finance.

By Representatives M. Alexander, Hamilton, Harrison, Insko, Luebke, Parmon, and Weiss:

H.B. 663, A BILL TO BE ENTITLED AN ACT AMENDING THE LABOR LAWS OF NORTH CAROLINA RELATING TO REPORTING ON INSPECTIONS OF HIGH HAZARD INDUSTRIES, AGRICULTURAL WORKERS' HOUSING AND EMPLOYMENT CONDITIONS, EMPLOYEE ACCESS TO TOILET FACILITIES, AND HEAT ILLNESS PREVENTION, is referred to the Committee on Commerce and Job Development.

By Representatives K. Alexander, Faison, and Boles (Primary Sponsors); Floyd, Lucas, and Wray:

H.B. 664, A BILL TO BE ENTITLED AN ACT TO PROVIDE CERTAIN INFORMATION REGARDING A DECEASED PERSON'S GROUP LIFE INSURANCE TO A FUNERAL DIRECTOR OR ESTABLISHMENT, is referred to the Committee on Insurance.

By Representatives Boles, Faison, Floyd, and Wray:

H.B. 665, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE COMPLETION OF AN APPROVED DRIVERS EDUCATION COURSE BEFORE A PERSON MAY BE ISSUED A DRIVERS LICENSE AND TO PROVIDE THAT A PERSON WHO MOVES TO THIS STATE WHO HAS A VALID DRIVERS LICENSE ISSUED FROM ANOTHER STATE THAT REQUIRED A DRIVERS EDUCATION COURSE BEFORE THE ISSUANCE OF A DRIVERS LICENSE MAY RECEIVE A NORTH CAROLINA DRIVERS LICENSE, is referred to the Committee on Transportation and, if favorable, to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Hollo and Justice (Primary Sponsors); Faison and Moffitt:

H.B. 666, A BILL TO BE ENTITLED AN ACT TO AMEND THE INSURANCE LAWS IN ORDER TO FACILITATE THE USE OF LOCUM TENENS PHYSICIANS TO ENSURE NORTH CAROLINA'S MEDICAL PROFESSIONALS ARE CAPABLE OF SERVING THE STATE'S EXPANDING POPULATION, is referred to the Committee on Health and Human Services.

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By Representatives Wilkins, Crawford, Brubaker, and Luebke (Primary Sponsors); M. Alexander, Carney, Dockham, Faison, Fisher, Gillespie, Glazier, Hackney, Hamilton, Harrison, Hill, Insko, Lewis, Lucas, McGee, McLawhorn, T. Moore, Owens, Rapp, Setzer, Wainwright, Weiss, West, and Wray:

H.R. 667, A HOUSE RESOLUTION HONORING THE LIFE AND MEMORY OF GORDON PHILLIP ALLEN, SR., FORMER MEMBER OF THE GENERAL ASSEMBLY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Wilkins, West, Dixon, and Faison (Primary Sponsors); L. Brown, Carney, Cook, Faircloth, Glazier, Graham, Hamilton, Harrison, Hastings, Hollo, Hurley, Ingle, Jordan, LaRoque, McGee, McGuirt, McLawhorn, T. Moore, Pierce, Sanderson, Spear, Torbett, Wainwright, H. Warren, and Wray:

H.B. 668, A BILL TO BE ENTITLED AN ACT TO INCREASE THE INCOME TAX DEDUCTION FOR FIREFIGHTERS AND RESCUE SQUAD WORKERS, is referred to the Committee on Finance.

By Representatives Martin, Hamilton, Harrison, and Ross:

H.B. 669, A BILL TO BE ENTITLED AN ACT ALLOWING A PERSON PRACTICING AS A CERTIFIED PUBLIC ACCOUNTANT IN ANOTHER STATE TO LIST THE PERSON'S CREDENTIAL ON THE PERSON'S RESUME WHEN APPLYING FOR EMPLOYMENT IN THIS STATE, is referred to Judiciary Subcommittee A.

By Representatives Carney, Owens, Rapp, and Justice (Primary Sponsors); Earle, Glazier, Hamilton, Harrison, Insko, Lucas, Parfitt, Weiss, and Wray:

H.R. 670, A HOUSE RESOLUTION CREATING AWARENESS ABOUT THE BENEFITS OF ELIMINATING EXCESSIVE DIETARY SODIUM INTAKE AND RELATED SUPPORTING MEASURES AIMED AT DECREASING HEART DISEASE AND STROKE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Hamilton, Haire, Hall, and Harrison (Primary Sponsors); Gill, Graham, Insko, Parfitt, and Wray:

H.B. 671, A BILL TO BE ENTITLED AN ACT TO BEAUTIFY NORTH CAROLINA ROADWAYS AND CLEAN UP ITS COUNTRYSIDE AND TO PROMOTE TOURISM AND MAKE NORTH CAROLINA MORE

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INVITING TO NEW INDUSTRY, BY DISCOURAGING LITTERING AND BY RESTORING ORPHAN CONTAMINATED WASTE SITES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Steen, T. Moore, and Wilkins (Primary Sponsors); Faircloth, Glazier, Hamilton, Harrison, Ingle, Torbett, and Wray:

H.B. 672, A BILL TO BE ENTITLED AN ACT TO MAKE MANUFACTURE OF ANY ARTICLE OR PRODUCT WHILE USING STOLEN OR MISAPPROPRIATED INFORMATION TECHNOLOGY AN UNFAIR ACT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Faircloth, Ingle, Guice, and Pridgen (Primary Sponsors); Brawley, Cook, Cotham, Faison, Folwell, Graham, Hurley, Jones, Keever, McGee, McGuirt, R. Moore, Parfitt, Sanderson, and Torbett:

H.B. 673, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT INDIVIDUALS ENGAGED IN A PATTERN OF STREET GANG ACTIVITY ARE SUBJECT TO INJUNCTIONS AS NUISANCES PURSUANT TO CHAPTER 19 OF THE GENERAL STATUTES, is referred to Judiciary Subcommittee A.

By Representatives Haire, Hamilton, and Harrison:

H.B. 674, A BILL TO BE ENTITLED AN ACT TO AMEND THE HABITUAL FELON LAW BY REDEFINING AN HABITUAL FELON AS A PERSON WHO HAS BEEN CONVICTED OF THREE PRIOR FELONY OFFENSES THAT WERE CLASS G FELONIES OR HIGHER AND THAT WERE COMMITTED WITHIN FIFTEEN YEARS OF THE COMMISSION OF THE PRINCIPAL FELONY WITH WHICH THE PERSON IS CHARGED BY CHANGING THE SENTENCE IMPOSED ON A PERSON CONVICTED AS AN HABITUAL FELON TO BE ONE FELONY CLASS HIGHER THAN THE PRINCIPAL FELONY FOR WHICH THE PERSON IS CONVICTED, TO PROVIDE THAT AN ENHANCED SENTENCE MAY BE IMPOSED ON A DEFENDANT CONVICTED OF A CLASS H OR I FELONY WHO HAS AT LEAST THREE PRIOR CONVICTIONS OF A CLASS H OR I FELONY WITHIN TEN YEARS OF THE DATE OF THE COMMISSION OF THE PRINCIPAL FELONY WITH WHICH THE PERSON IS CHARGED, AND TO DIRECT THE POST-RELEASE SUPERVISION AND PAROLE COMMISSION TO DETERMINE WHETHER THE SENTENCE BEING SERVED BY CERTAIN INMATES IS LONGER THAN WOULD HAVE BEEN IMPOSED

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UNDER STRUCTURED SENTENCING FOR THE SAME CRIME AND IF SO, THEN TO REINITIATE THE PAROLE REVIEW PROCESS FOR THOSE PARTICULAR INMATES, is referred to Judiciary Subcommittee B.

By Representatives Haire and Harrison (Primary Sponsors); K. Alexander, Bell, Bryant, Earle, Insko, Lucas, Parmon, and Wray:

H.B. 675, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PERSON CONVICTED OF A CERTAIN NONVIOLENT CRIMINAL OFFENSE WHOSE CITIZENSHIP RIGHTS HAVE BEEN RESTORED FOR AT LEAST SEVEN YEARS AND WHO CONTINUES TO ABIDE BY THE LAW MAY HAVE THE OFFENSE EXPUNGED FROM HIS OR HER RECORD, is referred to Judiciary Subcommittee B.

By Representatives Wainwright, Cotham, Earle, Glazier, Graham, Hamilton, Harrison, McLawhorn, R. Moore, Pierce, Ross, Weiss, and Wray:

H.B. 676, A BILL TO BE ENTITLED AN ACT AMENDING THE EMPLOYMENT SECURITY LAWS OF NORTH CAROLINA TO IMPLEMENT THE THREE-YEAR LOOK BACK PERIOD FOR FEDERALLY FUNDED EXTENDED UNEMPLOYMENT BENEFITS AS AUTHORIZED BY SECTION 502 OF THE TAX RELIEF, UNEMPLOYMENT INSURANCE REAUTHORIZATION, AND JOB CREATION ACT OF 2010, PUBLIC LAW 111-312, WITH THE AMENDMENTS EXPIRING JANUARY 1, 2012, is referred to the Committee on Commerce and Job Development and, if favorable, to the Committee on Finance.

By Representatives Lewis, Cook, Hurley, Ingle, Moffitt, and H. Warren:

H.B. 677, A BILL TO BE ENTITLED AN ACT TO PROVIDE ADULT CARE HOMES WITH GREATER FLEXIBILITY IN THE TRANSFER AND DISCHARGE OF RESIDENTS, TO MAKE COUNTY DEPARTMENTS OF SOCIAL SERVICES RESPONSIBLE FOR PLACING CERTAIN DISCHARGED RESIDENTS, AND TO ENACT APPEAL RIGHTS FOR ADULT CARE HOME RESIDENTS AND ADULT CARE HOMES WITH RESPECT TO DISCHARGE DECISIONS, is referred to the Committee on Health and Human Services.

By Representatives Lewis, Earle, and Parmon:

H.B. 678, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, IN COLLABORATION WITH THE DEPARTMENT OF CORRECTION, TO ESTABLISH A PILOT PROGRAM TO ALLOW CERTAIN INMATES

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RELEASED FROM CONFINEMENT TO BE PLACED IN ADULT CARE HOMES TO RECEIVE PERSONAL CARE SERVICES AND MEDICATION MANAGEMENT, is referred to the Committee on Health and Human Services.

By Representatives Lewis, Ingle, and Moffitt:

H.B. 679, A BILL TO BE ENTITLED AN ACT STRENGTHENING MENTAL HEALTH RESIDENTIAL PLACEMENT UNDER THE MEDICAID PROGRAM, is referred to the Committee on Health and Human Services.

By Representatives Graham and Pierce (Primary Sponsors); Bell, Bryant, Carney, Earle, Floyd, Gill, Glazier, Hamilton, Harrison, Jordan, Lucas, Parfitt, Parmon, Rapp, and Wainwright:

H.R. 680, A HOUSE RESOLUTION REESTABLISHING THE HOUSE STUDY COMMITTEE TO PRESERVE THE CULTURE AND CUSTOMS OF INDIAN CHILDREN TO FURTHER STUDY ISSUES OR MATTERS IMPACTING THE PRESERVATION OF CUSTOMS AND CULTURE OF INDIAN CHILDREN, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Graham, Pierce, and Brandon (Primary Sponsors); K. Alexander, Bell, Bryant, Earle, Floyd, Lucas, and Stam:

H.B. 681, A BILL TO BE ENTITLED AN ACT TO STUDY THE USE OF AMERICAN INDIAN MASCOTS AT PUBLIC SCHOOLS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives McLawhorn, Farmer-Butterfield, Ross, and Lucas (Primary Sponsors); Carney, Earle, Floyd, Gill, Graham, Hamilton, Harrison, Parfitt, Pierce, Rapp, Weiss, and Wray:

H.B. 682, A BILL TO BE ENTITLED AN ACT TO REQUIRE DOMESTIC VIOLENCE TRAINING FOR CERTAIN INDIVIDUALS, is referred to Judiciary Subcommittee C.

By Representatives Blust, Blackwell, Bradley, R. Brown, Burr, Collins, Cook, Dixon, Faircloth, Gillespie, Hastings, Hilton, Hurley, Ingle, Johnson, Jordan, McGee, T. Moore, Randleman, Samuelson, Setzer, Shepard, Starnes, Torbett, and H. Warren:

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H.B. 683, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT ANY INFANT BORN ALIVE IS INCLUDED IN THE DEFINITION OF PERSON, is referred to Judiciary Subcommittee A.

By Representatives Blust, Collins, Cook, Dixon, Faircloth, Hurley, Ingle, Jordan, T. Moore, Sager, Sanderson, and Torbett:

H.B. 684, A BILL TO BE ENTITLED AN ACT TO ENACT THE UNIFORM CHILD ABDUCTION PREVENTION ACT, is referred to Judiciary Subcommittee A.

By Representatives Blust and LaRoque (Primary Sponsors); Bradley, L. Brown, Burr, Collins, Dixon, Folwell, Killian, Moffitt, Murry, Starnes, Stone, and Torbett:

H.B. 685, A BILL TO BE ENTITLED AN ACT TO STRENGTHEN CONFIDENCE IN GOVERNMENT BY INCREASING ACCESSIBILITY TO PUBLIC PERSONNEL HIRING, FIRING, AND PERFORMANCE RECORDS AND OTHER GOVERNMENTAL RECORDS AND MEETINGS, TO REQUIRE THE AUDIO OR VIDEO RECORDING OF CLOSED SESSIONS OF PUBLIC BODY MEETINGS, TO AMEND THE PUBLIC RECORDS LAWS TO PROVIDE THAT THE SUCCESSFUL PLAINTIFF IN A PUBLIC RECORDS DISPUTE IS ENTITLED TO REASONABLE ATTORNEYS' FEES, TO IMPOSE INDIVIDUAL LIABILITY FOR CIVIL PENALTIES FOR FAILURE TO PROVIDE ACCESS TO A PUBLIC RECORD WITHOUT GOOD CAUSE, AND TO CREATE THE OPEN GOVERNMENT UNIT OF THE DEPARTMENT OF JUSTICE, is referred to Judiciary Subcommittee A and, if favorable, to the Committee on Finance.

By Representative Hastings:

H.B. 686, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ESTABLISHMENT OF A PAYABLE ON DEATH ACCOUNT NAMING AN ENTITY OTHER THAN A NATURAL PERSON AS BENEFICIARY, is referred to the Committee on Banking.

By Representatives Brawley, Moffitt, LaRoque, and Brubaker (Primary Sponsors); Cook, Faircloth, Ingle, Jordan, and McGee:

H.B. 687, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT WHEN CITIES AND COUNTIES ENACT ORDINANCES OR TAKE ADMINISTRATIVE ACTIONS FOR WHICH THERE IS NO STATUTORY AUTHORITY, AND THE ORDINANCE OR ACTION IS AN ABUSE OF AUTHORITY, THE PLAINTIFF MAY RECOVER ATTORNEY FEES, is referred to the Committee on Government.

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By Representatives T. Moore, Bradley, Carney, Faircloth, Hastings, Hilton, Ingle, Jones, Jordan, Martin, McGee, Moffitt, Murry, and Starnes:

H.J.R. 688, A JOINT RESOLUTION PROVIDING THAT THE 2011 GENERAL ASSEMBLY SHALL MEET FOR A DAY AT THE STATE CAPITOL.

By Representatives K. Alexander and Faison (Primary Sponsors); Bryant, Earle, Graham, Hamilton, Harrison, Lucas, R. Moore, Parmon, and Wray:

H.B. 689, A BILL TO BE ENTITLED AN ACT TO MAKE SIMPLER THE PROCESS OF FILLING OUT A VOTER REGISTRATION FORM AND PRINTING IT OUT TO MAIL, AND ALSO TO ALLOW VOTERS TO REGISTER TO VOTE ONLINE, is referred to the Committee on Transportation and, if favorable, to the Committee on Elections and, if favorable, to the Committee on Appropriations and, if favorable, to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Stevens, Jordan, and T. Moore (Primary Sponsors); McComas and Stam:

H.B. 690, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT RESIDENTIAL REAL ESTATE CLOSINGS AND SETTLEMENTS UNDER THE GOOD FUNDS SETTLEMENT ACT BE SUPERVISED BY ATTORNEYS LICENSED IN THIS STATE, TO REQUIRE THAT INTEREST EARNED ON REAL ESTATE SETTLEMENT FUNDS HELD IN TRUST OR ESCROW ACCOUNTS BE PAID INTO THE NORTH CAROLINA STATE BAR'S INTEREST ON LAWYERS' TRUST ACCOUNT FUND, AND TO PROVIDE A PRIVATE CAUSE OF ACTION FOR PERSONS HARMED BY THE UNAUTHORIZED PRACTICE OF LAW, is referred to Judiciary Subcommittee C.

By Representatives Cotham, Carney, and K. Alexander (Primary Sponsors); Earle and Parfitt:

H.B. 691, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE POSITION OF CHIEF MAGISTRATE IN CERTAIN COUNTIES, is referred to Judiciary Subcommittee A and, if favorable, to the Committee on Government.

By Representatives Hurley and Randleman (Primary Sponsors); Hamilton and Harrison:

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H.B. 692, A BILL TO BE ENTITLED AN ACT TO MODIFY THE STATUTES GOVERNING UNCLAIMED PROPERTY IN ORDER TO INCREASE CLAIMS PAID TO RIGHTFUL OWNERS AND REDUCE REPORTING BURDENS ON BUSINESS HOLDERS OF UNCLAIMED PROPERTY, is referred to the Committee on Finance.

By Representative McLawhorn:

H.B. 693, A BILL TO BE ENTITLED AN ACT TO ALLOW THE DIVISION OF MOTOR VEHICLES TO ISSUE TRANSPORTER PLATES TO AN INDIVIDUAL OR BUSINESS THAT HAS A CONTRACT TO REPOSSESS VEHICLES FOR A FINANCIAL INSTITUTION THAT HOLDS A SECURITY INTEREST IN THE VEHICLES BEING REPOSSESSED, is referred to the Committee on Transportation.

By Representatives Frye and Gillespie (Primary Sponsors); Glazier, Parfitt, and Rapp:

H.B. 694, A BILL TO BE ENTITLED AN ACT TO DIRECT APPALACHIAN STATE UNIVERSITY TO JOINTLY DEVELOP AND IMPLEMENT A WIND DEMONSTRATION PROJECT WITH THE HOLDER OF A PERMIT FOR A WIND ENERGY FACILITY THAT HAS BEEN ISSUED BY THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES, is referred to the Committee on Environment and, if favorable, to the Committee on Finance.

By Representatives Bell and Lucas (Primary Sponsors); Bryant, Earle, Fisher, Floyd, Gill, Parfitt, Parmon, Rapp, and Wray:

H.B. 695, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A FAMILY-SCHOOL COMPACT FOR EVERY STUDENT, is referred to the Committee on Education.

By Representatives Ingle, Guice, R. Brown, and Faircloth (Primary Sponsors); Barnhart, Cook, Dollar, Glazier, Hamilton, Hastings, Martin, Spear, and Wray:

H.B. 696, A BILL TO BE ENTITLED AN ACT TO CREATE THE OFFENSE OF ASSAULT ON A LAW ENFORCEMENT OFFICER, PROBATION OFFICER, OR PAROLE OFFICER INFLECTING BODILY INJURY, is referred to Judiciary Subcommittee B.

By Representatives L. Brown, Carney, Dockham, Dollar, Earle, Faison, Gill, Glazier, Hamilton, Harrison, Parfitt, and Parmon:

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H.J.R. 697, A JOINT RESOLUTION DIRECTING THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF PUBLIC HEALTH, TO ASSESS CHRONIC DISEASE MANAGEMENT OF STROKE PREVENTION IN ATRIAL FIBRILLATION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Dockham, T. Moore, and Gillespie (Primary Sponsors); Jones, McComas, Murry, Samuelson, Stam, and Wray:

H.B. 698, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT DENTIST AGREEMENTS WITH MANAGEMENT COMPANIES DO NOT SHIFT CONTROL OF CLINICAL PATIENT SERVICES AWAY FROM LICENSED DENTISTS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Bordsen, Bryant, Carney, Cotham, Earle, Fisher, Floyd, Gill, Glazier, Graham, Hamilton, Harrison, Insko, Jordan, Parfitt, Pierce, and Weiss:

H.B. 699, A BILL TO BE ENTITLED AN ACT PROVIDING THAT THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION SHALL STUDY THE ISSUES SURROUNDING CHILDREN OF INCARCERATED PARENTS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Bordsen, Gill, and Glazier:

H.B. 700, A BILL TO BE ENTITLED AN ACT TO REQUIRE PARTICIPATING EMPLOYERS TO AUTO-ENROLL NEW MEMBERS OF THE STATE RETIREMENT SYSTEMS IN A SUPPLEMENTAL RETIREMENT PLAN WITH THE PROVISION THAT THESE EMPLOYEES MAY OPT OUT OF THE PLAN WITHIN 90 DAYS WITH A FULL RETURN OF ANY CONTRIBUTIONS MADE, is referred to the Committee on State Personnel.

By Representatives Bordsen and Adams (Primary Sponsors); Fisher, Gill, Hackney, Hamilton, Insko, and Weiss:

H.R. 701, A HOUSE RESOLUTION HONORING THE LIFE AND MEMORY OF MARTHA MAXINE MCMAHON SWALIN FOR HER CONTRIBUTIONS TO THE NORTH CAROLINA SYMPHONY, is referred to the Committee on Rules, Calendar, and Operations of the House.

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By Representatives Wilkins, Horn, Pierce, and Johnson (Primary Sponsors); Bryant, Carney, Faison, Fisher, Floyd, Gill, Graham, Hamilton, Keever, McGuirt, R. Moore, Parfitt, Rapp, Wainwright, Weiss, and Wray:

H.B. 702, A BILL TO BE ENTITLED AN ACT TO PROVIDE EDUCATIONAL ASSISTANCE FOR MINIMUM WAGE WORKERS, is referred to the Committee on Education and, if favorable, to the Committee on Appropriations.

By Representatives K. Alexander and Luebke:

H.B. 703, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE NORTH CAROLINA CEMETERY COMMISSION AND TRANSFER ITS POWERS AND DUTIES UNDER THE NORTH CAROLINA CEMETERY ACT TO THE NORTH CAROLINA BOARD OF FUNERAL SERVICE (BOARD); EXTEND THE JURISDICTION OF THE BOARD TO INCLUDE PUBLIC, PRIVATE, RELIGIOUS, AND FRATERNAL CEMETERIES; REQUIRE THAT PROVISIONS BE MADE IN ALL CEMETERIES FOR GREEN BURIALS; EXPAND THE MEMBERSHIP OF THE BOARD FROM NINE TO TWELVE MEMBERS; INCLUDE UNDER THE JURISDICTION OF THE BOARD ANY PERSON OR ENTITY SELLING FUNERAL MERCHANDISE TO THE GENERAL PUBLIC; DIRECT THE BOARD TO MAKE CERTAIN CONSIDERATIONS IN DETERMINING VIOLATIONS FOR LICENSEES; CLARIFY WHAT CONSTITUTES ABANDONED HUMAN REMAINS UNDER THE LAWS PERTAINING TO PUBLIC HEALTH AND THE DISPOSITION OF UNCLAIMED BODIES; DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO PREPARE A REPORT ON THE EFFECTS OF GROUND WATER QUALITY OF HYDROLYSIS AS A MEANS OF DISPOSAL OF HUMAN REMAINS; AND MANDATE LIQUIDATION OF ALL MUTUAL BURIAL ASSOCIATIONS WITH ASSETS OF NO MORE THAN TEN THOUSAND DOLLARS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Hager, Steen, Stone, and Collins (Primary Sponsors); Bradley, Cook, Dockham, Glazier, Graham, Jones, Murry, and H. Warren:

H.J.R. 704, A JOINT RESOLUTION TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE LONG-TERM FUTURE ENERGY NEEDS OF THE STATE, INCLUDING ITS ENERGY NEEDS FOR VARIOUS MODES OF TRANSPORTATION, AND TO DEVELOP A LONG-TERM PLAN THAT ADDRESSES THE SOURCES OF ENERGY THAT ARE ABLE TO MEET THOSE NEEDS AND THE ENERGY INFRASTRUCTURE ASSOCIATED WITH THOSE SOURCES OF ENERGY, is referred to the Committee on Public Utilities.

April 7, 2011

By Representatives Hager, Bradley, L. Brown, Burr, Cleveland, Collins, Cook, Dixon, Jones, Jordan, Moffitt, and Starnes:

H.B. 705, A BILL TO BE ENTITLED AN ACT TO REPEAL THE LAW THAT REQUIRES EACH COUNTY, THROUGH THE LOCAL HEALTH DEPARTMENT, TO IMPLEMENT A PRIVATE DRINKING WATER WELL PERMITTING, INSPECTION, AND TESTING PROGRAM AND TO MAKE STATUTORY CONFORMING CHANGES, is referred to the Committee on Environment.

By Representative Rhyne:

H.B. 706, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE LAW RELATING TO ALIMONY AND POSTSEPARATION SUPPORT, AS RECOMMENDED BY THE NORTH CAROLINA BAR ASSOCIATION, is referred to Judiciary Subcommittee C.

By Representative Rhyne:

H.B. 707, A BILL TO BE ENTITLED AN ACT TO MODERNIZE AND ENACT CERTAIN PROVISIONS REGARDING DEEDS OF TRUST, INCLUDING RELEASES, SHORT SALES, FUTURE ADVANCE PROVISION TERMINATIONS AND SATISFACTIONS, TERMINATIONS AND SATISFACTIONS FOR EQUITY LINE LIENS, RELEASE OF ANCILLARY DOCUMENTS, ELIMINATING TRUSTEE OF DEED OF TRUST AS NECESSARY PARTY FOR CERTAIN TRANSACTIONS AND LITIGATION, AND INDEXING OF SUBSEQUENT INSTRUMENTS RELATED THERETO, is referred to the Committee on Banking.

By Representatives Hamilton, Keever, and R. Moore (Primary Sponsors); M. Alexander, Glazier, and Rapp:

H.B. 708, A BILL TO BE ENTITLED AN ACT TO DIRECT THE ENVIRONMENTAL REVIEW COMMISSION TO STUDY THE REDUCTION AND CONSOLIDATION OF THE STATUTORY MODELS FOR ESTABLISHING, OPERATING, AND FINANCING CERTAIN ORGANIZATIONS THAT PROVIDE WATER AND SEWER SERVICES IN THE STATE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Folwell, Dollar, Hager, and Crawford (Primary Sponsors); Cook, Faircloth, Moffitt, and Wray:

April 7, 2011

H.B. 709, A BILL TO BE ENTITLED AN ACT PROTECTING AND PUTTING NORTH CAROLINA BACK TO WORK BY REFORMING THE WORKERS' COMPENSATION ACT TO (1) DEFINE "SUITABLE EMPLOYMENT" PERTAINING TO AN EMPLOYEE'S RETURN TO WORK WITHIN RESTRICTIONS OR AFTER REACHING MAXIMUM IMPROVEMENT; (2) MAKE WILLFUL MISREPRESENTATIONS GROUNDS FOR DISQUALIFICATION FROM RECEIVING BENEFITS; (3) PROVIDE THAT PARTIES MAY REACH A SEPARATE CONTEMPORANEOUS AGREEMENT TO RESOLVE ISSUES NOT COVERED BY THE ACT; (4) CLARIFY THE RIGHTS AND RESPONSIBILITIES OF EMPLOYERS AND EMPLOYEES REGARDING MEDICAL EXAMINATIONS, TREATMENT, AND ACCESS TO MEDICAL INFORMATION; (5) CAP THE DURATION OF COMPENSATION FOR TEMPORARY TOTAL DISABILITY; (6) EXTEND FROM THREE HUNDRED TO FIVE HUNDRED THE NUMBER OF WEEKS AN INJURED EMPLOYEE IS ELIGIBLE TO RECEIVE COMPENSATION FOR PARTIAL INCAPACITY; (7) INCREASE THE DEATH BENEFIT AND BURIAL EXPENSE ALLOWANCE; (8) REDUCE THE INDUSTRIAL COMMISSION FROM SEVEN TO FIVE MEMBERS SUBJECT TO LEGISLATIVE CONFIRMATION; (9) PROVIDE THAT COMMISSIONERS AND DEPUTY COMMISSIONERS ARE SUBJECT TO THE CODE OF JUDICIAL STANDARDS; AND (10) REPEAL THE COMMISSION'S FULL EXEMPTION FROM THE ADMINISTRATIVE PROCEDURE ACT, THEREBY SUBJECTING THE COMMISSION TO RULE MAKING PURSUANT TO ARTICLE 2A OF CHAPTER 150B OF THE GENERAL STATUTES AND REQUIRING THE COMMISSION TO READOPT RULES PURSUANT TO THAT ARTICLE, is referred to the Committee on Commerce and Job Development and, if favorable, to the Committee on Judiciary and, if favorable, to the Committee on Finance.

By Representatives Lewis, Cleveland, Cook, and Sager:

H.B. 710, A BILL TO BE ENTITLED AN ACT TO COMBINE THE FUNCTIONS OF THE STATE ETHICS COMMISSION, THE LOBBYING SECTION OF THE SECRETARY OF STATE, AND THE CAMPAIGN FINANCE DIVISION OF THE STATE BOARD OF ELECTIONS INTO AN AGENCY TO BE KNOWN AS THE STATE BOARD OF ETHICS, LOBBYING, AND CAMPAIGN FINANCE, is referred to the Committee on Elections.

By Representatives Lewis and Gillespie (Primary Sponsors); Bradley, Cook, Dixon, Faison, Ingle, McGee, Moffitt, and Starnes:

April 7, 2011

H.B. 711, A BILL TO BE ENTITLED AN ACT TO CLARIFY LANDOWNERS' RIGHTS OVER WATER ON THEIR PROPERTY AND THE CONSTRUCTION OF WELLS ON THEIR PROPERTY, is referred to the Committee on Environment.

By Representatives Current and Hilton (Primary Sponsors); Barnhart, Cook, Faircloth, Faison, Folwell, Glazier, Ingle, McGee, Moffitt, and Wray:

H.B. 712, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A QUALIFIED RETIRED LAW ENFORCEMENT OFFICER IS EXEMPT FROM THE GENERAL PROHIBITION AGAINST CARRYING A CONCEALED WEAPON, is referred to Judiciary Subcommittee A.

By Representatives Stam, Lewis, and Murry (Primary Sponsors); Cook and Faircloth:

H.B. 713, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE DEPARTMENT OF ADMINISTRATION TO USE MULTIPLE AWARD SCHEDULE CONTRACTS FOR THE PURCHASE OF ALL GROUND MAINTENANCE, CONSTRUCTION, AND FORESTRY EQUIPMENT, is referred to the Committee on Commerce and Job Development.

By Representatives Torbett, Cook, Hamilton, and Harrison:

H.B. 714, A BILL TO BE ENTITLED AN ACT TO ALLOW NON-PROFIT CORPORATIONS OPERATING AS A PROFESSIONAL AND TRADE ASSOCIATION OR A BUSINESS LEAGUE TO PROVIDE LEGAL SERVICES TO ITS MEMBERS USING ATTORNEYS DULY LICENSED TO PRACTICE LAW IN THIS STATE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Graham, Pierce, Pridgen, and Hall (Primary Sponsors); M. Alexander, Blackwell, L. Brown, Carney, Cook, Cotham, Dixon, Dockham, Faircloth, Faison, Floyd, Folwell, Glazier, Hamilton, Harrison, Hastings, Hollo, Hurley, Ingle, Jordan, Lucas, McGee, McLawhorn, Moffitt, T. Moore, Murry, Rapp, Sager, Shepard, Spear, Torbett, Wainwright, H. Warren, and Wray:

H.R. 715, A HOUSE RESOLUTION ENCOURAGING THE CITIZENS OF NORTH CAROLINA TO OBSERVE FIREFIGHTERS WEEK IN NORTH CAROLINA, is referred to the Committee on Rules, Calendar, and Operations of the House.

April 7, 2011

By Representatives Graham, Floyd, Hamilton, Harrison, Lucas, and Pierce:

H.B. 716, A BILL TO BE ENTITLED AN ACT TO INCREASE THE ADDITIONAL FEE FOR THE NATIVE AMERICAN SPECIAL REGISTRATION PLATE FROM TEN DOLLARS TO TWENTY DOLLARS AND TO USE THE FUNDS TO SUPPORT THE AMERICAN INDIAN SCHOLARSHIP FUND, is referred to the Committee on Finance.

By Representative Wray:

H.B. 717, A BILL TO BE ENTITLED AN ACT TO EXCLUDE ANY PRIVATE MORTGAGE INSURANCE PREMIUMS IN EXCESS OF ONE AND ONE-QUARTER PERCENT OF THE LOAN AMOUNT FROM THE DEFINITION OF "POINTS AND FEES" IN HIGH-COST HOME LOANS, is referred to the Committee on Banking.

By Representatives Ingle and Bordsen (Primary Sponsors); and Floyd:

H.B. 718, A BILL TO BE ENTITLED AN ACT ALLOWING ALAMANCE COUNTY TO USE ATTORNEYS AS A CHILD SUPPORT HEARING OFFICER UPON DESIGNATION BY A CHIEF DISTRICT COURT JUDGE IN EXPEDITED PROCESS CHILD SUPPORT ACTIONS, is referred to the Committee on Government and, if favorable, to the Committee on Judiciary.

By Representatives Brawley, Cook, and Faircloth:

H.B. 719, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DIVISION OF MOTOR VEHICLES TO EXPUNGE SUSPENSIONS AND REVOCATIONS ENTERED ON A LIMITED PERMITTEE OR PROVISIONAL LICENSEE'S DRIVING RECORD IF THE STUDENT PROVIDES THE REQUIRED DOCUMENTATION TO THE DIVISION THAT THE STUDENT MEETS THE ELIGIBILITY REQUIREMENTS AND IF THE LIMITED PERMITTEE OR PROVISIONAL LICENSEE HAS NEVER HAD A PRIOR EXPUNCTION FROM THE PERMITTEE'S DRIVING RECORD, is referred to Judiciary Subcommittee B.

By Representatives Murry, Blust, and Brandon (Primary Sponsors); Blackwell, L. Brown, Collins, Cook, Dixon, Faircloth, Faison, Graham, Hamilton, Harrison, Ingle, Johnson, Jones, Moffitt, Shepard, Starnes, Torbett, and Wray:

April 7, 2011

H.B. 720, A BILL TO BE ENTITLED AN ACT TO ENACT THE SCHOOL AND TEACHER PAPERWORK REDUCTION ACT, is referred to the Committee on Education.

By Representatives McCormick, Bryant, Floyd, and Gill:

H.B. 721, A BILL TO BE ENTITLED AN ACT REQUIRING LANDLORDS AND TENANTS TO TAKE CERTAIN ACTIONS TO EXTERMINATE BEDBUGS IN DWELLING UNITS, is referred to the Committee on Commerce and Job Development.

By Representatives Harrison, Keever, Luebke, and Fisher (Primary Sponsors); M. Alexander, Gill, Insko, and Weiss:

H.B. 722, A BILL TO BE ENTITLED AN ACT TO (1) PRESERVE THE APPALACHIAN MOUNTAINS BY PROHIBITING ELECTRIC PUBLIC UTILITIES THAT OPERATE COAL-FIRED GENERATING UNITS LOCATED IN NORTH CAROLINA FROM PURCHASING OR USING COAL THAT IS EXTRACTED USING MOUNTAINTOP REMOVAL COAL MINING; (2) REQUIRE PERMITS FOR CERTAIN SOLID WASTE DISPOSAL SITES FOR THE REUSE OF COMBUSTION PRODUCTS AND FOR CERTAIN SOLID WASTE DISPOSAL SITES FOR STRUCTURAL FILL AND TO ESTABLISH PERMIT FEES FOR THESE DISPOSAL SITES, IN ORDER TO ADEQUATELY PROTECT THE PUBLIC HEALTH AND THE ENVIRONMENT; AND (3) PROVIDE ECONOMIC RELIEF TO ELECTRIC UTILITY RATEPAYERS DURING THIS PERIOD OF ECONOMIC RECESSION AND THE COMING RECOVERY PERIOD BY PLACING A MORATORIUM ON THE CONSTRUCTION OF ANY NEW COAL-FIRED POWER PLANT UNLESS IT IS CARBON NEUTRAL, is referred to the Committee on Public Utilities and, if favorable, to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Harrison, Hamilton, McGrady, and Justice (Primary Sponsors); M. Alexander, Gill, Glazier, Insko, and Weiss:

H.B. 723, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE EXCLUSION FROM ENVIRONMENTAL REVIEW FOR PROJECTS RECEIVING ECONOMIC INCENTIVES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Harrison, Luebke, and Fisher (Primary Sponsors); M. Alexander, Faison, Gill, Insko, R. Moore, and Weiss:

April 7, 2011

H.B. 724, A BILL TO BE ENTITLED AN ACT TO (1) AMEND THE DEFINITION OF "RENEWABLE ENERGY RESOURCE" THAT PERTAINS TO THE RENEWABLE ENERGY AND ENERGY EFFICIENCY PORTFOLIO STANDARD (REPS) TO CLARIFY THAT PLANTATION-GROWN WOOD IS A RENEWABLE ENERGY RESOURCE; (2) REPEAL REPS REQUIREMENT FOR POULTRY WASTE RESOURCES; AND (3) CLARIFY CURRENT LIMITATIONS ON CITY ORDINANCES AND COUNTY ORDINANCES THAT REGULATE THE INSTALLATION OF SOLAR COLLECTORS FOR RESIDENTIAL PROPERTY AND THE CURRENT LIMITATIONS ON DEED RESTRICTIONS THAT REGULATE THE INSTALLATION OF SOLAR COLLECTORS FOR RESIDENTIAL PROPERTY, is referred to the Committee on Commerce and Job Development and, if favorable, to the Committee on Environment.

By Representatives Rapp and McGuirt (Primary Sponsors); Faison, Floyd, Graham, Insko, Starnes, and H. Warren:

H.B. 725, A BILL TO BE ENTITLED AN ACT TO REQUIRE ANYONE WHO IS CONVICTED OF DRIVING WHILE IMPAIRED, DRIVING AFTER CONSUMING ALCOHOL BEING LESS THAN TWENTY-ONE YEARS OF AGE, OR ANY OTHER IMPAIRED DRIVING OFFENSE, OR ANY PERSON WHO REFUSES A CHEMICAL ANALYSIS, TO HAVE AN IGNITION INTERLOCK SYSTEM INSTALLED ON EVERY VEHICLE THAT PERSON MAY DRIVE BEFORE THAT PERSON CAN GET A LIMITED DRIVING PRIVILEGE; AND TO PROVIDE FOR THE PAYMENT OF AN ADMINISTRATIVE FEE AND COSTS ASSOCIATED WITH AN IGNITION INTERLOCK SYSTEM AND CREATE AN IGNITION INTERLOCK DEVICE FUND TO ASSIST INDIGENT PERSONS, is referred to the Committee on Judiciary.

By Representatives Rapp and Horn (Primary Sponsors):

H.B. 726, A BILL TO BE ENTITLED AN ACT TO REQUIRE PRESCRIBERS AND DISPENSERS TO REVIEW INFORMATION IN THE CONTROLLED SUBSTANCES REPORTING SYSTEM PRIOR TO PRESCRIBING OR DISPENSING A CONTROLLED SUBSTANCE TO A PATIENT, is referred to Judiciary Subcommittee B.

By Representatives Parmon, Hamilton, and Fisher (Primary Sponsors); M. Alexander, Bryant, Cotham, Faison, Floyd, Gill, Graham, Hackney, Harrison, Insko, Lucas, Luebke, Parfitt, Pierce, Wainwright, Weiss, and Wray:

April 7, 2011

H.B. 727, A BILL TO BE ENTITLED AN ACT TO AMEND THE CRITERIA USED BY THE COMMITTEE ON DROPOUT PREVENTION TO AWARD THE DROPOUT PREVENTION GRANTS, TO DIRECT THE COMMITTEE ON DROPOUT PREVENTION TO USE EVALUATIONS FROM PRIOR GRANT CYCLES TO IDENTIFY EVIDENCE-BASED PROGRAMMATIC ELEMENTS THAT ARE EFFECTIVE AND REPLICABLE, AND TO ALLOCATE FUNDS TO STUDY HIGH SCHOOLS THAT HAVE SIGNIFICANTLY REDUCED THEIR DROPOUT RATE TO IDENTIFY PROGRAMS THAT MERIT REPLICATION AND ASSESS THE PROGRESS OF PROGRAMS THAT ARE NO LONGER RECEIVING DROPOUT PREVENTION GRANTS, is referred to the Committee on Education.

By Representatives Bordsen, M. Alexander, Faison, Floyd, Graham, Hamilton, and Harrison:

H.J.R. 728, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE FEASIBILITY OF USING INMATE LABOR TO REHABILITATE UNUSED STATE-OWNED BUILDINGS AND TO SALVAGE HISTORICAL PROPERTIES THAT HAVE FALLEN INTO DISREPAIR, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Wray, Glazier, Insko, and M. Alexander (Primary Sponsors); Carney, Floyd, Gill, Graham, Hamilton, Harrison, Jordan, Lucas, Rapp, and Weiss:

H.B. 729, A BILL TO BE ENTITLED AN ACT TO CREATE THE CRIMINAL OFFENSE OF RECKLESS ASSAULT OF A CHILD, is referred to Judiciary Subcommittee B.

By Representative Fisher:

H.B. 730, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF STATE TREASURER TO CREATE A CENTRALIZED 403(B) RETIREMENT ANNUITY PLAN AS AN OPTION FOR EMPLOYEES OF LOCAL BOARDS OF EDUCATION, is referred to the Committee on Education and, if favorable, to the Committee on Finance.

By Representatives Hackney, Carney, Dockham, Faison, Glazier, Hamilton, Insko, Luebke, Rapp, and Weiss:

April 7, 2011

H.R. 731, A HOUSE RESOLUTION HONORING THE LIFE AND MEMORY OF IKE FRANKLIN ANDREWS, FORMER MEMBER OF CONGRESS AND THE GENERAL ASSEMBLY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Blust and Daughtry (Primary Sponsors); L. Brown, Collins, Cook, Jones, and Moffitt:

H.B. 732, A BILL TO BE ENTITLED AN ACT TO ENACT THE TORT REFORM ACT OF 2011, is referred to the Committee on Judiciary.

By Representatives Jordan, Starnes, and Stevens (Primary Sponsors); Cook, Moffitt, and Murry:

H.B. 733, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT MULTIPLE PAYEE CHECKS MAY BE PRESUMED ABANDONED WITH RESPECT TO AN OWNER NOT CLAIMING THE CHECK WITHIN THREE YEARS AND TO LIMIT THE SCOPE OF THE REGULATION OF PROPERTY FINDER AGREEMENTS TO ONLY THOSE AGREEMENTS THAT INVOLVE PROPERTY THAT IS PRESUMED ABANDONED, is referred to the Committee on Government.

By Representatives H. Warren, L. Brown, Lewis, and T. Moore (Primary Sponsors); Blust, Bradley, Burr, Cleveland, Collins, Cook, Dixon, Faircloth, Folwell, Hager, Hastings, Hurley, Ingle, Jordan, LaRoque, Moffitt, and Shepard:

H.B. 734, A BILL TO BE ENTITLED AN ACT REQUIRING THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO ISSUE TO PARTICIPANTS IN THE SUPPLEMENTAL FOOD AND NUTRITION PROGRAM (SNAP) DEBIT CARDS THAT CONTAIN PHOTO IDENTIFICATION ON THE CARD, is referred to Judiciary Subcommittee C and, if favorable, to the Committee on Finance.

By Representatives H. Warren, Cleveland, Hager, and Lewis (Primary Sponsors); Boles, Collins, Hurley, Jordan, LaRoque, Mills, Moffitt, Shepard, Stone, and Wray:

H.B. 735, A BILL TO BE ENTITLED AN ACT TO INCLUDE PERIODIC DRUG TESTING AMONG THE CONDITIONS REQUIRED FOR ELIGIBILITY TO RECEIVE UNEMPLOYMENT INSURANCE BENEFITS IN ORDER TO ENSURE THAT RECIPIENTS ARE ABLE AND AVAILABLE TO WORK, is referred to the Committee on Commerce and Job Development.

April 7, 2011

By Representatives Langdon, Luebke, Daughtry, and Lucas (Primary Sponsors); Bryant, Cook, Dixon, Floyd, Gill, Hamilton, and Harrison:

H.B. 736, A BILL TO BE ENTITLED AN ACT TO REORGANIZE THE GENERAL STATUTES RELATING TO SCHOOL DISCIPLINE; PREVENT LITIGATION BY ADDING DEFINITIONS TO AND CLARIFYING AMBIGUITIES IN THE CURRENT LAW; CODIFY EXISTING CASE LAW; AND INCREASE LOCAL CONTROL AND FLEXIBILITY REGARDING DISCIPLINE, is referred to the Committee on Education.

By Representatives Samuelson, Earle, Steen, and Brisson (Primary Sponsors); M. Alexander, Carney, Cook, Gill, Glazier, Hamilton, Harrison, Ingle, Jordan, Lucas, McGee, McLawhorn, Parfitt, Parmon, and Wray:

H.B. 737, A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE LAWS REGARDING THE SAFETY OF CHILDREN IN CHILD CARE FACILITIES, is referred to Judiciary Subcommittee A.

By Representatives Jordan and Sanderson (Primary Sponsors); and Cook:

H.B. 738, A BILL TO BE ENTITLED AN ACT REQUIRING ONLY CERTAIN EARLY CARE AND EDUCATION PROVIDERS WORKING IN LICENSED CHILD CARE CENTERS OR LICENSED FAMILY CHILD CARE HOMES TO OBTAIN AND MAINTAIN EARLY EDUCATOR CERTIFICATION, is referred to the Committee on Education.

By Representatives Faison and Ingle (Primary Sponsors); Faircloth, Floyd, Graham, Insko, Jordan, McGee, Rapp, Starnes, H. Warren, and Wray:

H.B. 739, A BILL TO BE ENTITLED AN ACT TO REQUIRE ANYONE WHO IS CONVICTED OF DRIVING WHILE IMPAIRED, DRIVING AFTER CONSUMING ALCOHOL BEING LESS THAN TWENTY-ONE YEARS OF AGE, OR ANY OTHER IMPAIRED DRIVING OFFENSE, OR ANY PERSON WHO REFUSES A CHEMICAL ANALYSIS, TO HAVE AN IGNITION INTERLOCK SYSTEM INSTALLED ON EVERY VEHICLE THAT PERSON MAY DRIVE BEFORE THAT PERSON CAN GET A LIMITED DRIVING PRIVILEGE; AND TO PROVIDE FOR THE PAYMENT OF AN ADMINISTRATIVE FEE AND COSTS ASSOCIATED WITH AN IGNITION INTERLOCK SYSTEM AND CREATE AN IGNITION INTERLOCK DEVICE FUND TO ASSIST INDIGENT PERSONS, is referred to the Committee on Judiciary and, if favorable, to the Committee on Finance.

April 7, 2011

By Representatives Keever, Parfitt, Gill, and McGrady (Primary Sponsors); M. Alexander, Carney, Floyd, Glazier, Hamilton, Harrison, Insko, Jordan, and Wray:

H.J.R. 740, A JOINT RESOLUTION TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE STATE'S CRIMINAL AND SENTENCING LAWS REGARDING SEX OFFENSES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Barnhart and Stam (Primary Sponsors); Collins, Faircloth, Ingle, Jones, Jordan, Moffitt, and Stone:

H.B. 741, A BILL TO BE ENTITLED AN ACT PROVIDING FOR AN ENTERPRISE APPROACH FOR DETECTION OF FRAUD, WASTE, ABUSE, AND IMPROPER PAYMENTS IN STATE GOVERNMENT PROGRAMS AND APPROPRIATING FUNDS FOR THAT PURPOSE, is referred to the Committee on Appropriations.

By Representatives Avila, Stevens, and Glazier (Primary Sponsors); and Cook:

H.B. 742, A BILL TO BE ENTITLED AN ACT TO CONFORM THE DEFINITION OF MARIJUANA USED IN THE GENERAL STATUTES SO THAT IT IS THE SAME IN CIVIL AND CRIMINAL STATUTES AND TO FURTHER CONFORM THE DEFINITION OF MARIJUANA WITH FEDERAL GUIDELINES ON THE WEIGHING OF MARIJUANA PLANTS, is referred to Judiciary Subcommittee B.

By Representatives Steen, Current, Glazier, and Torbett (Primary Sponsors); M. Alexander, Collins, Cook, Frye, Hamilton, Harrison, Hastings, Hurley, Jordan, LaRoque, Lucas, Randleman, and H. Warren:

H.B. 743, A BILL TO BE ENTITLED AN ACT TO ENSURE EQUAL TREATMENT OF HEALTH SERVICE APPLICANTS UNDER THE STATE MEDICAL FACILITIES PLAN, is referred to the Committee on Health and Human Services.

By Representatives Folwell, R. Brown, Hastings, and Torbett (Primary Sponsors); L. Brown, Cook, Dixon, Faircloth, Hurley, Ingle, Jones, Jordan, Lewis, Stone, and H. Warren:

H.B. 744, A BILL TO BE ENTITLED AN ACT TO ENACT THE SAFE STUDENTS ACT, is referred to the Committee on Education.

April 7, 2011

By Representatives Floyd, Bell, Bryant, Cook, Graham, Hamilton, Harrison, Jordan, Lucas, and Shepard:

H.J.R. 745, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE DUTIES AND SERVICES OF THE NORTH CAROLINA HUMAN RELATIONS COMMISSION AND THE CIVIL RIGHTS DIVISION OF THE OFFICE OF ADMINISTRATIVE HEARINGS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Fisher, Hamilton, Bryant, and Luebke (Primary Sponsors); M. Alexander, Floyd, Gill, Harrison, and Parmon:

H.B. 746, A BILL TO BE ENTITLED AN ACT TO PROTECT THE CONSTITUTIONAL RIGHT OF CITIZENS TO PARTICIPATE IN GOVERNMENT PROCEEDINGS, is referred to the Committee on Judiciary.

By Representatives Iler and Cook:

H.B. 747, A BILL TO BE ENTITLED AN ACT TO EXEMPT COMMERCIAL FISHING BOATS FROM PROPERTY TAX, is referred to the Committee on Commerce and Job Development and, if favorable, to the Committee on Finance.

By Representatives Folwell, Justice, Wainwright, and Wray (Primary Sponsors); M. Alexander, L. Brown, Carney, Faircloth, Faison, Floyd, Glazier, Graham, Hamilton, Harrison, Hill, Horn, Hurley, Ingle, Jones, Jordan, Lewis, Murry, Pierce, and Rapp:

H.R. 748, A HOUSE RESOLUTION ENCOURAGING THE CITIZENS OF THIS STATE TO RECOGNIZE EACH APRIL AS ORGAN DONATION MONTH, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives McComas, R. Moore, and Wray:

H.B. 749, A BILL TO BE ENTITLED AN ACT TO ENSURE THAT THE NORTH CAROLINA STATE PORTS AUTHORITY DEVELOPS BUSINESSES RATHER THAN COMPETING WITH BUSINESSES; AND TO STUDY A PROJECT TO FACILITATE SHIPPING UP THE CAPE FEAR RIVER, is referred to the Committee on Commerce and Job Development.

April 7, 2011

By Representatives McComas and Wray:

H.B. 750, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO TRANSFER A PERMIT FOR A STORMWATER BEST MANAGEMENT PRACTICE FROM A DECLARANT OF A CONDOMINIUM OR PLANNED COMMUNITY TO AN OWNERS' ASSOCIATION UPON REQUEST OF THE DECLARANT AND SUBMISSION OF DOCUMENTATION THAT DECLARANT CONTROL FOR THE COMMUNITY HAS TERMINATED, is referred to the Committee on Environment.

By Representatives McComas and Wray:

H.B. 751, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT A PORT FACILITY THAT UTILIZES SPECIALIZED MACHINERY TO PROCESS BULK CARGO INTO A FORM SUITABLE FOR DELIVERY AND USE BY A MANUFACTURING FACILITY QUALIFIES AS A MANUFACTURING FACILITY FOR PURPOSES OF THE PRIVILEGE TAX ON MILL MACHINERY, is referred to the Committee on Finance.

By Representatives Weiss, Justice, Martin, and Jackson (Primary Sponsors); M. Alexander, Carney, Glazier, Hamilton, Harrison, Insko, and McGee:

H.B. 752, A BILL TO BE ENTITLED AN ACT TO EXTEND THE TIME PERIOD DURING WHICH LEGISLATORS AND CERTAIN PUBLIC SERVANTS ARE PROHIBITED FROM REGISTERING AS A LOBBYIST AFTER LEAVING OFFICE OR EMPLOYMENT; AND TO PROHIBIT PUBLIC SERVANTS FROM ACCEPTING ECONOMIC BENEFIT FROM CERTAIN PERSONS AFTER LEAVING OFFICE OR EMPLOYMENT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Insko and Murry (Primary Sponsors); Cook and Wray:

H.B. 753, A BILL TO BE ENTITLED AN ACT PROVIDING FOR THE REGULATION AND LICENSING OF PERSONS WHO PERFORM AND ADMINISTER MEDICAL IMAGING AND RADIATION THERAPY PROCEDURES, is referred to the Committee on Health and Human Services and, if favorable, to the Committee on Finance.

By Representatives Rapp, L. Brown, and Iler:

H.B. 754, A BILL TO BE ENTITLED AN ACT TO EXCLUDE MUNICIPALITIES WITH NO ROADS TO MAINTAIN FROM RECEIVING A STATE STREET-AID ALLOCATION; AND TO REDISTRIBUTE FUNDS PREVIOUSLY ALLOCATED TO THOSE MUNICIPALITIES, is referred to the Committee on Appropriations.

April 7, 2011

By the Committee on Agriculture and Representative Cleveland:

H.B. 755, A BILL TO BE ENTITLED AN ACT TO PROVIDE THE WILDLIFE RESOURCES COMMISSION AUTHORITY TO REGULATE THE TAKING OF FOXES AND COYOTES, is referred to the Committee on Agriculture.

By Representatives Hamilton, McComas, Faircloth, and Jordan (Primary Sponsors); and Harrison:

H.B. 756, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE RESULTS OF A SPECTRAL FLUORESCENCE SIGNATURE ANALYSIS WITH REGARD AS TO WHETHER A SUBSTANCE IS A DRUG ARE ADMISSIBLE AS EVIDENCE IN COURT, TO REQUIRE A PERMIT TO CONDUCT A SPECTRAL FLUORESCENCE SIGNATURE ANALYSIS, AND TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO ESTABLISH AND ADMINISTER A PERMIT PROGRAM FOR THE PRACTICE OF SPECTRAL FLUORESCENCE SIGNATURE ANALYSIS, is referred to Judiciary Subcommittee B and, if favorable, to the Committee on Finance.

By Representatives Cook and Cleveland:

H.B. 757, A BILL TO BE ENTITLED AN ACT TO IMPROVE SERVICES TO VICTIMS OF DOMESTIC VIOLENCE AND SEXUAL ASSAULT AND SERVICES TO DISPLACED HOMEMAKERS BY CONSOLIDATING THE NORTH CAROLINA COUNCIL FOR WOMEN AND THE DOMESTIC VIOLENCE COMMISSION INTO ONE COMMISSION, is referred to the Committee on Appropriations.

By Representatives Carney, Glazier, Adams, and Johnson (Primary Sponsors); M. Alexander, Cotham, Faison, Fisher, Floyd, Gill, Graham, Hackney, Hamilton, Harrison, Insko, Lucas, McLawhorn, Parmon, Pierce, Rapp, and Wainwright:

H.B. 758, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE ARTS EDUCATION COMMISSION, is referred to the Committee on Education.

By the Committee on Rules, Calendar, and Operations of the House:

H.B. 759, A BILL TO BE ENTITLED AN ACT TO CREATE THE COMMERCIAL POULTRY HOUSE FIRE CODE LEGISLATIVE STUDY COMMISSION, is referred to the Committee on Rules, Calendar, and Operations of the House.

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By the Committee on Rules, Calendar, and Operations of the House and Representatives M. Alexander, Gill, Glazier, Graham, Hamilton, Harrison, and Insko:

H.J.R. 760, A JOINT RESOLUTION TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE OBSTACLES ENCOUNTERED IN SEEKING EMPLOYMENT BY PERSONS WHO HAVE COMMITTED RELATIVELY MINOR CRIMINAL OFFENSES, THE NEED FOR EMPLOYERS TO HAVE ACCURATE CRIMINAL INFORMATION ABOUT POTENTIAL EMPLOYEES, AND THE FEASIBILITY OF DEVELOPING AND IMPLEMENTING AN EXPUNCTION PROCEDURE THAT STRIKES THE APPROPRIATE BALANCE BETWEEN THOSE CONCERNS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives McComas and Carney (Primary Sponsors); Faison, Hamilton, Harrison, and Starnes:

H.B. 761, A BILL TO BE ENTITLED AN ACT TO MAKE TAMPERING WITH AN IGNITION INTERLOCK SYSTEM AN UNLAWFUL ACT AND TO ALLOW THE DIVISION OF MOTOR VEHICLES TO CONDUCT BACKGROUND INVESTIGATIONS ON EVERY PERSON APPLYING FOR A DEALER'S LICENSE, MECHANIC'S LICENSE, OR ANY OTHER LICENSE ISSUED BY THE DIVISION EXCEPT FOR A DRIVERS LICENSE, is referred to Judiciary Subcommittee B and, if favorable, to the Committee on Finance.

By Representatives McComas, LaRoque, and Collins (Primary Sponsors); Cook, Faison, Iler, Moffitt, Murry, Starnes, and H. Warren:

H.B. 762, A BILL TO BE ENTITLED AN ACT TO PROTECT LANDOWNER RIGHTS AND INCREASE PUBLIC SAFETY BY REQUIRING WRITTEN PERMISSION TO HUNT ON THE LAND OF ANOTHER STATEWIDE AND BY PROHIBITING HUNTING FROM THE RIGHT-OF-WAY STATEWIDE, is referred to the Committee on Agriculture.

By Representatives Lewis, Blackwell, Faircloth, Graham, Harrison, Hastings, McComas, McGee, T. Moore, Sager, and Shepard:

H.B. 763, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE TO DIRECT THE PROGRAM EVALUATION DIVISION TO STUDY THE DIVISION OF MOTOR VEHICLES' COMMISSION CONTRACT FOR THE ISSUANCE OF PLATES AND CERTIFICATES

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PROGRAM TO DEVELOP OPERATIONAL PRACTICES THAT WOULD RESULT IN INCREASED OPERATING EFFICIENCY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Lewis, Rhyne, T. Moore, and Martin (Primary Sponsors); Adams, L. Brown, Current, Dockham, Faison, Hamilton, Harrison, Hastings, Ingle, Jeffus, Lucas, McComas, McGee, Sager, Steen, and H. Warren:

H.B. 764, A BILL TO BE ENTITLED AN ACT TO PRESERVE THE THREE-TIER DISTRIBUTION SYSTEM FOR MALT BEVERAGES IN NORTH CAROLINA BY CLARIFYING PROVISIONS OF THE BEER FRANCHISE LAW TO PROVIDE: A FRANCHISE AGREEMENT APPLIES TO ALL SUPPLIER PRODUCTS UNDER THE SAME BRAND NAME; A WHOLESALER MUST SELL MALT BEVERAGES TO ALL RETAILERS IN ITS TERRITORY AT THE SAME PRICE AT THE TIME OF DELIVERY; PROHIBITED ACTS OF SUPPLIERS WITH RESPECT TO THEIR DEALINGS WITH WHOLESALERS; GOOD CAUSE FOR TERMINATION MAY NOT BE MODIFIED BY AN AGREEMENT THAT DEFINES GOOD CAUSE IN A MANNER DIFFERENT THAN PROVIDED BY STATE LAW; CERTAIN ACTS THAT DO NOT AMOUNT TO GOOD CAUSE FOR TERMINATION OF A FRANCHISE; REMEDIES FOR A SUPPLIER'S WRONGFUL TERMINATION OF A FRANCHISE; INCLUSION OF A WHOLESALER MERGER, THE FACTORS THAT MAY BE CONSIDERED BY THE SUPPLIER IN APPROVING A MERGER OR TRANSFER, AND REMEDIES FOR UNLAWFUL REFUSAL TO APPROVE A MERGER OR TRANSFER; THE BEER FRANCHISE LAW MAY NOT BE WAIVED BY AN AGREEMENT CONTRARY TO STATE LAW; AND MEDIATION OF DISPUTES ARISING UNDER THE BEER FRANCHISE LAW, is referred to the Committee on Commerce and Job Development and, if favorable, to the Committee on Finance.

By Representatives Lewis, M. Alexander, Cook, Cotham, Fisher, Floyd, Gill, Glazier, Graham, Harrison, Jackson, Johnson, Kever, Lucas, Parmon, and Wray:

H.B. 765, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A BLUE RIBBON COMMISSION TO STUDY THE CURRENT LENGTH OF THE SCHOOL YEAR IN NORTH CAROLINA AND TO DETERMINE HOW LONG THE SCHOOL YEAR SHOULD BE, is referred to the Committee on Rules, Calendar, and Operations of the House.

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By Representatives Cotham, Holloway, Keever, and Graham (Primary Sponsors); Fisher, Gill, Glazier, Hamilton, Harrison, Insko, Jackson, Johnson, Jordan, Lucas, Luebke, and Wray:

H.B. 766, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ASSESSMENT OF CAREER AND COLLEGE READINESS WITH NATIONALLY AND INTERNATIONALLY BENCHMARKED TESTS; THE CONTINUATION OF NORTH CAROLINA'S PARTICIPATION IN THE DEVELOPMENT AND IMPLEMENTATION OF TESTS RELATED TO COMMON CORE STATE STANDARDS ADOPTED BY A MAJORITY OF STATES; AND DIAGNOSTIC TOOLS TO ASSIST IN TEACHING AND STUDENT LEARNING, is referred to the Committee on Education.

By Representatives Cotham, Carney, Earle, and M. Alexander (Primary Sponsors); Glazier, Hamilton, Harrison, R. Moore, and Samuelson:

H.R. 767, A HOUSE RESOLUTION HONORING THE LIFE AND MEMORY OF SUSAN MECUM BURGESS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives West and McElraft (Primary Sponsors); Brawley, Howard, Moffitt, and Setzer:

H.B. 768, A BILL TO BE ENTITLED AN ACT TO LIMIT NEW AGENCY REGULATORY REQUIREMENTS, is referred to the Committee on Environment and, if favorable, to the Committee on Judiciary.

By Representatives Cotham, Lewis, Holloway, and Hall (Primary Sponsors); M. Alexander, Cook, Floyd, Gill, Glazier, Graham, Hamilton, Harrison, Jordan, Lucas, McLawhorn, R. Moore, Parfitt, Parmon, Pierce, Torbett, Weiss, and Wray:

H.B. 769, A BILL TO BE ENTITLED AN ACT DIRECTING LOCAL BOARDS OF EDUCATION TO ADOPT AND IMPLEMENT POLICIES THAT ENCOURAGE HIGH SCHOOL TO WORK PARTNERSHIPS, is referred to the Committee on Education.

By Representatives Cotham, Brandon, and Glazier (Primary Sponsors); Bryant, Fisher, Floyd, Gill, Graham, Hamilton, Harrison, Lucas, Parfitt, Parmon, Pierce, Rapp, and Wray:

H.B. 770, A BILL TO BE ENTITLED AN ACT TO AMEND THE SCHOOL DISCIPLINE LAW TO REDUCE AND PREVENT DISRUPTIVE BEHAVIORS, SUSPENSIONS, AND EXPULSIONS, is referred to the Committee on Education.

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By Representatives Steen, Brawley, and Avila (Primary Sponsors); Bryant, Gill, Harrison, and Wray:

H.B. 771, A BILL TO BE ENTITLED AN ACT AUTHORIZING LANDLORDS AND TENANTS TO ENTER INTO RENTAL AGREEMENTS WHEREBY ELECTRIC AND NATURAL GAS SERVICE ARE IN THE LANDLORD'S NAME AND THE TENANTS SHALL REIMBURSE THE LANDLORD IN THE MONTHLY RENT, AND PROVIDING THAT LANDLORDS IN SUCH CIRCUMSTANCES SHALL NOT BE DEEMED A PUBLIC UTILITY OR A RESELLER OF UTILITIES SUBJECT TO REGULATION BY THE UTILITIES COMMISSION, is referred to the Committee on Public Utilities.

By the Committee on Judiciary and Representatives Floyd, Hamilton, Harrison, Keever, and Lucas:

H.B. 772, A BILL TO BE ENTITLED AN ACT TO COMPLY WITH THE FEDERAL SEX OFFENDER REGISTRATION AND NOTIFICATION ACT, is referred to the Committee on Judiciary.

By the Committee on Rules, Calendar, and Operations of the House and Representatives Dockham, Johnson, McGee, Murry, and Starnes:

H.B. 773, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR STUDIES BY THE HOUSE OF REPRESENTATIVES AND THE SENATE, STATUTORY OVERSIGHT COMMITTEES AND COMMISSIONS, AND OTHER AGENCIES, COMMITTEES, AND COMMISSIONS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By the Committee on Rules, Calendar, and Operations of the House, and Representatives Hamilton and Harrison:

H.B. 774, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENTS OF AGRICULTURE AND INSURANCE TO STUDY OPTIONS FOR AGRICULTURAL CONTRACT GROWERS TO PROTECT THEMSELVES AGAINST FINANCIAL LOSSES DUE TO WEATHER, NATURAL DISASTERS, OR OTHER ACTS OF GOD, is referred to the Committee on Insurance and, if favorable, to the Committee on Rules, Calendar, and Operations of the House.

By the Committee on Rules, Calendar, and Operations of the House and Representatives Hamilton and Harrison:

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H.B. 775, A BILL TO BE ENTITLED AN ACT TO ALLOW WINERIES TO SELL MALT BEVERAGES AT RETAIL ON THE PREMISES OF THE WINERY, is referred to the Committee on Commerce and Job Development.

By Representatives McGuirt, Cotham, Killian, and Hall (Primary Sponsors); M. Alexander, Faircloth, Floyd, Gill, Hamilton, Harrison, and Wray:

H.B. 776, A BILL TO BE ENTITLED AN ACT TO MAKE THE SALE OF A TEMPORARY REGISTRATION PLATE TO A PERSON WHO IS NOT A BONA FIDE PURCHASER OF A MOTOR VEHICLE UNLAWFUL, is referred to Judiciary Subcommittee B.

By Representatives Lewis, R. Brown, Crawford, and Hill (Primary Sponsors); Avila, Barnhart, Blackwell, Blust, Boles, Brawley, Brisson, L. Brown, Brubaker, Burr, Cleveland, Collins, Cook, Current, Dixon, Dockham, Dollar, Faircloth, Folwell, Frye, Gillespie, Guice, Hager, Hastings, Hilton, Hollo, Holloway, Horn, Howard, Hurley, Iler, Ingle, Johnson, Jones, Jordan, Justice, Killian, Langdon, LaRoque, McCormick, McElraft, McGee, Mills, Mobley, T. Moore, Pridgen, Randleman, Sager, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Torbett, H. Warren, West, and Wray:

H.B. 777, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION TO PROVIDE THAT MARRIAGE IS THE UNION OF ONE MAN AND ONE WOMAN AT ONE TIME, AND THAT NO OTHER RELATIONSHIP SHALL BE RECOGNIZED AS A VALID MARRIAGE BY THE STATE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Stevens and Ingle:

H.B. 778, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS AMENDMENTS TO THE LAWS REGARDING THE INNOCENCE INQUIRY COMMISSION, is referred to Judiciary Subcommittee B.

By Representatives Glazier, Stam, Faircloth, and Hackney (Primary Sponsors); K. Alexander, M. Alexander, Bryant, Floyd, Gill, Hamilton, Harrison, Ingle, Jackson, Lucas, and Wray:

H.B. 779, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING ELECTRONIC RECORDING OF CUSTODIAL INTERROGATIONS, is referred to Judiciary Subcommittee B.

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By Representatives Glazier, Jackson, Lucas, and Michaux (Primary Sponsors); M. Alexander, Bryant, Floyd, Hamilton, and Harrison:

H.B. 780, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE STATE TO PRESERVE AND MAKE AVAILABLE TO THE NORTH CAROLINA INNOCENCE INQUIRY COMMISSION CERTAIN CASE FILES AND EVIDENCE, TO REQUIRE THE NORTH CAROLINA INNOCENCE INQUIRY COMMISSION TO PRESERVE THOSE FILES AND EVIDENCE, AND TO ALLOW THE NORTH CAROLINA INNOCENCE INQUIRY COMMISSION TO TEST EVIDENCE AND UPLOAD TEST RESULTS THAT COMPLY WITH FEDERAL CRITERIA TO CODIS, is referred to the Committee on Judiciary.

By Representative LaRoque:

H.B. 781, A BILL TO BE ENTITLED AN ACT REQUIRING THAT NOTICE OF APPEAL FROM A MAGISTRATE'S JUDGMENT IN A SUMMARY EJECTMENT PROCEEDING BE GIVEN WITHIN FIVE DAYS AFTER ENTRY OF JUDGMENT, is referred to the Committee on Commerce and Job Development.

By Representative Blust:

H.B. 782, A BILL TO BE ENTITLED AN ACT TO AMEND RECEIVERSHIP AND ASSIGNMENT FOR THE BENEFIT OF CREDITORS' LAW, is referred to Judiciary Subcommittee A.

By Representatives Blust, Current, Dockham, Dollar, Faircloth, Faison, Murry, Samuelson, and H. Warren:

H.B. 783, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION TO ESTABLISH AN INDEPENDENT REDISTRICTING COMMISSION TO HANDLE REDISTRICTING AFTER THE 2020 CENSUS AND THEREAFTER, is referred to the Committee on Elections and, if favorable, to the Committee on Judiciary.

By Representatives Blust, L. Brown, Cleveland, Collins, Cook, Dixon, Dockham, Faircloth, Folwell, Hager, Hastings, Holloway, Johnson, Jones, Jordan, Killian, Moffitt, Murry, Sanderson, Setzer, Starnes, Steen, Stevens, and Stone:

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H.B. 784, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO REQUIRE A THREE-FIFTHS VOTE FOR THE GENERAL ASSEMBLY TO LEVY STATE TAXES, is referred to the Committee on Judiciary and, if favorable, to the Committee on Finance.

By Representatives Blust, Cleveland, Cook, Faircloth, Starnes, Stevens, Stone, and Torbett:

H.B. 785, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT FUNDS BUDGETED FOR SALARIES AND WAGES SHALL ONLY BE EXPENDED FOR THOSE ITEMS, is referred to the Committee on Appropriations.

By Representatives Blust and Hilton (Primary Sponsors); Current and Steen:

H.B. 786, A BILL TO BE ENTITLED AN ACT TO MODIFY THE AUTHORIZATION FOR THE SECRETARY OF TRANSPORTATION TO TRANSFER FUNDS FROM THE HIGHWAY TRUST FUND AND TO PROVIDE A FORMULA FOR TRANSFER OF FUNDS TO MEET NEEDS BASED ON POPULATION OR CONGESTION AND TO REVISE THE HIGHWAY TRUST FUND ALLOCATION FORMULA, is referred to the Committee on Transportation and, if favorable, to the Committee on Appropriations.

By Representatives McGrady, Samuelson, Stam, and Harrison (Primary Sponsors); K. Alexander, M. Alexander, Cotham, Fisher, Gill, Glazier, Hamilton, Jackson, Justice, Keever, Martin, Murry, and Rapp:

H.B. 787, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE EFFICIENCY OF USE OF NORTH CAROLINA'S WATER RESOURCES, is referred to the Committee on Environment.

By Representatives Bryant and Hall (Primary Sponsors); K. Alexander, M. Alexander, Gill, Glazier, Hamilton, Harrison, Insko, Luebke, Parmon, and Pierce:

H.B. 788, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT STRAIGHT-TICKET VOTES CAST BY AN INDIVIDUAL VOTING BY PROVISIONAL BALLOT SHALL BE COUNTED FOR ANY PARTISAN BALLOT ITEM IN THE ELECTION DISTRICT IN WHICH THAT VOTER WOULD HAVE BEEN QUALIFIED BY RESIDENCY TO VOTE, is referred to the Committee on Rules, Calendar, and Operations of the House.

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By Representatives Glazier, Harrison, and Weiss (Primary Sponsors); M. Alexander, Bryant, Fisher, Floyd, Hamilton, Insko, Keever, and Lucas:

H.B. 789, A BILL TO BE ENTITLED AN ACT TO CHANGE TO A MANDATE THE CURRENT OPTION THAT AN ELECTRIC PUBLIC UTILITY MEET UP TO TWENTY-FIVE PERCENT OF ITS RENEWABLE ENERGY AND ENERGY EFFICIENCY PORTFOLIO STANDARD (REPS) REQUIREMENTS THROUGH SAVINGS DUE TO IMPLEMENTATION OF ENERGY EFFICIENCY MEASURES THROUGH CALENDAR YEAR 2020 AND, BEGINNING IN CALENDAR YEAR 2021, MEET UP TO FORTY PERCENT OF ITS REPS REQUIREMENTS THROUGH SAVINGS DUE TO IMPLEMENTATION OF ENERGY EFFICIENCY MEASURES, is referred to the Committee on Public Utilities.

By Representatives Glazier, Brandon, Ross, and Bordsen (Primary Sponsors); Carney, Floyd, Gill, Hamilton, Harrison, Lucas, Parmon, and Rapp:

H.B. 790, A BILL TO BE ENTITLED AN ACT AMENDING THE LABOR LAWS OF NORTH CAROLINA TO ENACT THE EMPLOYEE FAIR CLASSIFICATION ACT, is referred to the Committee on Commerce and Job Development.

By Representatives Parmon and Floyd (Primary Sponsors):

H.B. 791, A BILL TO BE ENTITLED AN ACT MAKING CLARIFYING CHANGES UNDER THE LAWS REGULATING THE PRACTICE OF COSMETIC ART AND EXTENDING THE PERIOD WITHIN WHICH PERSONS PRACTICING AS NATURAL HAIR CARE SPECIALISTS ARE REQUIRED TO BE LICENSED UNDER THE NORTH CAROLINA COSMETIC ART ACT, is referred to the Committee on Commerce and Job Development.

By Representatives Folwell, Cook, McGrady, and Glazier (Primary Sponsors); M. Alexander, L. Brown, Faircloth, Hamilton, Harrison, Horn, Ingle, Jordan, and Lucas:

H.B. 792, A BILL TO BE ENTITLED AN ACT TO ENACT THE GFELLER-WALLER CONCUSSION AWARENESS ACT, is referred to the Committee on Education.

By Representatives Cotham, Brandon, and Jackson (Primary Sponsors); M. Alexander, Carney, Gill, Glazier, Hamilton, Harrison, and Parmon:

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H.B. 793, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE FULL-SERVICE COMMUNITY SCHOOLS PILOT PROGRAM, is referred to the Committee on Education.

By Representatives Cotham, M. Alexander, Kever, and Johnson (Primary Sponsors); Carney, Floyd, Gill, Graham, Hamilton, Harrison, Parfitt, and Wray:

H.B. 794, A BILL TO BE ENTITLED AN ACT TO MODIFY THE LAW RELATING TO CAREER STATUS FOR PUBLIC SCHOOL TEACHERS, is referred to the Committee on State Personnel.

By Representatives Steen, Murry, and McComas (Primary Sponsors); Cook, Hamilton, and Harrison:

H.B. 795, A BILL TO BE ENTITLED AN ACT TO REQUIRE HEALTH CARE PROVIDERS AND HEALTH CARE FACILITIES TO RELEASE PATHOLOGICAL MATERIALS AND RECORDS TO PATIENTS OR THEIR DESIGNATED REPRESENTATIVES, UPON WRITTEN REQUEST, is referred to Judiciary Subcommittee C.

By Representatives Moffitt, Hamilton, Harrison, and Murry:

H.B. 796, A BILL TO BE ENTITLED AN ACT TO DIRECT THE REVENUE LAWS STUDY COMMITTEE TO STUDY THE METHODOLOGY OF VALUATION OF PROPERTY FOR PROPERTY TAX PURPOSES TO ENSURE THE PROCESS IS BOTH UNIFORM AND FAIR, is referred to the Committee on Finance.

By Representatives Sager, Dixon, Hill, and Langdon (Primary Sponsors); Blust, L. Brown, Cleveland, Cook, Jordan, Moffitt, and Starnes:

H.B. 797, A BILL TO BE ENTITLED AN ACT TO LIMIT THE EXTRATERRITORIAL JURISDICTION OF MUNICIPALITIES TO URBAN PURPOSES AND TO PROHIBIT THE INCLUSION OF PROPERTY IN AN EXTRATERRITORIAL JURISDICTION AREA FOR ENVIRONMENTAL IMPACT LAWS OR REGULATIONS, is referred to the Committee on Environment.

By Representatives Hilton, Blackwell, Cleveland, Faircloth, Hastings, Ingle, Jordan, Samuelson, and Wray:

H.B. 798, A BILL TO BE ENTITLED AN ACT TO ENACT THE FRAUDULENT FIREARM PURCHASE PREVENTION ACT, is referred to the Committee on Judiciary.

April 7, 2011

By Representatives Martin and Killian (Primary Sponsors); Cook, Floyd, Hamilton, Harrison, Hastings, Horn, and Lucas:

H.B. 799, A BILL TO BE ENTITLED AN ACT TO ALLOW LICENSURE BY ENDORSEMENT FOR MILITARY PERSONNEL AND MILITARY SPOUSES, is referred to the Committee on Homeland Security, Military, and Veterans Affairs and, if favorable, to the Committee on Finance.

By Representatives Murry, McComas, Moffitt, and Collins (Primary Sponsors); Cook, Folwell, Harrison, Hastings, and Ingle:

H.B. 800, A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA JOBS AND COMMERCE CORPORATION TASK FORCE TO STUDY THE IMPLEMENTATION OF THE TRANSFERRING OF ECONOMIC DEVELOPMENT ACTIVITIES INTO A SINGLE ENTITY, is referred to the Committee on Commerce and Job Development.

By Representatives Faison and McGrady (Primary Sponsors); M. Alexander, Crawford, Hamilton, and Harrison:

H.B. 801, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR LEGISLATIVE REVIEW OF THE 2012 ENERGY CONSERVATION CODE AND THE 2012 RESIDENTIAL CODE ENACTED BY THE STATE BUILDING CODE COUNCIL DURING THE 2011 SESSION OF THE GENERAL ASSEMBLY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Rhyne:

H.B. 802, A BILL TO BE ENTITLED AN ACT CLARIFYING THE LAWS PERTAINING TO THE STAYING OF ORDERS ON APPEAL AS RELATED TO CHILD CUSTODY, CHILD SUPPORT, AND ALIMONY, is referred to Judiciary Subcommittee C.

By Representatives Rhyne, Faircloth, and Ingle:

H.B. 803, A BILL TO BE ENTITLED AN ACT ALLOWING A COURT TO ASSESS ATTORNEYS' FEES WHEN A CIVIL NO-CONTACT ORDER IS BROUGHT WITHOUT FACTUAL BASIS, is referred to Judiciary Subcommittee C.

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By Representative Daughtry:

H.B. 804, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT JOHNSTON MEMORIAL HOSPITAL AUTHORITY IS NOT AN EMPLOYER UNDER THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, is referred to the Committee on Government.

By Representatives Stam, Spear, and Randleman (Primary Sponsors); Faircloth, Hurley, and H. Warren:

H.B. 805, A BILL TO BE ENTITLED AN ACT AMENDING THE NAME CHANGE STATUTE TO INCLUDE A CRIMINAL RECORD CHECK AND OTHER REQUIREMENTS BEFORE THE CLERK OF SUPERIOR COURT MAY GRANT OR DENY A NAME CHANGE APPLICATION, is referred to Judiciary Subcommittee A.

By Representatives Jordan, Stam, Moffitt, and Stevens (Primary Sponsors):

H.B. 806, A BILL TO BE ENTITLED AN ACT CHANGING THE STATUTE OF LIMITATIONS AND REPOSE FOR CHALLENGING ZONING ORDINANCES AND TO PROHIBIT SPECIFIED ZONING ORDINANCES AFFECTING SINGLE-FAMILY DETACHED RESIDENTIAL USES ON LOTS GREATER THAN TEN ACRES IN AGRICULTURAL ZONING DISTRICTS, is referred to Judiciary Subcommittee B.

By Representative Burr:

H.B. 807, A BILL TO BE ENTITLED AN ACT TO TRANSFER STANLY COUNTY TO SUPERIOR COURT DISTRICT 20B AND PROSECUTORIAL DISTRICT 20B, TO REDESIGNATE THE SET OF DISTRICT COURT DISTRICTS SERVING UNION COUNTY AS DISTRICTS 20B1, 20B2, AND 20B3, AND TO CREATE DISTRICT COURT DISTRICT 20B4 AS PART OF THE SET OF DISTRICT COURT DISTRICTS SERVING UNION AND STANLY COUNTIES, is referred to the Committee on Judiciary.

By Representative Burr:

H.B. 808, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF HEALTH SERVICE REGULATION, TO WAIVE ANNUAL INSPECTIONS OF ADULT CARE HOMES THAT ACHIEVE THE HIGHEST RATING, AND TO DEVELOP AN INFORMAL DISPUTE RESOLUTION PROCEDURE THAT ALLOWS ADULT CARE HOMES TO DISPUTE CITED INSPECTION DEFICIENCIES, is referred to the Committee on Health and Human Services.

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By Representative Burr:

H.B. 809, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF PUBLIC HEALTH, TO ESTABLISH A HEALTHCARE-ASSOCIATED INFECTION SURVEILLANCE, PREVENTION, AND CONTROL PROGRAM, TO ESTABLISH A REGULATORY FEE FOR THE PROGRAM, AND TO AUTHORIZE THE DEPARTMENT TO ASSESS AN ADMINISTRATIVE PENALTY AGAINST HEALTH CARE FACILITIES THAT FAIL TO COMPLY WITH PROGRAM REQUIREMENTS, is referred to the Committee on Health and Human Services and, if favorable, to the Committee on Finance.

By Representatives Steen, Brubaker, Owens, and K. Alexander (Primary Sponsors); Brawley, Collins, Cook, Dockham, Earle, Faircloth, Gillespie, LaRoque, McComas, T. Moore, Murry, Spear, Stam, Starnes, and Wray:

H.B. 810, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS AMENDMENTS TO THE NORTH CAROLINA CONSUMER FINANCE ACT TO INCREASE CONSUMER ACCESS AND CREDIT MARKET PARITY, is referred to the Committee on Banking and, if favorable, to the Committee on Finance.

By Representative Torbett:

H.B. 811, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE TO DIRECT THE PROGRAM EVALUATION DIVISION TO STUDY THE DEPARTMENT OF TRANSPORTATION'S ROAD CONSTRUCTION PROCESS, INCLUDING MAINTENANCE AND REPAIRS, TO DEVELOP OPERATIONAL PLANS OR PRACTICES THAT WOULD RESULT IN INCREASED OPERATING EFFICIENCY AND COST SAVINGS, is referred to the Committee on Transportation.

By Representative Torbett:

H.B. 812, A BILL TO BE ENTITLED AN ACT TO DEFINE THE BOUNDARIES OF A HOSPITAL AUTHORITY AS THE TERRITORIAL BOUNDARIES OF THE CITY OR COUNTY CREATING THE AUTHORITY, is referred to the Committee on Health and Human Services.

By Representatives Howard and Starnes (Primary Sponsors); Stone and H. Warren:

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H.B. 813, A BILL TO BE ENTITLED AN ACT TO REFORM THE EMPLOYMENT SECURITY LAWS OF NORTH CAROLINA BY CREATING THE DIVISION OF EMPLOYMENT SECURITY WITHIN THE DEPARTMENT OF COMMERCE, TRANSFERRING THE FUNCTIONS OF THE EMPLOYMENT SECURITY COMMISSION TO THAT DIVISION, MAKING THE DIVISION SUBJECT TO RULE MAKING UNDER ARTICLE 2 OF CHAPTER 150B OF THE GENERAL STATUTES, AND BY MAKING OTHER MODIFICATIONS AND CONFORMING CHANGES TO ALIGN THE EMPLOYMENT SECURITY FUNCTIONS OF STATE GOVERNMENT UNDER THE DIRECT LEADERSHIP OF THE SECRETARY OF COMMERCE, is referred to the Committee on Commerce and Job Development.

By Representatives Collins, Stam, and Faircloth (Primary Sponsors); and R. Moore:

H.B. 814, A BILL TO BE ENTITLED AN ACT TO MAKE HOME MORTGAGE LENDING MORE COMPETITIVE IN NORTH CAROLINA, is referred to the Committee on Banking.

By Representatives West and Haire (Primary Sponsors):

H.B. 815, A BILL TO BE ENTITLED AN ACT TO AMEND A BUDGET PROVISION ON TEACHERS IN GEOGRAPHICALLY ISOLATED K-12 SCHOOLS TO REMOVE A LIMITATION, is referred to the Committee on Appropriations.

By Representatives McElraft, R. Brown, Collins, Cook, Glazier, Hamilton, Harrison, Hurley, and Ingle:

H.B. 816, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE ANIMAL WELFARE ADVISORY BOARD AND THE SPAY/NEUTER DONATION AND MEMORIAL FUND, is referred to the Committee on Agriculture.

By Representatives McElraft, Justice, Hurley, and Jones (Primary Sponsors); Cleveland, Collins, Cook, Faircloth, Shepard, and H. Warren:

H.B. 817, A BILL TO BE ENTITLED AN ACT TO LIMIT ADMINISTRATIVE EXPENSES OF THE STATE LOTTERY TO FOUR PERCENT AND TO PROVIDE THAT UNCLAIMED PRIZE MONEY IS TO BE SPLIT AMONG ALL LOCAL EDUCATION AGENCIES ON AN ADM BASIS TO BE USED ONLY FOR SCHOOL SUPPLIES AND TEXTBOOKS, is referred to the Committee on Rules, Calendar, and Operations of the House.

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By Representatives McElraft, Collins, Dollar, Hamilton, Harrison, Horn, Spear, and Torbett:

H.B. 818, A BILL TO BE ENTITLED AN ACT TO ENHANCE THE DISABLED VETERAN PROPERTY TAX HOMESTEAD EXCLUSION FOR COMBAT-RELATED DISABLED VETERANS, is referred to the Committee on Finance.

By Representatives McElraft and Cook:

H.B. 819, A BILL TO BE ENTITLED AN ACT TO AMEND LAWS RELATING TO OCEAN SETBACKS TO PROTECT THE PROPERTY RIGHTS OF HOMEOWNERS, is referred to the Committee on Environment.

By Representatives McElraft, Hamilton, Justice, and Rapp (Primary Sponsors); Cleveland, Cook, Iler, McComas, Shepard, Spear, and Wray:

H.B. 820, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE JOINT LEGISLATIVE STUDY COMMISSION ON COASTAL PROPERTY INSURANCE RATES, is referred to the Committee on Insurance.

By Representatives Holloway, Cleveland, Collins, Faircloth, Gill, Hamilton, Harrison, Ingle, Johnson, and Starnes:

H.B. 821, A BILL TO BE ENTITLED AN ACT TO ALLOW THE DEPARTMENT OF TRANSPORTATION TO USE RECYCLED ASPHALT FOR HIGHWAY CONSTRUCTION AND MAINTENANCE IF IT MEETS THE REQUIRED MINIMUM CONTENT STANDARDS AND THE MATERIAL MEETS THE MINIMUM SPECIFICATIONS FOR THE PROJECT, is referred to the Committee on Transportation.

By Representatives Holloway, Hilton, Blackwell, and Langdon (Primary Sponsors); Bryant, Faircloth, Gill, Graham, Hamilton, Harrison, Lucas, R. Moore, Parmon, and Rapp:

H.B. 822, A BILL TO BE ENTITLED AN ACT DIRECTING THE STATE BOARD OF EDUCATION TO IMPLEMENT A DROPOUT RECOVERY PILOT PROGRAM, is referred to the Committee on Education.

By Representatives Holloway, Hilton, Brubaker, and Blackwell (Primary Sponsors); Faircloth, Moffitt, Murry, Starnes, Stone, Torbett, and H. Warren:

April 7, 2011

H.B. 823, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO MAKE THE SUPERINTENDENT OF PUBLIC INSTRUCTION THE HEAD OF THE DEPARTMENT OF PUBLIC INSTRUCTION, TO MAKE THE STATE BOARD OF EDUCATION AN ADVISORY BODY, TO MODIFY THE MEMBERSHIP OF THE STATE BOARD OF EDUCATION, AND TO MAKE CONFORMING CHANGES TO THE GENERAL STATUTES, is referred to the Committee on Education and, if favorable, to the Committee on Judiciary and, if favorable, to the Committee on Finance.

By Representatives Glazier, Lewis, Current, and Rapp (Primary Sponsors); Carney, Dockham, Dollar, Faircloth, Fisher, Gill, Hamilton, Harrison, Hill, Howard, Insko, Jackson, McGuirt, Murry, Parfitt, Stevens, E. Warren, H. Warren, and Wray:

H.B. 824, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NONPARTISAN REDISTRICTING PROCESS, is referred to the Committee on Elections.

By Representatives Glazier, Floyd, Carney, and Weiss (Primary Sponsors); Hamilton, Harrison, Horn, Insko, Kever, McGuirt, and Parfitt:

H.B. 825, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE JOINT LEGISLATIVE STUDY COMMISSION ON METHAMPHETAMINE LAB PREVENTION, is referred to Judiciary Subcommittee B.

By Representatives Parfitt, Glazier, Kever, and Murry (Primary Sponsors); M. Alexander, Fisher, Gill, Graham, Hamilton, Harrison, Hill, Jackson, Lucas, McGuirt, Parmon, Wainwright, E. Warren, Weiss, and Wray:

H.B. 826, A BILL TO BE ENTITLED AN ACT TO REQUIRE HEALTH BENEFIT PLANS, INCLUDING THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES, TO PROVIDE COVERAGE FOR TREATMENT OF AUTISM SPECTRUM DISORDERS, is referred to the Committee on Health and Human Services and, if favorable, to the Committee on Insurance.

By Representatives Collins, Faircloth, and Stam:

H.B. 827, A BILL TO BE ENTITLED AN ACT RELATING TO THE FINANCIAL ASSURANCES SPECIFIED BY LOCAL GOVERNMENTS AS PERFORMANCE GUARANTEES UNDER SUBDIVISION CONTROL ORDINANCES, is referred to the Committee on Commerce and Job Development.

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By Representatives Glazier and Gill:

H.B. 828, A BILL TO BE ENTITLED AN ACT TO AMEND THE LABOR LAWS PERTAINING TO THE RECOVERY OF UNPAID WAGES, is referred to the Committee on Commerce and Job Development.

By Representatives Cotham, Glazier, Holloway, and Blackwell (Primary Sponsors); M. Alexander, Carney, Floyd, Gill, Hamilton, Harrison, R. Moore, Shepard, and Wray:

H.B. 829, A BILL TO BE ENTITLED AN ACT TO STREAMLINE PUBLIC SCHOOL PLANNING RESPONSIBILITIES, is referred to the Committee on Education.

By Representative Moffitt:

H.B. 830, A BILL TO BE ENTITLED AN ACT TO CREATE A TAX AMNESTY PERIOD FOR TAXPAYERS WITH OVERDUE TAX DEBTS, is referred to the Committee on Finance.

By Representatives Murry, Collins, Gill, Hamilton, Hurley, Parfitt, and Torbett:

H.B. 831, A BILL TO BE ENTITLED AN ACT TO ALLOW PARENTS OR GUARDIANS TO MAKE THE DECISION REGARDING CLASSROOM PLACEMENT FOR MULTIPLE BIRTH SIBLINGS, is referred to the Committee on Education.

By Representatives Brubaker and McComas (Primary Sponsors); Hurley and LaRoque:

H.B. 832, A BILL TO BE ENTITLED AN ACT TO ALLOW NON-ATTORNEY OWNERSHIP OF PROFESSIONAL CORPORATION LAW FIRMS, SUBJECT TO CERTAIN REQUIREMENTS, is referred to the Committee on Commerce and Job Development and, if favorable, to the Committee on Judiciary.

By Representatives Starnes, Stam, Dollar, and Torbett (Primary Sponsors); M. Alexander, Faircloth, Hamilton, Harrison, Ingle, Jackson, Johnson, Jones, Jordan, Lucas, Moffitt, Murry, Ross, and Setzer:

H.R. 833, A HOUSE RESOLUTION RECOGNIZING THE IMPORTANCE OF THE STATE CAPITOL, is referred to the Committee on Rules, Calendar, and Operations of the House.

April 7, 2011

By Representatives Rhyne and H. Warren:

H.B. 834, A BILL TO BE ENTITLED AN ACT TO REDUCE THE EXCESSIVE NUMBER OF NORTH CAROLINA DRIVERS INSURED BY THE NORTH CAROLINA REINSURANCE FACILITY BY PROVIDING FOR FILE AND USE RATE DEVIATIONS FOR AUTOMOBILE LIABILITY INSURANCE AND BY PROVIDING A FIVE-YEAR PHASEOUT OF THE "CLEAN RISK" SUBCLASSIFICATION WITHIN THE REINSURANCE FACILITY, is referred to the Committee on Insurance.

By Representatives Horn, Glazier, Hamilton, Harrison, Ingle, Insko, Jordan, Keever, Parfitt, and Rapp:

H.J.R. 835, A JOINT RESOLUTION TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE PROLIFERATION OF METH LABS IN NORTH CAROLINA AND THE DANGERS AND HAZARDS POSED BY THOSE LABS TO THE SAFETY AND HEALTH OF CHILDREN, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives McElraft, Collins, Dixon, Hurley, Ingle, and Moffitt:

H.B. 836, A BILL TO BE ENTITLED AN ACT CREATING THE STUDY COMMITTEE ON THE COMPENSATION OF STATE BOARD AND COMMISSION EMPLOYEES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Carney and Justice (Primary Sponsors); M. Alexander, Glazier, Hamilton, Harrison, Jordan, LaRoque, Pierce, Rapp, and Wray:

H.B. 837, A BILL TO BE ENTITLED AN ACT TO MAKE SUCCESSFUL COMPLETION OF INSTRUCTION IN CPR A REQUIREMENT FOR HIGH SCHOOL GRADUATION, is referred to the Committee on Education.

By Representatives Jordan, Parfitt, Howard, and M. Alexander (Primary Sponsors); Carney, Collins, Floyd, Hamilton, Harrison, Insko, Murry, Samuelson, Weiss, and Wray:

H.B. 838, A BILL TO BE ENTITLED AN ACT TO PROTECT CHILDREN FROM INJURY AND DEATH AT AGRICULTURAL ESTABLISHMENTS AND TO PRESERVE THE TRADITIONAL ROLE OF EMPLOYMENT ON THE FAMILY FARM, is referred to the Committee on Agriculture.

April 7, 2011

By Representatives Hill, Hamilton, Harrison, and Jordan:

H.B. 839, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT SEPTAGE LAND APPLICATION SITES MAY NOT BE PERMITTED, is referred to the Committee on Commerce and Job Development.

By Representatives Harrison, Cotham, Carney, and Glazier (Primary Sponsors); M. Alexander, Bryant, Fisher, Floyd, Gill, Hamilton, Insko, Luebke, R. Moore, Parfitt, Rapp, and Wray:

H.B. 840, A BILL TO BE ENTITLED AN ACT TO ENACT THE HEALTHY SCHOOLS ACT OF 2011, is referred to the Committee on Education and, if favorable, to the Committee on Appropriations.

By Representatives Howard, Blackwell, Cleveland, Harrison, Hurley, Iler, Jordan, Murry, Sanderson, Starnes, Torbett, and H. Warren:

H.B. 841, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE PROGRAM EVALUATION DIVISION OF THE NORTH CAROLINA GENERAL ASSEMBLY SHALL CONDUCT A COMPREHENSIVE PROGRAM AND FINANCIAL REVIEW OF THE NORTH CAROLINA GLOBAL TRANSPARK AUTHORITY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Martin, Faircloth, Hamilton, Harrison, Ingle, Jordan, Moffitt, and Torbett:

H.B. 842, A BILL TO BE ENTITLED AN ACT TO STRENGTHEN AND CLARIFY THE IMMUNITY OF PROPERTY OWNERS WHO ALLOW THEIR PROPERTY TO BE USED FOR ACTIVITIES OR FUNCTIONS RELATING TO EMERGENCY MANAGEMENT, is referred to Judiciary Subcommittee B.

By Representatives Martin, M. Alexander, Glazier, Harrison, Insko, Rapp, and Wray:

H.B. 843, A BILL TO BE ENTITLED AN ACT TO MODERNIZE THE NORTH CAROLINA EMERGENCY MANAGEMENT ACT AND RELATED STATUTES, is referred to the Committee on Judiciary.

By Representatives Dollar, Fisher, Langdon, and Carney (Primary Sponsors); Hamilton, Harrison, Ingle, Insko, Samuelson, and Wray:

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H.B. 844, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO PRODUCE A SPECIAL PLATE FOR THE FRIENDS OF THE MOUNTAINS-TO-SEA TRAIL, INC., is referred to the Committee on Transportation and, if favorable, to the Committee on Finance.

By Representatives LaRoque, Dollar, and Owens (Primary Sponsors); Guice, Jordan, Moffitt, Stam, Starnes, and Stone:

H.B. 845, A BILL TO BE ENTITLED AN ACT TO REFORM THE INVOLUNTARY ANNEXATION LAWS OF NORTH CAROLINA, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives LaRoque and Harrison:

H.B. 846, A BILL TO BE ENTITLED AN ACT TO EXPAND THE SCOPE OF THE LAW THAT ALLOWS AN AGENCY ACTING AS A CONFIDENTIAL INTERMEDIARY TO OBTAIN A COPY OF A DEATH CERTIFICATE OF A BIOLOGICAL PARENT OR AN ADULT ADOPTEE TO INCLUDE A LINEAL ASCENDANT OF A BIOLOGICAL PARENT WHEN IT IS DETERMINED THE BIOLOGICAL PARENT, ADULT ADOPTEE, OR THE LINEAL ASCENDANT OF THE BIOLOGICAL PARENT IS DECEASED, is referred to Judiciary Subcommittee C.

By Representatives Barnhart, Collins, Murry, and Fisher (Primary Sponsors); Earle, Hamilton, Harrison, Hill, Hurley, Insko, Jordan, Keever, Luebke, R. Moore, Parmon, Sanderson, Torbett, Weiss, and Wilkins:

H.B. 847, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA NATUROPATHIC DOCTORS LICENSURE ACT, is referred to the Committee on Health and Human Services and, if favorable, to the Committee on Finance.

By Representatives Barnhart, Collins, Current, Dollar, Hurley, Ingle, Moffitt, Murry, and H. Warren:

H.B. 848, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON HEALTH AND HUMAN SERVICES, TO TRANSFER THE DUTIES OF CERTAIN OVERSIGHT COMMITTEES AND STUDY COMMISSIONS TO THE NEWLY ESTABLISHED JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON HEALTH AND HUMAN SERVICES, AND TO MAKE CONFORMING CHANGES, is referred to the Committee on Health and Human Services.

April 7, 2011

By Representatives Cotham, Harrison, Glazier, and Parfitt (Primary Sponsors); M. Alexander, Faircloth, Hamilton, Ingle, Insko, Jackson, and R. Moore:

H.B. 849, A BILL TO BE ENTITLED AN ACT TO CREATE THE CRIMINAL OFFENSE OF THIRD DEGREE RAPE, is referred to Judiciary Subcommittee B.

By Representatives Folwell, Horn, Sanderson, and Parmon (Primary Sponsors); Faircloth, Gill, Hamilton, Harrison, Jones, and Jordan:

H.B. 850, A BILL TO BE ENTITLED AN ACT TO MAKE THE USE OF A MOBILE PHONE WHEN INVOLVED IN A REPORTABLE CRASH RESULTING IN DEATH OR SERIOUS INJURY AN AGGRAVATING FACTOR IN SENTENCING FOR THE UNDERLYING OFFENSE COMMITTED WHICH RESULTED IN THE REPORTABLE CRASH, is referred to Judiciary Subcommittee B.

By Representatives Hamilton, Brandon, and Rapp (Primary Sponsors); Harrison and R. Moore:

H.B. 851, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO GIVE PRIORITY TO COMPLETING IMPROVEMENTS TO THE RAIL ROUTE FROM BURGAW TO WILMINGTON WITH ANY INCREASED STATE RECEIPT OF FEDERAL HIGH-SPEED RAIL FUNDS, DUE TO OTHER STATES NOT UTILIZING THEIR HIGH-SPEED RAIL FUNDS, is referred to the Committee on Appropriations.

By Representative Spear:

H.B. 852, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE COURT SHALL NOT DISPOSE OF A CRIMINAL ACTION THAT IS A CLASS B, C, D, OR E FELONY BY ORDERING A PRAYER FOR JUDGMENT CONTINUED THAT EXCEEDS TWELVE MONTHS, is referred to Judiciary Subcommittee B.

By Representatives Mobley and Floyd:

H.B. 853, A BILL TO BE ENTITLED AN ACT NO LONGER REQUIRING A COURT ORDER TO ESTABLISH LOCAL INTAKE PROCEDURES FOR RECEIVING DELINQUENCY AND UNDISCIPLINED

April 7, 2011

COMPLAINTS UNDER THE LAWS PERTAINING TO UNDISCIPLINED AND DELINQUENT JUVENILES AND AUTHORIZING THE DEPARTMENT OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION TO MONITOR COUNTY DETENTION CENTERS, is referred to the Committee on Judiciary.

By Representatives Samuelson and McElraft (Primary Sponsors); Avila, Blackwell, Blust, R. Brown, Burr, Cleveland, Collins, Cook, Current, Dixon, Dockham, Faircloth, Folwell, Frye, Gillespie, Guice, Hager, Hastings, Hilton, Hollo, Holloway, Horn, Hurley, Iler, Ingle, Johnson, Jones, Jordan, Justice, Killian, LaRoque, T. Moore, Pridgen, Randleman, Sanderson, Shepard, Stam, Starnes, Steen, Stevens, Torbett, and H. Warren.

H.B. 854, A BILL TO BE ENTITLED AN ACT TO REQUIRE A TWENTY-FOUR-HOUR WAITING PERIOD AND THE INFORMED CONSENT OF A PREGNANT WOMAN BEFORE AN ABORTION MAY BE PERFORMED, is referred to the Committee on Judiciary.

By Representatives Brandon, Hamilton, and Harrison:

H.B. 855, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE PUBLIC SCHOOLS TO PROVIDE A PERSONAL EDUCATION PLAN FOR EVERY STUDENT, is referred to the Committee on Education.

By Representatives Langdon and Stevens (Primary Sponsors):

H.B. 856, A BILL TO BE ENTITLED AN ACT REGARDING THE IMPLEMENTATION OF NORTH CAROLINA VIRTUAL PUBLIC SCHOOL (NCVPS) PROGRAM, is referred to the Committee on Appropriations.

By Representatives Holloway, T. Moore, Randleman, and Daughtry (Primary Sponsors); Blust, L. Brown, Collins, Cook, Dixon, Dockham, Dollar, Faircloth, Hastings, Ingle, Jordan, LaRoque, Moffitt, Murry, Samuelson, Steen, Torbett, and H. Warren:

H.B. 857, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF CORRECTION TO REPLACE THE CURRENT ELECTRONIC MONITORING SERVICE AND EQUIPMENT USED TO MONITOR CONVICTED SEX OFFENDERS WITH A NEW SYSTEM THAT PROVIDES EXCLUSION ZONES AROUND ALL OF THE STATE'S K-12 SCHOOL CAMPUSES, is referred to Judiciary Subcommittee A.

April 7, 2011

By Representatives Womble, Parmon, McGee, and Folwell (Primary Sponsors); Avila, L. Brown, Carney, Gill, Hackney, Hamilton, and Harrison:

H.R. 858, A HOUSE RESOLUTION HONORING THE LIFE AND MEMORY OF R. PHILIP HANES, JR., is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Boles, Faircloth, Floyd, and Stone:

H.B. 859, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT THE ADMINISTRATIVE OFFICE OF THE COURTS IS A CUSTODIAN OF COURT RECORDS, TO CLARIFY THAT THOSE COURT RECORDS ARE A PUBLIC RECORD AND ARE AVAILABLE UPON REQUEST TO A THIRD PARTY UPON PAYMENT OF A REASONABLE AMOUNT TO COVER REPRODUCTION COSTS, is referred to Judiciary Subcommittee A.

SPECIAL MESSAGE FROM THE SENATE

2011 GENERAL ASSEMBLY FIRST SESSION 2011

Senate Chamber
April 7, 2011

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. 49** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE FINE FOR SPEEDING IN A SCHOOL ZONE, and requests conferees. The President Pro Tempore appoints:

Senator Allran, Chair
Senator Purcell
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/ Sarah Clapp
Principal Clerk

April 7, 2011

The Speaker appoints Representative Ingle, Chair; Representatives Faircloth and Martin 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. 234 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE QUALIFICATIONS FOR PROSPECTIVE JURORS IN ORDER TO ALLOW HEARING-IMPAIRED PERSONS TO SERVE AS JURORS AND TO PROVIDE FOR PERSONS WITH DISABILITIES TO APPLY FOR EXEMPTIONS FROM JURY DUTY, is returned for concurrence in one Senate amendment.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 11.

S.B. 339 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF PUBLIC INSTRUCTION TO PROVIDE ADDITIONAL FISCAL AND TECHNICAL OVERSIGHT OF THE DRIVER EDUCATION PROGRAM, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 241 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT DWI SENTENCING BE AT LEVEL ONE IF THE OFFENSE OCCURS WITH A CHILD LESS THAN EIGHTEEN YEARS OF AGE IN THE VEHICLE, is read the first time and referred to Judiciary Subcommittee B.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

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

By Representatives L. Brown and Ingle, Chairs, for the Committee on Government:

H.B. 266, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWNS OF APEX, CARY, FUQUAY-VARINA, GARNER, HOLLY SPRINGS, KNIGHTDALE, MORRISVILLE, ROLESVILLE, WAKE FOREST, WENDELL, AND ZEBULON TO ENTER INTO LEASES FOR

April 7, 2011

THE SITING AND OPERATION OF A RENEWABLE ENERGY FACILITY FOR UP TO TWENTY YEARS WITHOUT TREATING IT AS A SALE AND WITHOUT GIVING NOTICE BY PUBLICATION, AND EXEMPTING THOSE MUNICIPALITIES UNTIL JUNE 30, 2015, FROM COMPETITIVE BIDDING REQUIREMENTS WHEN LETTING CONTRACTS FOR USE AS PART OF LOCAL PILOT PROGRAMS AIMED AT INCREASING 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. 326, A BILL TO BE ENTITLED AN ACT TO ADOPT A MORATORIUM ON INVOLUNTARY ANNEXATIONS, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

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

H.B. 327, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF LEICESTER, SUBJECT TO A REFERENDUM, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 11.

H.B. 393, A BILL TO BE ENTITLED AN ACT TO MODIFY THE INTERNAL AUDITING STATUTES APPLICABLE TO LARGE STATE DEPARTMENTS AND THE UNIVERSITY SYSTEM, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 11.

H.B. 398, A BILL TO BE ENTITLED AN ACT TO ALLOW CLEVELAND COUNTY WATER, A SANITARY DISTRICT, TO CONDUCT AN ADVISORY REFERENDUM ON WHETHER OR NOT A RESERVOIR SHOULD BE CONSTRUCTED IN UPPER CLEVELAND COUNTY IN THE DISTRICT, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 11. The original bill is placed on the Unfavorable Calendar.

April 7, 2011

H.B. 410, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF PINEBLUFF TO PRESERVE CERTAIN UNDEVELOPED PROPERTY OWNED BY THE TOWN FOR PARK LAND, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 11.

H.B. 418, A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF WINSTON-SALEM, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

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

H.B. 498, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CHAIRMAN OF THE WAKE COUNTY BOARD OF EDUCATION TO VOTE IN ALL CASES, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 11. The original bill is placed on the Unfavorable Calendar.

S.B. 182, A BILL TO BE ENTITLED AN ACT PROVIDING THAT A LIST OF E-MAIL ADDRESSES OF PERSONS SUBSCRIBING TO E-MAIL LISTS KEPT BY THE CITY OF GREENVILLE SHALL BE OPEN TO PUBLIC INSPECTION BUT THE CITY IS NOT REQUIRED TO PROVIDE A COPY OF THE LIST, AND PROVIDING THAT THE CITY MAY USE THE LIST ONLY FOR THE PURPOSES THAT IT WAS SUBSCRIBED TO, 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 April 11. The original bill is placed on the Unfavorable Calendar.

S.B. 263, A BILL TO BE ENTITLED AN ACT TO ALLOW MUNICIPALITIES IN WAKE COUNTY TO EXEMPT BONA FIDE FARMS FROM OBTAINING BUILDING PERMITS FOR ACCESSORY BUILDINGS IN ITS EXTRATERRITORIAL JURISDICTION, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 11.

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S.B. 288, A BILL TO BE ENTITLED AN ACT EXPANDING THE PURPOSES FOR WHICH THE TOWNS OF ATLANTIC BEACH AND BEAUFORT MAY USE THE PROCEEDS FROM ON-STREET PARKING METERS, PROVIDING THAT PARKING METERS IN THE TOWNS MAY BE ACTIVATED BY COMMERCIALY AVAILABLE MEANS OF PREPAYMENT CREDIT, AND AUTHORIZING THE TOWNS TO USE CERTAIN CIVIL PENALTIES COLLECTED FOR VIOLATING PARKING ORDINANCES IN THE SAME MANNER IN WHICH PROCEEDS FROM ON-STREET AND OFF-STREET PARKING FACILITIES ARE USED, 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 Cleveland and Killian, Chairs, for the Committee on Homeland Security, Military, and Veterans Affairs:

H.B. 514, A BILL TO BE ENTITLED AN ACT TO ADOPT PROVISIONS OF THE UNIFORM MILITARY AND OVERSEAS VOTERS ACT PROMULGATED BY THE NATIONAL CONFERENCE OF COMMISSIONERS ON UNIFORM STATE LAW, WHILE RETAINING EXISTING NORTH CAROLINA LAW MORE BENEFICIAL TO THOSE VOTERS, with a favorable report and recommendation that the bill be re-referred to the Committee on Elections.

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

By Representatives Stam and Stevens, Chairs, for Judiciary Subcommittee B, with approval of standing committee Chair for reports to be made directly to the floor of the House:

H.B. 381, A BILL TO BE ENTITLED AN ACT TO PREVENT LAW ENFORCEMENT AGENCIES FROM ESTABLISHING PATTERNS FOR VEHICLE STOPS AT CHECKING STATIONS BASED ON A PARTICULAR TYPE OF VEHICLE, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 11. The original bill is placed on the Unfavorable Calendar.

April 7, 2011

H.B. 427, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE SEIZURE, FORFEITURE, AND SALE OF MOTOR VEHICLES USED BY DEFENDANTS IN FELONY CASES INVOLVING SPEEDING TO ELUDE ARREST, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 11. The original bill is placed on the Unfavorable Calendar.

By Representative Lewis, Chair, for the Committee on Elections:

H.B. 351, A BILL TO BE ENTITLED AN ACT TO RESTORE CONFIDENCE IN GOVERNMENT BY (1) REQUIRING THAT VOTERS PROVIDE PHOTO IDENTIFICATION BEFORE VOTING; (2) REQUIRING CANDIDATES AND TREASURERS TO TAKE IMMEDIATE ACTION TO CORRECT CAMPAIGN FINANCE VIOLATIONS AND REQUIRING LIABILITY OF CANDIDATES FOR CIVIL PENALTIES FOR CAMPAIGN FINANCE VIOLATIONS OF CANDIDATE CAMPAIGN COMMITTEES; (3) LIMITING THE CHAIR OF THE STATE BOARD OF ELECTIONS TO TWO TWO-YEAR TERMS IN THAT OFFICE; (4) PROHIBITING PIECE-WORK PAYMENT FOR VOTER REGISTRATION DRIVES; (5) PREVENTING CONFLICT OF INTEREST AND ITS APPEARANCE INVOLVING POLITICAL CONTRIBUTIONS BY STATE CONTRACTORS; AND (6) ALLOWING VOTERS MORE FLEXIBILITY IN APPLYING FOR ABSENTEE BALLOTS, 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. 154, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE HIGHER EDUCATION BOND OVERSIGHT COMMITTEE, WHICH HAS COMPLETED ITS WORK, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 11.

By Representatives Howard, Folwell, Setzer, and Starnes, Chairs, for the Committee on Finance:

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H.B. 168 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DEFINITION OF "BONA FIDE FARM PURPOSES," TO PROHIBIT THE INVOLUNTARY MUNICIPAL ANNEXATION OF PROPERTY USED FOR BONA FIDE FARM PURPOSES, TO EXEMPT PROPERTY USED FOR BONA FIDE FARM PURPOSES FROM THE EXTRATERRITORIAL PLANNING AND ZONING JURISDICTION OF MUNICIPALITIES, AND TO EXEMPT PROPERTY USED FOR BONA FIDE FARMING PURPOSES FROM MUNICIPAL ZONING, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 11.

H.B. 313, A BILL TO BE ENTITLED AN ACT TO REPEAL THE PAYROLL SAVINGS PROGRAM FOR SAVINGS BONDS DUE TO RECENT CHANGES MADE BY THE UNITED STATES TREASURY DEPARTMENT, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 11.

S.B. 29, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ALAMANCE COUNTY TO REQUIRE THE PAYMENT OF DELINQUENT PROPERTY TAXES BEFORE RECORDING DEEDS CONVEYING PROPERTY, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 11.

The House stands adjourned at 4:15 p.m.

FORTY-THIRD DAY

HOUSE OF REPRESENTATIVES
Monday, April 11, 2011

The House meets at 7:00 p.m. pursuant to adjournment and is called to order by Representative Folwell, Speaker Pro Tempore.

The following prayer is offered by Representative Bill McGee:

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"Scripture tells us in II Chronicles, Chapter 16, Verse 9, 'God casts his eyes continuously throughout the whole earth to show himself strong in the behalf of them whose heart is perfect toward him.' So then, God, the question arises from Your people - shall not we seek a way to have our hearts become more perfect toward You?

"Then in Isaiah, Chapter 55, Verse 6, Your Word says to call upon You while You are near - to call upon You while You can still hear - how disconcerting - that we could call and we would have moved too far away for You to hear!

"I believe, tho, that we have not moved so far from You that You can't hear. So with confidence, I call upon You and offer as my fervent prayer -

"Enlighten a pathway for us to follow which will make our hearts perfect toward You, and urge us onward when we falter. Then God, after following Your path, when we offer our praise and ask for Your help, You will joyfully show Yourself strong in our behalf, because our hearts will be perfect toward You, and most importantly, then, our requests will be just. Amen."

Charles Thomas, IV, leads the Body in the Pledge of Allegiance.

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

A leave of absence is granted Representative Rhyne for today.

ENROLLED BILLS

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

H.B. 59, AN ACT TO PROHIBIT SEX OFFENDERS FROM BEING EMERGENCY MEDICAL SERVICES PERSONNEL.

CHAPTERED BILLS

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

H.B. 187, AN ACT TO DIRECT THE GASOLINE AND OIL INSPECTION BOARD TO ADOPT RULES RELATED TO THE LABELING OF DISPENSING PUMPS AND OTHER DISPENSING DEVICES THAT OFFER ETHANOL-BLENDED GASOLINE FOR RETAIL SALE IN NORTH CAROLINA. (S.L. 2011-25)

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H.B. 90, AN ACT TO ALLOW CONFECTIONERS TO PRODUCE CONFECTIONERIES WHICH CONTAIN NO MORE THAN FIVE PERCENT ALCOHOL BY VOLUME. (S.L. 2011-26)

S.B. 51, AN ACT TO CLARIFY THAT CERTAIN ORGANIZATIONS OF EDUCATIONAL INSTITUTIONS ARE COVERED BY THE EDUCATIONAL INSTITUTION EXEMPTION FROM CHARITABLE SOLICITATION LICENSING REQUIREMENTS. (S.L. 2011-27)

S.B. 18, AN ACT CLARIFYING THE DEFINITION OF JUDICIAL DISTRICTS UNDER THE LAWS REGULATING THE NORTH CAROLINA STATE BAR. (S.L. 2011-28)

S.B. 248, AN ACT TO UPDATE CERTAIN TERMINOLOGY IN REFERENCE TO PERSONS WITH DISABILITIES, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION. (S.L. 2011-29)

S.B. 107, AN ACT TO REDUCE THE PROPERTY TAX OWED FOR IMPROVED PROPERTY INSIDE CERTAIN ROADWAY CORRIDORS. (S.L. 2011-30)

H.B. 21, AN ACT TO CLARIFY THE ADMINISTRATION OF NONPARTISAN MUNICIPAL ELECTIONS BY COUNTY BOARDS OF ELECTIONS. (S.L. 2011-31)

S.B. 46, AN ACT TO ESTABLISH A SEASON FOR THE TAKING OF FOXES AND COYOTES IN SURRY COUNTY. (S.L. 2011-32)

RE-REFERRALS

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 825**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE JOINT LEGISLATIVE STUDY COMMISSION ON METHAMPHETAMINE LAB PREVENTION, is withdrawn from Judiciary Subcommittee B and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.J.R. 835**, A JOINT RESOLUTION TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE PROLIFERATION OF METH LABS IN NORTH CAROLINA AND THE DANGERS AND HAZARDS POSED BY THOSE LABS TO THE SAFETY AND HEALTH OF CHILDREN, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to Judiciary Subcommittee B.

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On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 709**, A BILL TO BE ENTITLED AN ACT PROTECTING AND PUTTING NORTH CAROLINA BACK TO WORK BY REFORMING THE WORKERS' COMPENSATION ACT TO (1) DEFINE "SUITABLE EMPLOYMENT" PERTAINING TO AN EMPLOYEE'S RETURN TO WORK WITHIN RESTRICTIONS OR AFTER REACHING MAXIMUM IMPROVEMENT; (2) MAKE WILLFUL MISREPRESENTATIONS GROUNDS FOR DISQUALIFICATION FROM RECEIVING BENEFITS; (3) PROVIDE THAT PARTIES MAY REACH A SEPARATE CONTEMPORANEOUS AGREEMENT TO RESOLVE ISSUES NOT COVERED BY THE ACT; (4) CLARIFY THE RIGHTS AND RESPONSIBILITIES OF EMPLOYERS AND EMPLOYEES REGARDING MEDICAL EXAMINATIONS, TREATMENT, AND ACCESS TO MEDICAL INFORMATION; (5) CAP THE DURATION OF COMPENSATION FOR TEMPORARY TOTAL DISABILITY; (6) EXTEND FROM THREE HUNDRED TO FIVE HUNDRED THE NUMBER OF WEEKS AN INJURED EMPLOYEE IS ELIGIBLE TO RECEIVE COMPENSATION FOR PARTIAL INCAPACITY; (7) INCREASE THE DEATH BENEFIT AND BURIAL EXPENSE ALLOWANCE; (8) REDUCE THE INDUSTRIAL COMMISSION FROM SEVEN TO FIVE MEMBERS SUBJECT TO LEGISLATIVE CONFIRMATION; (9) PROVIDE THAT COMMISSIONERS AND DEPUTY COMMISSIONERS ARE SUBJECT TO THE CODE OF JUDICIAL STANDARDS; AND (10) REPEAL THE COMMISSION'S FULL EXEMPTION FROM THE ADMINISTRATIVE PROCEDURE ACT, THEREBY SUBJECTING THE COMMISSION TO RULE MAKING PURSUANT TO ARTICLE 2A OF CHAPTER 150B OF THE GENERAL STATUTES AND REQUIRING THE COMMISSION TO READOPT RULES PURSUANT TO THAT ARTICLE, is withdrawn from the Committee on Commerce and Job Development and re-referred to the Committee on Insurance and, if favorable, to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committee are presented:

By Representatives L. Brown and Ingle, Chairs, for the Committee on Government:

H.B. 284, A BILL TO BE ENTITLED AN ACT TO PERMIT THE COUNTY OF WAYNE TO UTILIZE THE DESIGN-BUILD METHOD OF CONSTRUCTION AND RENOVATION OF COUNTY BUILDINGS, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

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

H.B. 291, A BILL TO BE ENTITLED AN ACT TO ALLOW RECALL OF OFFICERS OF THE TOWN OF BELHAVEN, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

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

By Representatives Cleveland and Killian, Chairs, for the Committee on Homeland Security, Military, and Veterans Affairs:

H.B. 515, A BILL TO BE ENTITLED AN ACT TO PERMIT COMMUNITY COLLEGES TO INCLUDE THE COSTS OF TEXTBOOKS IN THE TUITION CHARGED FOR MEMBERS OF THE ARMED SERVICES, with a favorable report as to the committee substitute bill, unfavorable as to the original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Education.

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

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative LaRoque and without objection, **H.B. 327**, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF LEICESTER, SUBJECT TO A REFERENDUM, is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

MOTION TO SUSPEND RULES

On motion of Representative LaRoque and without objection, Rule 12(g) is suspended for Session at the State Capitol tomorrow, April 12, 2011.

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representatives Jeffus, Tolson, Fisher, and Glazier (Primary Sponsors); M. Alexander, Carney, Cook, Gill, Insko, Jordan, Keever, Lucas, R. Moore, Parfitt, Parmon, Rapp, Torbett, and Wray:

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H.B. 860, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE NORTH CAROLINA SCIENCE, MATHEMATICS AND TECHNOLOGY EDUCATION CENTER, INC., TO CREATE THE NORTH CAROLINA SCIENCE COMPETITIONS PROGRAM CENTER TO ESTABLISH AND SUPPORT SCIENCE COMPETITIONS IN ALL COUNTIES OF THE STATE TO PREPARE STUDENTS FOR AN ECONOMY BASED ON TECHNOLOGY AND INNOVATION, is referred to the Committee on Appropriations.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 343 (Committee Substitute), A BILL TO BE ENTITLED AN ACT ESTABLISHING THE COMMUNICATIONS REGULATORY REFORM AND INVESTMENT ACT OF 2011, is read the first time and referred to the Committee on Public Utilities.

S.B. 413, A BILL TO BE ENTITLED AN ACT TO CONFORM AND MODIFY THE STATUTES ON INITIAL VOTES BY CITY AND GOVERNING BOARDS, is read the first time and referred to the Committee on Judiciary.

RE-REFERRAL

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 271**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE PROHIBITION AGAINST CARRYING A CONCEALED WEAPON DOES NOT APPLY TO STATE PROBATION AND PAROLE CERTIFIED OFFICERS WHEN THEY ARE OFF-DUTY, is withdrawn from Judiciary Subcommittee A and re-referred to Judiciary Subcommittee C.

CALENDAR

Action is taken on the following:

H.R. 186, A HOUSE RESOLUTION CREATING A HOUSE SELECT COMMITTEE TO INVESTIGATE THE HANDLING OF THE CTS CONTAMINATION SITE IN BUNCOMBE COUNTY BY THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES.

The resolution is adopted, by electronic vote (110-4), and ordered printed.

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H.B. 234 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE QUALIFICATIONS FOR PROSPECTIVE JURORS IN ORDER TO ALLOW HEARING-IMPAIRED PERSONS TO SERVE AS JURORS AND TO PROVIDE FOR PERSONS WITH DISABILITIES TO APPLY FOR EXEMPTIONS FROM JURY DUTY.

On motion of Representative Glazier, the House concurs in the Senate amendment, by electronic vote (114-3), and the bill is ordered enrolled and presented to the Governor.

Representative Daughtry requests and is granted leave of the House to change his vote from "aye" to "no". The adjusted vote total is (113-4).

H.B. 335, A BILL TO BE ENTITLED AN ACT TO REPEAL THE PROHIBITION ON CONTRACTING FOR THE MAINTENANCE OF PRISON FACILITIES AND TO DIRECT THE DEPARTMENT OF CORRECTION TO EXPAND THE SCOPE OF A CURRENT MAINTENANCE REQUEST FOR PROPOSALS.

On motion of Representative Guice and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of April 13.

H.B. 410, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF PINEBLUFF TO PRESERVE CERTAIN UNDEVELOPED PROPERTY OWNED BY THE TOWN FOR PARK LAND, passes its second reading, by electronic vote (118-0), and there being no objection is read a third time.

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

S.B. 29, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ALAMANCE COUNTY TO REQUIRE THE PAYMENT OF DELINQUENT PROPERTY TAXES BEFORE RECORDING DEEDS CONVEYING PROPERTY, 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.

H.B. 398 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW CLEVELAND COUNTY WATER, A SANITARY DISTRICT, TO CONDUCT AN ADVISORY REFERENDUM ON WHETHER OR NOT A RESERVOIR SHOULD BE CONSTRUCTED IN UPPER CLEVELAND COUNTY IN THE DISTRICT.

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

The bill 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.

H.B. 498 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE PRESIDING OFFICER OF THE WAKE COUNTY BOARD OF EDUCATION TO VOTE IN ALL CASES, passes its second reading, by electronic vote (71-47), and there being no objection is read a third time.

On motion of Representative Gill and without objection, the bill is placed on the Calendar of April 13.

S.B. 182 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT PROVIDING THAT A LIST OF E-MAIL ADDRESSES OF PERSONS SUBSCRIBING TO E-MAIL LISTS KEPT BY CARTERET COUNTY AND THE CITY OF GREENVILLE SHALL BE OPEN TO PUBLIC INSPECTION BUT ARE NOT REQUIRED TO BE PROVIDED, AND FURTHER PROVIDING THAT A LIST CAN BE USED ONLY FOR THE PURPOSES TO WHICH IT WAS SUBSCRIBED.

Representative Samuelson offers Amendment No. 1 which is adopted by electronic vote (116-1). This amendment changes the title.

This amendment changes the bill from local to public.

The bill, as amended, passes its second reading, by electronic vote (116-1). The caption having been amended, the bill, without objection, is placed on the Calendar of April 13.

S.B. 263, A BILL TO BE ENTITLED AN ACT TO ALLOW MUNICIPALITIES IN WAKE COUNTY TO EXEMPT BONA FIDE FARMS FROM OBTAINING BUILDING PERMITS FOR ACCESSORY BUILDINGS IN ITS EXTRATERRITORIAL JURISDICTION, 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.

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H.B. 168 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DEFINITION OF "BONA FIDE FARM PURPOSES," TO PROHIBIT THE INVOLUNTARY MUNICIPAL ANNEXATION OF PROPERTY USED FOR BONA FIDE FARM PURPOSES, TO EXEMPT PROPERTY USED FOR BONA FIDE FARM PURPOSES FROM THE EXTRATERRITORIAL PLANNING AND ZONING JURISDICTION OF MUNICIPALITIES, AND TO EXEMPT PROPERTY USED FOR BONA FIDE FARMING PURPOSES FROM MUNICIPAL ZONING, passes its second reading by electronic vote (116-2).

Representative Luebke objects to the third reading. Without objection, the bill is placed on the Calendar of April 13.

S.B. 8 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO INCREASE EDUCATIONAL OPPORTUNITIES FOR THE CHILDREN OF NORTH CAROLINA BY REMOVING THE CAP ON CHARTER SCHOOLS, BY CREATING A NEW PUBLIC CHARTER SCHOOLS COMMISSION TO OVERSEE CHARTER SCHOOLS, BY STRENGTHENING THE STANDARDS FOR GRANTING AND RETAINING A CHARTER FOR A CHARTER SCHOOL, BY AUTHORIZING LOCAL BOARDS OF EDUCATION TO CONVERT SCHOOLS TO CHARTER SCHOOLS WITHOUT FORMING A NONPROFIT CORPORATION, BY CLARIFYING THE FUNDING FORMULA FOR CHARTER SCHOOLS, AND BY PROVIDING THAT COUNTIES MAY PROVIDE FUNDING FOR CHARTER SCHOOLS IN THEIR JURISDICTIONS; AND TO MAKE OTHER CHANGES TO THE GENERAL STATUTES GOVERNING CHARTER SCHOOLS, is temporarily displaced.

H.B. 235 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO OFFICIALLY DESIGNATE SENATE BILL 140, SESSION LAW 2010-5, AS "BONNIE'S LAW", passes its second reading, by electronic vote (118-0), and there being no objection is read a third time.

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

H.B. 313, A BILL TO BE ENTITLED AN ACT TO REPEAL THE PAYROLL SAVINGS PROGRAM FOR SAVINGS BONDS DUE TO RECENT CHANGES MADE BY THE UNITED STATES TREASURY DEPARTMENT, 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.

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H.B. 381 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PREVENT LAW ENFORCEMENT AGENCIES FROM ESTABLISHING PATTERNS FOR VEHICLE STOPS AT CHECKING STATIONS BASED ON A PARTICULAR TYPE OF VEHICLE, passes its second reading, by electronic vote (116-1), and there being no objection is read a third time.

Representative Torbett requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (117-1).

The bill passes its third reading, by electronic vote (117-0), and is ordered sent to the Senate.

H.B. 393, A BILL TO BE ENTITLED AN ACT TO MODIFY THE INTERNAL AUDITING STATUTES APPLICABLE TO LARGE STATE DEPARTMENTS AND THE UNIVERSITY SYSTEM, passes its second reading, by electronic vote (118-0), and there being no objection is read a third time.

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

H.B. 427 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE SEIZURE, FORFEITURE, AND SALE OF MOTOR VEHICLES USED BY DEFENDANTS IN FELONY CASES INVOLVING SPEEDING TO ELUDE ARREST, passes its second reading by electronic vote (116-1).

Representative Haire objects to the third reading. On motion of the Chair, the bill is placed on the Calendar of April 13.

S.B. 154, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE HIGHER EDUCATION BOND OVERSIGHT COMMITTEE, WHICH HAS COMPLETED ITS WORK, 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.

SPEAKER TILLIS PRESIDING.

INTRODUCTION OF PAGES

Pages for the week of April 11 are introduced to the membership. They are: Edward Blackburn, II, of Cleveland; Savannah Carlyle of Guilford;

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Allen Crosby of Mecklenburg; Katherine Ferro of Mecklenburg; Rose Goyette of Clay; Danielle Henderson of Pitt; Jesse Moffitt of Buncombe; Tiaja Smalls of Cumberland; Tiara Smalls of Cumberland; and Alec Viscount of Mecklenburg.

CALENDAR (continued)

S.B. 8 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO INCREASE EDUCATIONAL OPPORTUNITIES FOR THE CHILDREN OF NORTH CAROLINA BY REMOVING THE CAP ON CHARTER SCHOOLS, BY CREATING A NEW PUBLIC CHARTER SCHOOLS COMMISSION TO OVERSEE CHARTER SCHOOLS, BY STRENGTHENING THE STANDARDS FOR GRANTING AND RETAINING A CHARTER FOR A CHARTER SCHOOL, BY AUTHORIZING LOCAL BOARDS OF EDUCATION TO CONVERT SCHOOLS TO CHARTER SCHOOLS WITHOUT FORMING A NONPROFIT CORPORATION, BY CLARIFYING THE FUNDING FORMULA FOR CHARTER SCHOOLS, AND BY PROVIDING THAT COUNTIES MAY PROVIDE FUNDING FOR CHARTER SCHOOLS IN THEIR JURISDICTIONS; AND TO MAKE OTHER CHANGES TO THE GENERAL STATUTES GOVERNING CHARTER SCHOOLS, which was temporarily displaced, is before the Body.

Representative Owens offers Amendment No. 1 which fails of adoption by electronic vote (57-60).

Representative Torbett requests and is granted leave of the House to be recorded as voting "no". The adjusted vote total is (57-61).

Representative T. Moore calls the previous question on the passage of the bill and the call is sustained by electronic vote (67-50).

The bill passes its third reading, by electronic vote (68-51), and is ordered sent to the Senate for concurrence in House Committee Substitute Bill No. 2.

RE-REFERRALS

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 546**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CHARLOTTE-MECKLENBURG SCHOOLS TO DEVELOP AND IMPLEMENT ALTERNATIVE SALARY PLANS FOR INSTRUCTIONAL PERSONNEL AND SCHOOL ADMINISTRATORS, is withdrawn from the Committee on Government and re-referred to the Committee on Education.

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On motion of Representative T. Moore, the serial referral to the Committee on Judiciary for **H.B. 823**, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO MAKE THE SUPERINTENDENT OF PUBLIC INSTRUCTION THE HEAD OF THE DEPARTMENT OF PUBLIC INSTRUCTION, TO MAKE THE STATE BOARD OF EDUCATION AN ADVISORY BODY, TO MODIFY THE MEMBERSHIP OF THE STATE BOARD OF EDUCATION, AND TO MAKE CONFORMING CHANGES TO THE GENERAL STATUTES, is stricken. The serial referral to the Committee on Finance remains.

On motion of Representative LaRoque, pursuant to Rule 39.2 and without objection, **H.B. 436**, A BILL TO BE ENTITLED AN ACT TO REQUIRE MEMBERS OF SANITARY DISTRICTS ESTABLISHED UNDER PART 2 OF ARTICLE 2 OF CHAPTER 130A OF THE GENERAL STATUTES TO FILE A STATEMENT OF ECONOMIC INTEREST, is withdrawn from the Committee on Government and re-referred to the Committee on Ethics.

VOTE ADJUSTED

Without objection, Representative Parfitt is granted leave of the House to record her vote on April 7, 2011, as "aye" on the third reading of **S.B. 31** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PENALTY FOR THE UNAUTHORIZED PRACTICE OF MEDICINE. The adjusted vote total is (112-5).

Representative LaRoque moves, seconded by Representative Stam, that the House adjourn, subject to the receipt of Committee Reports, to reconvene April 12, in the Old House Chamber at the State Capitol Building at 2:00 p.m.

The motion carries.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives LaRoque and T. Moore, Chairs, for the Committee on Rules, Calendar, and Operations of the House:

H.B. 595, A BILL TO BE ENTITLED AN ACT CHANGING THE STRUCTURE OF CERTAIN LEGISLATIVE COMMITTEES AND COMMISSIONS, TRANSFERRING THE DUTIES OF CERTAIN COMMITTEES AND COMMISSIONS TO OTHER COMMITTEES AND

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COMMISSIONS, CHANGING THE COMPOSITION OF VARIOUS LEGISLATIVE COMMITTEES AND COMMISSIONS, AND MAKING CONFORMING CHANGES, with a favorable report.

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

H.R. 653, A HOUSE RESOLUTION OBSERVING THE TWO HUNDRED THIRTY-FIFTH ANNIVERSARY OF THE HALIFAX RESOLVES, with recommendation that it be adopted.

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

H.R. 748, A HOUSE RESOLUTION ENCOURAGING THE CITIZENS OF THIS STATE TO RECOGNIZE EACH APRIL AS ORGAN DONATION MONTH, with recommendation that it be adopted.

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

H.R. 833, A HOUSE RESOLUTION RECOGNIZING THE IMPORTANCE OF THE STATE CAPITOL, with recommendation that the committee substitute resolution be adopted, unfavorable as to the original resolution.

Pursuant to Rule 36(b), the committee substitute resolution is placed on the Calendar of April 12. The original resolution is placed on the Unfavorable Calendar.

The House stands adjourned at 10:15 p.m.

FORTY-FOURTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, April 12, 2011
House Chamber
State Capitol Building
Raleigh, North Carolina

The House meets at 2:00 p.m. in the North Carolina State Capitol Building, pursuant to adjournment and **H.J.R. 688**, A JOINT RESOLUTION PROVIDING THAT THE 2011 GENERAL ASSEMBLY SHALL MEET FOR A DAY AT THE STATE CAPITOL, and is called to order by the Speaker.

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The following prayer is offered by former House Chaplain Jim Harry:

"Almighty God:

"Acknowledging that all good things come from You, we pause this afternoon in this historic place and on this historic day to give You thanks for the full measure of divine blessings You have seen fit to bestow upon this great State. We are proud to call ourselves North Carolinians and pray that in doing so, in some small measure we are displaying gratitude for this great gift we call home.

"Difficult times have always required leaders to step up and lead. Fortunately for us, we are not alone as throughout human history You have seen fit to raise up men and women such as these gathered in this Chamber to answer the call to servant leadership. Grant upon these men and women, O God, the full measure of Your wisdom, intellect and humility in order to effectively and expediently dispatch the necessary leadership for these times in which we live. In all things, through all things and for all things we give You thanks and we humbly pray for Your continued blessings upon us and the good people of the Old North State. Amen."

Mr. Hugh Nash, a descendant of Abner Nash, the first Speaker of the North Carolina House of Commons, leads the Body in the Pledge of Allegiance.

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

A leave of absence is granted Representative E. Warren for today.

ENROLLED BILLS

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

S.B. 154, AN ACT TO ABOLISH THE HIGHER EDUCATION BOND OVERSIGHT COMMITTEE, WHICH HAS COMPLETED ITS WORK.

H.B. 234, AN ACT TO AMEND THE QUALIFICATIONS FOR PROSPECTIVE JURORS IN ORDER TO ALLOW HEARING-IMPAIRED PERSONS TO SERVE AS JURORS AND TO PROVIDE FOR PERSONS WITH DISABILITIES TO APPLY FOR EXEMPTIONS FROM JURY DUTY.

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

S.B. 29, AN ACT TO AUTHORIZE ALAMANCE COUNTY TO REQUIRE THE PAYMENT OF DELINQUENT PROPERTY TAXES BEFORE RECORDING DEEDS CONVEYING PROPERTY.

S.B. 263, AN ACT TO ALLOW MUNICIPALITIES IN WAKE COUNTY TO EXEMPT BONA FIDE FARMS FROM OBTAINING BUILDING PERMITS FOR ACCESSORY BUILDINGS IN ITS EXTRA-TERRITORIAL JURISDICTION.

The Speaker declares a quorum to be present.

COURTESIES EXTENDED

The Speaker extends the courtesies of the gallery to the following guests:

Rufus Edmisten, State Capitol Foundation Board Member; Kay Cashion, State Capitol Foundation President; Deanna Mitchell, Site Administrator for North Carolina State Capitol; Jimmy Gilmore, Elizabeth Beilman and Rebekah Binford, Symphony players.

Dr. Jeff Crow, Deputy Secretary for Archives and History of the Department of Cultural Resources; Dick Lankford, State Archivist and Director of the Division of Archives and Records; Keith Hardison, State Historic Sites Director.

The Speaker extends the courtesies of the floor to the following guests: Linda Carlisle, Secretary for the Department of Cultural Resources; Melanie Soles, Assistant Secretary for Policy, Strategy and Legislative Affairs of the Department of Cultural Resources; Hugh Nash, descendant of Abner Nash (first Speaker of the North Carolina House of Commons, second Governor of North Carolina, and member of the committee that composed the *Halifax Resolves*).

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representatives Michaux, Hall, and Parmon:

H.B. 861, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ADDITIONAL REVENUE OPTIONS FOR LOCAL GOVERNMENTS, is referred to the Committee on Rules, Calendar, and Operations of the House.

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MESSAGES FROM THE SENATE

The following are received from the Senate:

H.B. 162 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN ACTIVITIES RELATED TO SMALL-SCALE PROCESSING OF AGRICULTURAL PRODUCTS FROM WASTEWATER PERMIT 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 April 13.

S.B. 316 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE DHHS TO IMPLEMENT ADDITIONAL 1915(B)(C) MEDICAID WAIVER SITES AND TO ALLOW STATE FACILITIES TO DISCLOSE CERTAIN INFORMATION FOR PURPOSES OF COLLECTING PAYMENT AND TO DIRECT THE DISTRIBUTION OF A FUND BALANCE UPON THE DISSOLUTION OF AN AREA AUTHORITY, is read the first time and referred to the Committee on Health and Human Services.

S.B. 423, A BILL TO BE ENTITLED AN ACT DIRECTING THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO STUDY THE TEACHER TENURE LAW, is read the first time and referred to the Committee on Education.

CALENDAR

Action is taken on the following:

H.R. 653, A HOUSE RESOLUTION OBSERVING THE TWO HUNDRED THIRTY-FIFTH ANNIVERSARY OF THE HALIFAX RESOLVES.

The resolution is adopted and ordered printed.

On motion of Representative McComas, the following remarks by Representative Bradley are spread upon the Journal.

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REMARKS BY REPRESENTATIVE BRADLEY

"Thank you Mr. Speaker.

"It is good that we gather here today, on this monumental historic day which shaped history, not only for North Carolina and the United States, but also for the advance of liberty on the American Continent. While the path to true liberty for all people would still be a long road ahead, we often forget that the first steps were not taken in Philadelphia or Virginia, but right here in North Carolina, in the then-bustling trade town of Halifax on the Roanoke River.

"On April 12, 1776, a date proudly commemorated on our North Carolina State Flag, 83 delegates from every region of the colony of North Carolina gathered in Halifax, North Carolina, to declare their intent to break free of British rule and become sovereign in conjunction with the 12 other British colonies on the American Continent.

"This amazing event that produced the Halifax Resolves which we hereby commemorate was not the end of the story, but only the beginning. Three months later in Philadelphia, the Declaration of Independence was drafted and ratified, and so began the eighth-year American war for independence. With the surrender of Cornwallis and the defeat of the British armies, a new thing had been brought forth among mankind - the idea that individual liberty and personal sovereignty could achieve victory over oppressive government, and go on to eventually form the most spectacular and glorious Nation the world had ever seen.

"In our continuing struggle for liberty, we adopted the US Constitution in 1789 - the document which the honorable Frederick Douglass later referred to saying that its strict enforcement is the best guarantee of human and civil rights.

"Even then we had not achieved human liberty in America. We were a Nation that kept slaves, and we fought a Civil War to end that and we became a Nation of unequal opportunity, and we struggled in a civil rights movement to stop that, and so we have seen a slow, inexorable progression from tyranny, through slavery, through indenture, through inequality, all the way up to this very day.

"I submit to you that our long journey is not complete. That while we have made amazing progress towards the perfection of human liberty over the last 235 years since the ratification of the Halifax Accords, we are not done, as we still have a long road ahead.

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"Today, we as a Nation put more people into prison per capita than any other nation on Earth, more than Cuba, more than North Korea, and even more than the old Soviet Union during the height of the Cold War. Today, while African Americans make up 14% of drug users, they make up 52% of drug convictions. By granting private central banks a monopoly on the production and management of American currency, we have seen the divide between the poor and the wealthy grow into a great chasm artificially created and maintained by fiat.

"These are struggles which still lie ahead that we can overcome, and that we must overcome if we are to truly set the standard for human liberty. Therefore, let us look back to the ratification of the *Halifax Resolves* which we celebrate today not as a memorial commemoration of long-distant history, but as a remembrance of what the people of North Carolina are truly made of, what we can be, and push forward along the long winding path in the struggle for human liberty and go on to reclaim the title once lost and almost forgotten for our State, 'First In Freedom.'

"Let this day mark our way back to the path towards liberty for all mankind, and let history mark this day as the genesis of the second great awakening when a renaissance of freedom sparked once again in the great State of North Carolina and swept across the United States and restored our Nation to the liberty which once made our Nation the greatest Nation on earth and will do so again.

"Friends, colleagues, and fellow North Carolinians, with your help we can move forward from this day not in memorial for a liberty once lost, but refreshed in our struggle and determined to reclaim the title of 'First In Freedom,' which more than anything else will restore the United States to greatness, and will guarantee human and civil rights for all of our citizens.

"With that, I urge my colleagues to vote in favor of this resolution to honor the ratification of the *Halifax Resolves*, not as much in recognition of what we once did, but rather to remind us of what we can and what we must find the courage to do again.

"Thank you, Mr. Speaker."

H.R. 833 (Committee Substitute), A HOUSE RESOLUTION
RECOGNIZING THE IMPORTANCE OF THE STATE CAPITOL.

The resolution is adopted and ordered printed.

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On motion of Representative McComas, the following remarks by Representative Starnes are spread upon the Journal:

REMARKS BY REPRESENTATIVE STARNES

"Thank you, Mr. Speaker, and Ladies and Gentlemen of the House.

"The North Carolina State Capitol is one of the finest examples of Greek Revival Architecture. Prior to 1792 North Carolina Legislators met in various towns throughout the State, gathering frequently in Halifax, New Bern, Tarboro, and Hillsborough. When Raleigh was established as the permanent seat of North Carolina's State government in 1792, a two-story brick State House was built on this site, known as Union Square.

"The State House burned down on June 21, 1831, destroying the original marble sculpture of George Washington; a replica of which currently sits in our rotunda today.

"The General Assembly ordered that a new Capitol be built. The new Capitol was designed as a cross-shaped structure with a dome and central rotunda. Fifty-thousand dollars was appropriated for its construction and the cornerstone was laid on July 4, 1833. Work progressed slowly and was completed in 1840 with significant cost over-runs. The final cost of the Capitol with its furnishings was \$532,000.

"This building housed all three branches of government until 1888 when the Supreme Court moved to its own building. The General Assembly moved to the current Legislative Building in 1963. It's not a new Capitol; it's a Legislative Building. We are the only State in the Union to have a building designated solely to the Legislative Branch of Government.

"Prior to 1996 when the North Carolina Constitution was amended to give the governor veto power, the North Carolina General Assembly was arguably the most powerful legislative body in America because we were the only State in the Nation that did not allow the governor veto power.

"One of the first acts of the General Assembly when they met in the newly completed Capitol in 1891 was the creation of Caldwell County from Wilkes and Burke Counties.

"Much of North Carolina was a wilderness in 1840 with very little infrastructure and few improvements. It could take days, if not a week to travel to Raleigh. The population of North Carolina in 1840 was 753,000 people, about the population of Charlotte today.

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"The more things change, the more they stay the same. In 1848, shortly after this Capitol was completed, the big debate was over connectivity for North Carolina using the latest technology. We call it the North Carolina Railroad that ran from Morehead City to Charlotte.

"The Capitol building is built of stone, mortar, wood and plaster, but it is the people that make the building come alive. The faces of the General Assembly have changed and the General Assembly of today looks drastically different from the General Assembly when this building was built. There were no black members and certainly this was no place for a woman.

"Most of the names of the legislators who came before us remain anonymous, but their actions have shaped our lives and molded our State into what it is today. Each of us should be mindful that our actions have consequences.

"It was at these desks that legislators learned that on April 12, 1861, 150 years ago, today, that Rebel Forces fired upon Fort Sumter and it was in this Chamber that the House voted to secede from the Union. It was again in this Chamber in 1865 that North Carolina adopted the 13th amendment to the United States Constitution which banned slavery. Followed in subsequent years was the 14th amendment which granted citizenship to former slaves and the 15th which granted all men the right to vote.

"It was in this Chamber that laws were made to reflect the values and morals of the people of North Carolina. Often what the preacher preached on Sunday became the law on Monday. It was here that state-wide prohibition was passed in 1908, 12 years after nationwide prohibition went into effect.

"In 1897 a Representative from Yancey County filed a bill to give women the right to vote. That idea was considered to be so crazy that it was sent to the Committee on Insane Asylums. In 1920 President Wilson urged North Carolina to adopt the 19th amendment granting women the right to vote. One more state was needed to ratify the amendment for it to go into effect. It was coming down to North Carolina or Tennessee. The North Carolina House voted it down 41-71 and sent a telegram to the Tennessee Legislature begging them not to approve this ill-conceived measure. Tennessee crumbled under pressure and the amendment passed giving women the right to vote. Nonetheless, recognizing the error of its ways the North Carolina General Assembly did ratify the 19th amendment giving women the right to vote. It's just that this didn't happen until 50 years later in 1971.

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"Our Capitol is not just an historic building. It is a place where history was made. I'm honored to speak on this resolution.

"At the end of a long day no words are more comforting than the words 'Let's Go To The House'. And no place feels more like home than the People's House, this North Carolina House of Representatives. Join me as we lift a toast not only to this wonderful old Capitol building, but also to the wonderful people past and present who've occupied these seats.

"Here's to the land of the long leaf pine,
The summer land where the sun doth shine,
Where the weak grow strong and the strong grow great,
Here's to 'Down Home,' the Old North State!"

BILL PLACED ON CALENDAR

On motion of Representative LaRoque and without objection, **H.B. 8** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO PROHIBIT CONDEMNATION OF PRIVATE PROPERTY EXCEPT FOR A PUBLIC USE, AND TO PROVIDE FOR THE PAYMENT OF JUST COMPENSATION WITH RIGHT OF TRIAL BY JURY IN ALL CONDEMNATION CASES, AND TO MAKE SIMILAR STATUTORY CHANGES, is placed on the Calendar of April 20.

RE-REFERRALS

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, the serial referral on **H.B. 709**, A BILL TO BE ENTITLED AN ACT PROTECTING AND PUTTING NORTH CAROLINA BACK TO WORK BY REFORMING THE WORKERS' COMPENSATION ACT TO (1) DEFINE "SUITABLE EMPLOYMENT" PERTAINING TO AN EMPLOYEE'S RETURN TO WORK WITHIN RESTRICTIONS OR AFTER REACHING MAXIMUM IMPROVEMENT; (2) MAKE WILLFUL MISREPRESENTATIONS GROUNDS FOR DISQUALIFICATION FROM RECEIVING BENEFITS; (3) PROVIDE THAT PARTIES MAY REACH A SEPARATE CONTEMPORANEOUS AGREEMENT TO RESOLVE ISSUES NOT COVERED BY THE ACT; (4) CLARIFY THE RIGHTS AND RESPONSIBILITIES OF EMPLOYERS AND EMPLOYEES REGARDING MEDICAL EXAMINATIONS, TREATMENT, AND ACCESS TO MEDICAL INFORMATION; (5) CAP THE DURATION OF COMPENSATION FOR TEMPORARY TOTAL DISABILITY; (6) EXTEND FROM THREE HUNDRED TO FIVE HUNDRED THE NUMBER OF WEEKS AN INJURED EMPLOYEE IS ELIGIBLE TO RECEIVE

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COMPENSATION FOR PARTIAL INCAPACITY; (7) INCREASE THE DEATH BENEFIT AND BURIAL EXPENSE ALLOWANCE; (8) REDUCE THE INDUSTRIAL COMMISSION FROM SEVEN TO FIVE MEMBERS SUBJECT TO LEGISLATIVE CONFIRMATION; (9) PROVIDE THAT COMMISSIONERS AND DEPUTY COMMISSIONERS ARE SUBJECT TO THE CODE OF JUDICIAL STANDARDS; AND (10) REPEAL THE COMMISSION'S FULL EXEMPTION FROM THE ADMINISTRATIVE PROCEDURE ACT, THEREBY SUBJECTING THE COMMISSION TO RULE MAKING PURSUANT TO ARTICLE 2A OF CHAPTER 150B OF THE GENERAL STATUTES AND REQUIRING THE COMMISSION TO READOPT RULES PURSUANT TO THAT ARTICLE, is changed from the Committee on Judiciary to the Select Committee on Tort Reform.

On motion of Representative LaRoque, pursuant to Rule 39.2 and without objection, **H.B. 545**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE MOORE COUNTY OCCUPANCY TAX, is withdrawn from the Committee on Government and re-referred to the Committee on Finance.

Representative LaRoque moves, seconded by Representative Brubaker, that the House adjourn, subject to the receipt of Committee Reports, to reconvene April 13 in the House Chamber of the Legislative Building at 2:00 p.m.

The motion carries.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Current, Dollar, and Hollo, Chairs, for the Committee on Health and Human Services:

H.B. 614, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO PUBLISH ON ITS WEB SITE PUBLIC NOTICES OF CHANGES IN STATEWIDE METHODS AND STANDARDS FOR SETTING MEDICAID PAYMENT RATES, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

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

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H.J.R. 647, A JOINT RESOLUTION TO ESTABLISH THE JOINT LEGISLATIVE TASK FORCE ON DIABETES PREVENTION AND AWARENESS, with a favorable report.

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

By Representatives Iler and Mills, Chairs, for the Committee on Transportation:

H.B. 311, A BILL TO BE ENTITLED AN ACT REQUIRING THAT MOTOR CARRIERS OF HOUSEHOLD GOODS MARK OR IDENTIFY THEIR VEHICLES AND MAKING IT UNLAWFUL FOR A PERSON NOT CERTIFIED BY THE UTILITIES COMMISSION AS A MOTOR CARRIER OF HOUSEHOLD GOODS TO ADVERTISE OR OTHERWISE REPRESENT THAT THE PERSON IS AUTHORIZED TO ENGAGE IN THE TRANSPORTATION OF HOUSEHOLD GOODS FOR COMPENSATION IN THIS STATE, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

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

H.B. 490, A BILL TO BE ENTITLED AN ACT TO NAME THE YADKIN RIVER BRIDGE AT THE DAVIDSON AND ROWAN COUNTY LINES THE "YADKIN RIVER VETERANS MEMORIAL BRIDGE", with a favorable report and recommendation that the bill be re-referred to the Appropriations Subcommittee on Transportation.

The bill is re-referred to the Appropriations Subcommittee on Transportation.

SUBCOMMITTEE REFERRALS

Representative Daughtry, Chair, for the Standing Committee on Judiciary, refers the following bills to Judiciary Subcommittee B:

H.B. 636, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE CRIMINAL PENALTY FOR THE THEFT OF ANY FINANCIAL TRANSACTION CARD SHALL BE THE SAME AS THE CRIMINAL PENALTY FOR THE THEFT OF A CREDIT CARD WHICH IS A CLASS I FELONY.

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H.B. 725, A BILL TO BE ENTITLED AN ACT TO REQUIRE ANYONE WHO IS CONVICTED OF DRIVING WHILE IMPAIRED, DRIVING AFTER CONSUMING ALCOHOL BEING LESS THAN TWENTY-ONE YEARS OF AGE, OR ANY OTHER IMPAIRED DRIVING OFFENSE, OR ANY PERSON WHO REFUSES A CHEMICAL ANALYSIS, TO HAVE AN IGNITION INTERLOCK SYSTEM INSTALLED ON EVERY VEHICLE THAT PERSON MAY DRIVE BEFORE THAT PERSON CAN GET A LIMITED DRIVING PRIVILEGE; AND TO PROVIDE FOR THE PAYMENT OF AN ADMINISTRATIVE FEE AND COSTS ASSOCIATED WITH AN IGNITION INTERLOCK SYSTEM AND CREATE AN IGNITION INTERLOCK DEVICE FUND TO ASSIST INDIGENT PERSONS.

H.B. 739, A BILL TO BE ENTITLED AN ACT TO REQUIRE ANYONE WHO IS CONVICTED OF DRIVING WHILE IMPAIRED, DRIVING AFTER CONSUMING ALCOHOL BEING LESS THAN TWENTY-ONE YEARS OF AGE, OR ANY OTHER IMPAIRED DRIVING OFFENSE, OR ANY PERSON WHO REFUSES A CHEMICAL ANALYSIS, TO HAVE AN IGNITION INTERLOCK SYSTEM INSTALLED ON EVERY VEHICLE THAT PERSON MAY DRIVE BEFORE THAT PERSON CAN GET A LIMITED DRIVING PRIVILEGE; AND TO PROVIDE FOR THE PAYMENT OF AN ADMINISTRATIVE FEE AND COSTS ASSOCIATED WITH AN IGNITION INTERLOCK SYSTEM AND CREATE AN IGNITION INTERLOCK DEVICE FUND TO ASSIST INDIGENT PERSONS.

H.B. 853, A BILL TO BE ENTITLED AN ACT NO LONGER REQUIRING A COURT ORDER TO ESTABLISH LOCAL INTAKE PROCEDURES FOR RECEIVING DELINQUENCY AND UNDISCIPLINED COMPLAINTS UNDER THE LAWS PERTAINING TO UNDISCIPLINED AND DELINQUENT JUVENILES AND AUTHORIZING THE DEPARTMENT OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION TO MONITOR COUNTY DETENTION CENTERS.

H.B. 854, A BILL TO BE ENTITLED AN ACT TO REQUIRE A TWENTY-FOUR-HOUR WAITING PERIOD AND THE INFORMED CONSENT OF A PREGNANT WOMAN BEFORE AN ABORTION MAY BE PERFORMED.

Representative Daughtry, Chair for the Standing Committee on Judiciary, refers **H.B. 772**, A BILL TO BE ENTITLED AN ACT TO COMPLY WITH THE FEDERAL SEX OFFENDER REGISTRATION AND NOTIFICATION ACT, to Judiciary Subcommittee C.

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Representative Daughtry, Chair for the Standing Committee on Judiciary, refers **H.B. 843**, A BILL TO BE ENTITLED AN ACT TO MODERNIZE THE NORTH CAROLINA EMERGENCY MANAGEMENT ACT AND RELATED STATUTES, to Judiciary Subcommittee A.

By Representatives Current, Dollar, and Hollo, Chairs, for the Committee on Health and Human Services:

H.B. 377 (Committee Substitute), A BILL TO BE ENTITLED AN ACT STRENGTHENING MENTAL HEALTH RESIDENTIAL PLACEMENT UNDER THE MEDICAID PROGRAM, 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.

The House stands adjourned at 4:25 p.m.

FORTY-FIFTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, April 13, 2011

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

Prayer is offered by Representative Jeff Collins.

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

Leaves of absence are granted Representatives Dockham, Lewis, and E. Warren for today.

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CHAPTERED BILLS

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

S.B. 29, AN ACT TO AUTHORIZE ALAMANCE COUNTY TO REQUIRE THE PAYMENT OF DELINQUENT PROPERTY TAXES BEFORE RECORDING DEEDS CONVEYING PROPERTY. (S.L. 2011-33)

S.B. 263, AN ACT TO ALLOW MUNICIPALITIES IN WAKE COUNTY TO EXEMPT BONA FIDE FARMS FROM OBTAINING BUILDING PERMITS FOR ACCESSORY BUILDINGS IN ITS EXTRA-TERRITORIAL JURISDICTION. (S.L. 2011-34)

H.B. 159, AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO MAKE A NOTATION ON A NORTH CAROLINA DRIVERS LICENSE SHOWING A LICENSE HOLDER'S MILITARY VETERAN STATUS. (S.L. 2011-35)

H.B. 321, AN ACT ADOPTING THE TOWN OF GRIFTON'S SHAD FESTIVAL AS THE OFFICIAL SHAD FESTIVAL OF THE STATE OF NORTH CAROLINA. (S.L. 2011-36)

H.B. 59, AN ACT TO PROHIBIT SEX OFFENDERS FROM BEING EMERGENCY MEDICAL SERVICES PERSONNEL. (S.L. 2011-37)

H.B. 103, AN ACT TO CLARIFY REQUIREMENTS APPLICABLE TO NOTICE, COLLECTION, AND REMOVAL OF MINERAL OIL DISCHARGES FROM ELECTRICAL EQUIPMENT. (S.L. 2011-38)

S.B. 368, AN ACT TO (1) MODIFY THE APPLICABILITY OF CERTAIN FENCING REQUIREMENTS TO PUBLIC SWIMMING POOLS; (2) PROVIDE THAT REQUIREMENTS RELATED TO DRESSING AND SANITARY FACILITIES DO NOT APPLY TO INTERACTIVE PLAY ATTRACTIONS; (3) DIRECT THE COMMISSION FOR PUBLIC HEALTH TO STUDY ISSUES RELATED TO FENCING REQUIREMENTS FOR WADING POOLS; AND (4) TEMPORARILY PROHIBIT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES FROM ENFORCING CERTAIN REQUIREMENTS RELATED TO FENCING FOR WADING POOLS. (S.L. 2011-39)

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**REPORTS OF STANDING COMMITTEES AND PERMANENT
SUBCOMMITTEES**

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

By Representative McGee, Chair, for the Committee on State Personnel:

H.B. 394, A BILL TO BE ENTITLED AN ACT PROVIDING FOR VOLUNTARY FLEXIBLE WORK SCHEDULES FOR STATE EMPLOYEES DURING THE 2011-2013 FISCAL BIENNIUM, with a favorable report.

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

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

H.B. 592, A BILL TO BE ENTITLED AN ACT TO STUDY WHETHER TO AUTHORIZE COUNTIES TO ENTER INTO PUBLIC-PRIVATE PARTNERSHIPS AND TO PROVIDE COMMUNICATIONS SERVICES THROUGH PUBLIC-PRIVATE PARTNERSHIPS, with a favorable report and recommendation that the bill be re-referred to the Committee on Rules, Calendar, and Operations of the House.

The bill is re-referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 75 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROMOTE THE USE OF ELECTRICITY DEMAND REDUCTION TO SATISFY RENEWABLE ENERGY PORTFOLIO STANDARDS, 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. 343 (Committee Substitute), A BILL TO BE ENTITLED AN ACT ESTABLISHING THE COMMUNICATIONS REGULATORY REFORM AND INVESTMENT ACT OF 2011, with a favorable report.

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

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By Representatives Iler and Mills, Chairs, for the Committee on Transportation:

H.B. 222, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PLUG-IN ELECTRIC VEHICLES TO OPERATE IN HIGH OCCUPANCY VEHICLE LANES AND TO EXEMPT PLUG-IN ELECTRIC VEHICLES FROM THE EMISSIONS INSPECTION REQUIREMENT, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 14. The original bill is placed on the Unfavorable Calendar.

By Representatives Holloway and Langdon, Chairs, for the Committee on Education:

H.B. 766, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ASSESSMENT OF CAREER AND COLLEGE READINESS WITH NATIONALLY AND INTERNATIONALLY BENCHMARKED TESTS; THE CONTINUATION OF NORTH CAROLINA'S PARTICIPATION IN THE DEVELOPMENT AND IMPLEMENTATION OF TESTS RELATED TO COMMON CORE STATE STANDARDS ADOPTED BY A MAJORITY OF STATES; AND DIAGNOSTIC TOOLS TO ASSIST IN TEACHING AND STUDENT LEARNING, with a favorable report.

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

By Representatives Howard, Folwell, Setzer, and Starnes, Chairs, for the Committee on Finance:

H.B. 167 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE PERIOD FOR LOCAL GOVERNMENTS TO REFUND SPECIFIED UNUSED ASSESSMENTS, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(b), Committee Substitute Bill No. 2 is placed on the Calendar of April 14. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

H.B. 243, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT THE FEE CHARGED BY THE CLERK OF SUPERIOR COURT FOR CERTIFICATES UNDER SEAL IS WAIVED FOR APPOINTED ATTORNEYS REPRESENTING INDIGENT CLIENTS, with a favorable report.

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

H.B. 296 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE SAMPSON COUNTY TO PROHIBIT THE ISSUANCE OF A SPECIAL USE OR CONDITIONAL USE PERMIT, OR A BUILDING PERMIT, TO A DELINQUENT TAXPAYER, AND TO AUTHORIZE SAMPSON COUNTY TO REQUIRE THE PAYMENT OF DELINQUENT PROPERTY TAXES BEFORE RECORDING DEEDS CONVEYING PROPERTY, with a favorable report.

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

H.B. 796, A BILL TO BE ENTITLED AN ACT TO DIRECT THE REVENUE LAWS STUDY COMMITTEE TO STUDY THE METHODOLOGY OF VALUATION OF PROPERTY FOR PROPERTY TAX PURPOSES TO ENSURE THE PROCESS IS BOTH UNIFORM AND FAIR, with a favorable report and recommendation that the bill be re-referred to the Committee on Rules, Calendar, and Operations of the House.

The bill is re-referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives T. Moore and Rhyne, Chairs, for Judiciary Subcommittee C, with approval of standing committee Chair for reports to be made directly to the floor of the House:

H.B. 616, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS RELATING TO THE REGULATION OF ENGINEERING AND LAND SURVEYING, with a favorable report.

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

S.B. 406, A BILL TO BE ENTITLED AN ACT TO REPEAL THE REQUIREMENT THAT A PERSON OBTAIN A PERMIT TO RECEIVE, SELL, PURCHASE, OR OTHERWISE TRANSFER A CROSSBOW, with a favorable report.

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

MESSAGE FROM THE SENATE

The following is received from the Senate:

April 13, 2011

S.B. 187 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE THE USE OF PHOTOGRAPHIC CAMERA SYSTEMS TO REGULATE TRAFFIC UNLAWFUL, is read the first time and referred to the Committee on Judiciary.

CALENDAR

Action is taken on the following:

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

H.R. 748, A HOUSE RESOLUTION ENCOURAGING THE CITIZENS OF THIS STATE TO RECOGNIZE EACH APRIL AS ORGAN DONATION MONTH.

On motion of the Chair and without objection, the resolution is temporarily displaced.

H.B. 162 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN ACTIVITIES RELATED TO SMALL-SCALE PROCESSING OF AGRICULTURAL PRODUCTS FROM WASTEWATER PERMIT REQUIREMENTS.

On motion of Representative Langdon, 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.R. 748, A HOUSE RESOLUTION ENCOURAGING THE CITIZENS OF THIS STATE TO RECOGNIZE EACH APRIL AS ORGAN DONATION MONTH, which was temporarily displaced, is before the Body.

The resolution is adopted, by electronic vote (116-0), and ordered printed.

H.B. 427 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE SEIZURE, FORFEITURE, AND SALE OF MOTOR VEHICLES USED BY DEFENDANTS IN FELONY CASES INVOLVING SPEEDING TO ELUDE ARREST.

On motion of Representative Folwell and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of April 14.

April 13, 2011

H.B. 335, A BILL TO BE ENTITLED AN ACT TO REPEAL THE PROHIBITION ON CONTRACTING FOR THE MAINTENANCE OF PRISON FACILITIES AND TO DIRECT THE DEPARTMENT OF CORRECTION TO EXPAND THE SCOPE OF A CURRENT MAINTENANCE REQUEST FOR PROPOSALS.

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

S.B. 182 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE EFFECTIVE STATEWIDE A LOCAL ACT PROVIDING THAT A LIST OF THE E-MAIL ADDRESSES OF PERSONS SUBSCRIBING TO LOCAL GOVERNMENT E-MAIL LISTS IS OPEN TO PUBLIC INSPECTION BUT IS NOT REQUIRED TO BE PROVIDED, AND TO PROVIDE THAT THE LOCAL GOVERNMENT MAY USE THAT LIST ONLY FOR THE PURPOSE THAT IT WAS SUBSCRIBED TO, passes its third reading, as amended, by electronic vote (115-1), and is ordered engrossed and sent to the Senate for concurrence in the House committee substitute bill.

Representative Gill requests and is granted leave of the House to change her vote from "no" to "aye". The adjusted vote total is (116-0).

H.B. 335, A BILL TO BE ENTITLED AN ACT TO REPEAL THE PROHIBITION ON CONTRACTING FOR THE MAINTENANCE OF PRISON FACILITIES AND TO DIRECT THE DEPARTMENT OF CORRECTION TO EXPAND THE SCOPE OF A CURRENT MAINTENANCE REQUEST FOR PROPOSALS, which was temporarily displaced, is before the Body.

Representative Dollar offers Amendment No. 1 which is adopted by electronic vote (113-2). This amendment changes the title.

The bill, as amended, passes its second reading by electronic vote (103-13). The caption having been amended, the bill remains on the Calendar.

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

H.B. 498 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE PRESIDING OFFICER OF THE WAKE COUNTY BOARD OF EDUCATION TO VOTE IN ALL CASES, passes its third reading, by electronic vote (70-46), and is ordered sent to the Senate.

April 13, 2011

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

H.B. 284 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT THE COUNTY OF WAYNE TO UTILIZE THE DESIGN-BUILD METHOD OF CONSTRUCTION AND RENOVATION OF COUNTY BUILDINGS.

Representative Owens offers Amendment No. 1 which is adopted by electronic vote (116-0). This amendment changes the title.

The bill, as amended, passes its second reading by electronic vote (116-0). The caption having been amended, the bill remains on the Calendar.

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

H.B. 291 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW RECALL OF OFFICERS OF THE TOWN OF BELHAVEN, passes its second reading, and there being no objection is read a third time.

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

H.B. 168 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DEFINITION OF "BONA FIDE FARM PURPOSES," TO PROHIBIT THE INVOLUNTARY MUNICIPAL ANNEXATION OF PROPERTY USED FOR BONA FIDE FARM PURPOSES, TO EXEMPT PROPERTY USED FOR BONA FIDE FARM PURPOSES FROM THE EXTRATERRITORIAL PLANNING AND ZONING JURISDICTION OF MUNICIPALITIES, AND TO EXEMPT PROPERTY USED FOR BONA FIDE FARMING PURPOSES FROM MUNICIPAL ZONING, passes its third reading, by electronic vote (116-0), and is ordered sent to the Senate.

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

H.B. 595, A BILL TO BE ENTITLED AN ACT CHANGING THE STRUCTURE OF CERTAIN LEGISLATIVE COMMITTEES AND COMMISSIONS, TRANSFERRING THE DUTIES OF CERTAIN COMMITTEES AND COMMISSIONS TO OTHER COMMITTEES AND COMMISSIONS, CHANGING THE COMPOSITION OF VARIOUS LEGISLATIVE COMMITTEES AND COMMISSIONS, AND MAKING CONFORMING CHANGES, passes its second reading by electronic vote (104-11).

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

April 13, 2011

H.B. 614 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO PUBLISH ON ITS WEB SITE PUBLIC NOTICES OF CHANGES IN STATEWIDE METHODS AND STANDARDS FOR SETTING MEDICAID PAYMENT RATES, passes its second reading, by electronic vote (115-0), and there being no objection is read a third time.

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

H.J.R. 647, A JOINT RESOLUTION TO ESTABLISH THE JOINT LEGISLATIVE TASK FORCE ON DIABETES PREVENTION AND AWARENESS, 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.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from permanent subcommittee are presented:

By Representative Blust, Chair, for Judiciary Subcommittee A, with approval of standing committee Chair for reports to be made directly to the floor of the House:

H.B. 164, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT THE NOTICE OF SALE AND THE NOTICE FILED BY AN UPSET BIDDER IN A FORECLOSURE PROCEEDING INCLUDE AN EXPLANATION OF THE EFFECT OF A BANKRUPTCY PETITION THAT IS FILED DURING THE TEN-DAY UPSET BID PERIOD, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

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

H.B. 339, A BILL TO BE ENTITLED AN ACT AUTHORIZING A HOUSING AUTHORITY TO COLLECT UNPAID RENT BY SETTING OFF THE DEBT AGAINST A STATE INCOME TAX REFUND DUE A TENANT OR FORMER TENANT OF THE HOUSING AUTHORITY, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

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

April 13, 2011

SPECIAL MESSAGE FROM THE SENATE

The following Special Message is received from the Senate:

S.B. 464, A BILL TO BE ENTITLED AN ACT TO ENACT THE DEBT REDUCTION ACT OF 2011, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

RE-REFERRALS

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 692**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE STATUTES GOVERNING UNCLAIMED PROPERTY IN ORDER TO INCREASE CLAIMS PAID TO RIGHTFUL OWNERS AND REDUCE REPORTING BURDENS ON BUSINESS HOLDERS OF UNCLAIMED PROPERTY, is withdrawn from the Committee on Finance and re-referred to the Committee on Government.

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 99**, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO ALLOW APPELLATE COURT JUSTICES AND JUDGES ADEQUATE TIME TO FULFILL THEIR JUDICIAL DUTIES BEFORE RUNNING FOR ELECTION, AND TO IMPROVE ELECTION ADMINISTRATION BY INCREASING FROM SIXTY TO NINETY DAYS THE WINDOW WHERE A SPECIAL ELECTION IS REQUIRED TO FILL A VACANCY IN THE OFFICES OF SUPERIOR COURT JUDGE AND DISTRICT ATTORNEY, AND TO MAKE CONFORMING STATUTORY CHANGES, is withdrawn from the Committee on Judiciary and re-referred to Judiciary Subcommittee A.

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 435**, A BILL TO BE ENTITLED AN ACT TO ALLOW MECKLENBURG COUNTY TO USE THE PROCUREMENT PROCESS PROVIDED IN THIS ACT WHEN LETTING CONTRACTS AUTHORIZED BY ITS BOARD OF COMMISSIONERS TO INCREASE ENERGY EFFICIENCY, AND TO AUTHORIZE THAT COUNTY TO ENTER INTO LEASES FOR THE SITING AND OPERATION OF RENEWABLE ENERGY FACILITIES FOR TWENTY YEARS WITHOUT TREATING IT AS A SALE AND WITHOUT GIVING NOTICE BY PUBLICATION, is withdrawn from the Committee on Government and re-referred to the Committee on Environment.

April 13, 2011

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 345**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE MOVE OVER LAW TO INCLUDE ALL HIGHWAY MAINTENANCE VEHICLES AND UTILITY VEHICLES, is withdrawn from the Committee on Commerce and Job Development and re-referred to the Committee on Transportation and, if favorable, to Judiciary Subcommittee B.

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 406**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT LAND THAT IS ENGAGED IN AGRICULTURE MAY QUALIFY FOR ENROLLMENT IN A VOLUNTARY AGRICULTURAL DISTRICT EVEN THOUGH IT DOES NOT QUALIFY FOR TAXATION AT ITS PRESENT-USE VALUE, AND TO PROVIDE THAT RESIDENTIAL LOTS CREATED ON LAND THAT IS THE SUBJECT OF A CONSERVATION AGREEMENT MUST MEET MUNICIPAL ZONING AND SUBDIVISION REGULATIONS, AND TO PROVIDE THAT REVOCABLE VOLUNTARY AGRICULTURAL DISTRICT CONSERVATION AGREEMENTS ARE NOT REQUIRED TO BE RECORDED, is withdrawn from the Committee on Finance and re-referred to the Committee on Agriculture.

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 572**, A BILL TO BE ENTITLED AN ACT TO PROVIDE GREATER ACCOUNTABILITY FOR NONPROFIT ENTITIES THAT RECEIVE PUBLIC FUNDING, is withdrawn from the Committee on Finance and re-referred to Judiciary Subcommittee A.

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 649**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS PERTAINING TO GROUNDS FOR REVOCATION OF LICENSURE UNDER THE LAWS REGULATING BAIL BONDS-MAN, is withdrawn from Judiciary Subcommittee B and re-referred to Judiciary Subcommittee A.

WITHDRAWAL OF BILL FROM COMMITTEE

On motion of Representative T. Moore and without objection, **H.B. 302**, A BILL TO BE ENTITLED AN ACT TO BROADEN THE EXEMPTION FROM CHARITABLE SOLICITATION LICENSING REQUIREMENTS FOR CERTAIN NONPROFIT ADULT RESIDENTIAL TREATMENT FACILITIES, is withdrawn from the Committee on Finance and pursuant to Rule 36(b), is placed on the Calendar of April 14.

April 13, 2011

Representative LaRoque moves, seconded by Representative T. Moore, that the House adjourn, subject to the receipt of Committee Reports, and the receipt of Messages from the Senate, to reconvene April 14 at 1:00 p.m.

The motion carries.

**REPORTS OF STANDING COMMITTEES AND PERMANENT
SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representatives LaRoque and T. Moore, Chairs, for the Committee on Rules, Calendar, and Operations of the House:

H.R. 525, A HOUSE RESOLUTION HONORING HOKE COUNTY'S ONE HUNDREDTH ANNIVERSARY, with recommendation that it be adopted.

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

H.R. 526, A HOUSE RESOLUTION HONORING THE TOWN OF WAGRAM ON THE TOWN'S ONE HUNDREDTH ANNIVERSARY, with recommendation that it be adopted.

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

S.B. 275, A BILL TO BE ENTITLED AN ACT ADOPTING THE HERRING FESTIVAL HELD IN THE TOWN OF JAMESVILLE AS THE OFFICIAL HERRING FESTIVAL OF THE STATE OF NORTH CAROLINA, with a favorable report as to the House committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of April 14. The original bill is placed on the Unfavorable Calendar.

S.B. 464, A BILL TO BE ENTITLED AN ACT TO ENACT THE DEBT REDUCTION ACT OF 2011, with a favorable report.

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

By Representative McGee, Chair, for the Committee on State Personnel:

April 13, 2011

H.B. 613, A BILL TO BE ENTITLED AN ACT MAKING PROGRAMMATIC AMENDMENTS TO THE NC-THINKS STATE EMPLOYEE SUGGESTION PROGRAM, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 14. The original bill is placed on the Unfavorable Calendar.

Representative McComas, Chair for the Standing Committee on Commerce and Job Development, refers the following bills to the Commerce and Job Development Subcommittee on Alcoholic Beverage Control:

H.B. 775, A BILL TO BE ENTITLED AN ACT TO ALLOW WINERIES TO SELL MALT BEVERAGES AT RETAIL ON THE PREMISES OF THE WINERY.

S.B. 130 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT A WINE WHOLESALER FROM DISTRIBUTING WINE BEYOND ITS DESIGNATED SALES TERRITORY AND TO AUTHORIZE CERTAIN INTRATERRITORY TRANSFERS OF WINE BETWEEN OFF-PREMISES WINE PERMITTEES UNDER COMMON OWNERSHIP.

Representative McComas, Chair for the Standing Committee on Commerce and Job Development, refers the following bills to the Commerce and Job Development Subcommittee on Science and Technology:

H.B. 391, A BILL TO BE ENTITLED AN ACT TO MODERNIZE PROCUREMENT METHODS USED BY THE SECRETARY OF ADMINISTRATION AND STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES.

S.B. 346, A BILL TO BE ENTITLED AN ACT TO EXEMPT BONA FIDE COOKING SCHOOLS FROM REGULATIONS GOVERNING THE SANITATION OF ESTABLISHMENTS THAT PREPARE OR SERVE FOOD OR DRINK TO THE PUBLIC.

Representative McComas, Chairs, for the Standing Committee on Commerce and Job Development, refers the following bills to the Commerce and Job Development Subcommittee on Business and Labor:

H.B. 385, A BILL TO BE ENTITLED AN ACT MAKING OMNIBUS AMENDMENTS TO THE LABOR LAWS OF NORTH CAROLINA.

April 13, 2011

H.B. 417, A BILL TO BE ENTITLED AN ACT TO EXTEND THE TIME PERIOD FOR HOLDING REAL PROPERTY AS A FUTURE SITE FOR HOUSING FOR LOW- OR MODERATE-INCOME INDIVIDUALS AND FAMILIES.

H.B. 450, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE AUTOMATIC RENEWAL OF MERCHANT CREDIT CARD PROCESSING CONTRACTS.

H.B. 484, A BILL TO BE ENTITLED AN ACT TO TRANSFER MANAGEMENT OF THE STATE HOME FORECLOSURE PREVENTION PROJECT AND FUND TO THE NORTH CAROLINA HOUSING FINANCE AGENCY, TO EXEMPT THE NORTH CAROLINA HOUSING FINANCE AGENCY FROM THE REQUIREMENTS OF ARTICLES 6 AND 7 OF CHAPTER 143 OF THE GENERAL STATUTES, AND TO AUTHORIZE THE COMMISSIONER OF BANKS TO ACQUIRE PROPERTY SUBJECT TO APPROVAL OF THE STATE BANKING COMMISSION.

H.B. 648, A BILL TO BE ENTITLED AN ACT TO CLARIFY AND AMEND THE LAWS PERTAINING TO EXCEPTIONS AND BUILDING PERMITS AS RELATED TO GENERAL CONTRACTORS.

H.B. 813, A BILL TO BE ENTITLED AN ACT TO REFORM THE EMPLOYMENT SECURITY LAWS OF NORTH CAROLINA BY CREATING THE DIVISION OF EMPLOYMENT SECURITY WITHIN THE DEPARTMENT OF COMMERCE, TRANSFERRING THE FUNCTIONS OF THE EMPLOYMENT SECURITY COMMISSION TO THAT DIVISION, MAKING THE DIVISION SUBJECT TO RULE MAKING UNDER ARTICLE 2 OF CHAPTER 150B OF THE GENERAL STATUTES, AND BY MAKING OTHER MODIFICATIONS AND CONFORMING CHANGES TO ALIGN THE EMPLOYMENT SECURITY FUNCTIONS OF STATE GOVERNMENT UNDER THE DIRECT LEADERSHIP OF THE SECRETARY OF COMMERCE.

The House stands adjourned at 3:52 p.m.

FORTY-SIXTH DAY

HOUSE OF REPRESENTATIVES

Thursday, April 14, 2011

April 14, 2011

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

Prayer is offered by Representative G. L. Pridgen.

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

A leave of absence is granted Representative E. Warren for today. Representatives Collins, Farmer-Butterfield, and Hilton are excused for a portion of the Session.

MESSAGE FROM THE GOVERNOR

STATE OF NORTH CAROLINA OFFICE OF THE GOVERNOR

20301 Mail Service Center • Raleigh, NC 27699-0301

Beverly Eaves Perdue
Governor

April 13, 2011

GOVERNOR'S OBJECTIONS AND VETO MESSAGE

House Bill 7, "An Act To Provide That Constituent Institutions Of The North Carolina Community College System May Opt Out Of Participation In The William D. Ford Federal Direct Loan Program."

As North Carolina continues to pull out of this global economic recession, it is more important than ever that we grow and strengthen students' opportunities to get career training or a college education. As a state, I believe we should search for more pathways for students to follow towards higher education, and I understand the importance of financial aid in helping more students succeed in their goal of a college degree or career training.

So I gladly signed a law passed last year that required community colleges to participate in a federal loan program that makes it easier for students to borrow money to attend a community college. That law was necessary because only 20 of North Carolina's 58 community colleges were making federal loan programs available to their students.

April 14, 2011

The General Assembly has now reversed course, and chosen to allow community colleges to opt out from the federal financial aid program. More than 177,000 students would be denied access to the safest and least expensive method of borrowing money for college, and North Carolina would be last among the 50 states in providing access to these loans. I strongly believe House Bill 7 will harm students, deny them valuable opportunities to pursue their educations, and turn North Carolina in the wrong direction.

Therefore, I veto this bill.

S/ Beverly E. Perdue

This bill, having been vetoed, is returned to the Clerk of the North Carolina House of Representatives on this thirteenth day of April, 2011, at 5:58 p.m. for reconsideration by that body.

ENROLLED BILLS

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

H.B. 162, AN ACT TO EXEMPT CERTAIN ACTIVITIES RELATED TO SMALL-SCALE PROCESSING OF AGRICULTURAL PRODUCTS FROM WASTEWATER PERMIT REQUIREMENTS.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following report from standing committee is presented:

By Representatives Holloway and Langdon, Chairs, for the Committee on Education:

April 14, 2011

MEMORANDUM

TO: Members of the House of Representatives

FROM: Representatives Holloway and Langdon,
Co-Chairs, House Education Committee

RE: State Board of Community Colleges
Election Nominees

April 14, 2011

The House of Representatives must elect **one** member from the State at-large for a six-year term beginning July 1, 2011 to the State Board of Community Colleges.

The House Education Committee has met and screened the proposed candidates as to their qualifications, background, lack of statutory disabilities, and willingness and ability to serve if elected. The following candidate was selected as the nominee. A copy of the nominee's vita is attached.

Janet K. Lowder

STATE BOARD OF COMMUNITY COLLEGES ELECTION

The Speaker recognizes Representative Holloway, who explains the voting procedure to the Members.

Pursuant to Article VI, Section 5 of the North Carolina Constitution, and **S.J.R. 88**, A JOINT RESOLUTION SETTING THE DATE FOR THE HOUSE OF REPRESENTATIVES AND THE SENATE TO ELECT MEMBERS TO THE STATE BOARD OF COMMUNITY COLLEGES, Janet K. Lowder is elected by *viva voce* vote.

The election is confirmed by electronic vote (111-0) and the Senate is so notified by Special message.

Representatives Floyd, Gill, and McComas request and are granted leave of the House to be recorded as voting "aye". The adjusted vote total is (114-0).

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives L. Brown and Ingle, Chairs, for the Committee on Government:

H.B. 332, A BILL TO BE ENTITLED AN ACT CLARIFYING THAT A LOCAL GOVERNMENT MAY NOT IMPOSE A MORATORIUM ON DEVELOPMENT APPROVALS FOR THE PURPOSE OF DEVELOPING AND ADOPTING A NEW OR REVISED DEVELOPMENT ORDINANCE, with a favorable report.

April 14, 2011

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

H.B. 420, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF OAK ISLAND TO USE WHEEL LOCKS TO ENFORCE PARKING REGULATIONS, with a favorable report.

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

H.B. 438, A BILL TO BE ENTITLED AN ACT EXTENDING THE AUTHORITY OF CERTAIN BOARDS OF COUNTY COMMISSIONERS OVER LOCAL BOARDS, AGENCIES, AND COMMISSIONS, with a favorable report.

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

H.B. 447, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF FONTANA DAM, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

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

H.B. 480, A BILL TO BE ENTITLED AN ACT TO CHANGE THE CANDIDATE FILING PERIOD FOR THE STANLY COUNTY BOARD OF EDUCATION, with a favorable report.

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

H.B. 481, A BILL TO BE ENTITLED AN ACT TO CHANGE THE MANNER OF FILLING VACANCIES IN THE OFFICE OF SHERIFF OF STANLY COUNTY, with a favorable report.

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

H.B. 488, A BILL TO BE ENTITLED AN ACT EXTENDING THE WAIVER OF RETROACTIVITY PERTAINING TO THE ACQUISITION OF LAND BY THE TOWN OF NASHVILLE UNDER THE PARKS AND RECREATION TRUST FUND PROGRAM, with a favorable report.

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

H.B. 492, A BILL TO BE ENTITLED AN ACT TO (1) PROVIDE THAT DEVELOPMENT IN THE UNINCORPORATED AREAS OF A COUNTY IS NOT SUBJECT TO THE STANDARDS REGARDING POST-CONSTRUCTION PRACTICES UNDER SECTION 9 OF S.L. 2006-246

April 14, 2011

OR ANY ADMINISTRATIVE RULES ADOPTED TO REPLACE THAT SECTION WHEN THE DEVELOPMENT IS LOCATED IN A COUNTY THAT CONTAINS AN URBANIZED AREA AND HAD AN ACTUAL POPULATION GROWTH RATE THAT EXCEEDED THE STATE POPULATION GROWTH RATE FOR THE PERIOD 1995 THROUGH 2004 WHEN THAT POPULATION GROWTH OCCURRED IN AN AREA WITHIN THE COUNTY THAT CONSISTS OF LESS THAN FIVE PERCENT OF THE TOTAL LAND AREA OF THE COUNTY AND (2) RESCIND THE CURRENT DESIGNATION OF ANY SUCH COUNTY, with a favorable report.

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

H.B. 519, A BILL TO BE ENTITLED AN ACT TO PROVIDE THE PIEDMONT TRIAD REGIONAL WATER AUTHORITY WITH THE AUTHORITY TO CONTROL FISHING IN RANDLEMAN RESERVOIR, with a favorable report.

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

H.B. 532, A BILL TO BE ENTITLED AN ACT PROVIDING FOR THE MAINTENANCE OF CEMETERIES IN GRAHAM COUNTY FROM AD VALOREM TAXES UNDER GENERAL LAW, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

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

H.B. 536, A BILL TO BE ENTITLED AN ACT REQUIRING THE LINCOLN COUNTY BOARD OF EDUCATION TO REVISE ITS RESIDENCY DISTRICTS AFTER EACH CENSUS AS IF THEY WERE ELECTORAL DISTRICTS, with a favorable report.

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

H.B. 539, A BILL TO BE ENTITLED AN ACT TO EXEMPT FLEA AND FARMERS' MARKETS IN ROWAN COUNTY FROM CERTAIN REQUIREMENTS OF THE NORTH CAROLINA BUILDING CODE, with a favorable report.

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

H.B. 566, A BILL TO BE ENTITLED AN ACT TO CHANGE THE TERM OF OFFICE OF THE MAYOR AND COUNCIL OF THE TOWN OF GRANTSBORO TO FOUR YEARS, with a favorable report.

April 14, 2011

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

H.B. 567, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR STAGGERED TERMS FOR THE MOUNTAIN RESOURCES COMMISSION ESTABLISHED BY CHAPTER 153B OF THE GENERAL STATUTES, with a favorable report.

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

S.B. 82, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE TOWN OF ATKINSON TO ALLOW THE QUALIFIED VOTERS OF THE ENTIRE TOWN TO ELECT THE TOWN OFFICERS, TO CHANGE THE NAME OF THE GOVERNING BODY, AND TO EXTEND THE TERM OF OFFICE OF THE MEMBERS OF THE GOVERNING BODY FROM TWO TO FOUR YEARS AND STAGGERING THOSE TERMS, with a favorable report.

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

S.B. 261, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A SEASON FOR TAKING FOXES WITH WEAPONS AND BY TRAPPING IN CHOWAN COUNTY, with a favorable report.

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

CALENDAR

Action is taken on the following:

S.B. 275 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT ADOPTING THE HERRING FESTIVAL HELD IN THE TOWN OF JAMESVILLE AS THE OFFICIAL HERRING FESTIVAL OF THE STATE OF NORTH CAROLINA, is moved up on today's Calendar.

The bill passes its second reading, by electronic vote (116-0), and there being no objection is read a third time.

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

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

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

April 14, 2011

By Representatives Hackney and Howard, Chairs, for the Committee on Ethics:

H.B. 436, A BILL TO BE ENTITLED AN ACT TO REQUIRE MEMBERS OF SANITARY DISTRICTS ESTABLISHED UNDER PART 2 OF ARTICLE 2 OF CHAPTER 130A OF THE GENERAL STATUTES TO FILE A STATEMENT OF ECONOMIC INTEREST, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

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

By Representatives T. Moore and Rhyne, Chairs, for Judiciary Subcommittee C, with approval of standing committee Chair for reports to be made directly to the floor of the House:

H.B. 30, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE GARNISHMENT OF WAGES AS AN ADDITIONAL MEANS OF SATISFYING JUDGMENTS IN CIVIL ACTIONS, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 38(b), the committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

H.B. 802, A BILL TO BE ENTITLED AN ACT CLARIFYING THE LAWS PERTAINING TO THE STAYING OF ORDERS ON APPEAL AS RELATED TO CHILD CUSTODY, CHILD SUPPORT, AND ALIMONY, with a favorable report.

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

By Representatives Stam and Stevens, Chairs, for Judiciary Subcommittee B, with approval of standing committee Chair for report to be made directly to the floor of the House:

H.B. 642, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT CERTAIN RECOMMENDATIONS OF THE JUSTICE REINVESTMENT PROJECT, AND TO PROVIDE THAT THE ACT SHALL BE ENTITLED "THE JUSTICE REINVESTMENT ACT OF 2011", 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.

April 14, 2011

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

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Faircloth and without objection, **H.B. 427** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE SEIZURE, FORFEITURE, AND SALE OF MOTOR VEHICLES USED BY DEFENDANTS IN FELONY CASES INVOLVING SPEEDING TO ELUDE ARREST, is withdrawn from the Calendar and placed on the Calendar of April 19.

RE-REFERRALS

On motion of Representative LaRoque, pursuant to Rule 39.2 and without objection, the following bills are withdrawn from the Committee on Government and re-referred to the Committee on Finance:

H.B. 369, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF ROANOKE RAPIDS TO LEVY A ONE CENT LOCAL SALES AND USE TAX TO REPAY TAX INCREMENT FINANCING BONDS.

H.B. 469, A BILL TO BE ENTITLED AN ACT TO INCREASE THE AUTHORIZATION TO LEVY AN OCCUPANCY TAX IN THE CITY OF LUMBERTON.

H.B. 518, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE AN ADDITIONAL ONE PERCENT OCCUPANCY TAX FOR PERSON COUNTY.

H.B. 508, A BILL TO BE ENTITLED AN ACT TO MODIFY CERTAIN MECKLENBURG COUNTY LOCAL TAXES.

On motion of Representative LaRoque and pursuant to Rule 39.2 and without objection, **S.B. 191** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PHYSICIAN ASSISTANTS AND NURSE PRACTITIONERS TO COMPLETE MEDICAL CERTIFICATIONS AS TO THE CAUSE OF DEATH FOR DEATH REGISTRATION AND TO ALLOW ELECTRONIC OR FACSIMILE SIGNATURES ON DEATH CERTIFICATES WITHOUT SPECIFIC APPROVAL BY THE STATE REGISTRAR, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Health and Human Services.

April 14, 2011

On motion of Representative LaRoque and without objection, **H.B. 539**, A BILL TO BE ENTITLED AN ACT TO EXEMPT FLEA AND FARMERS' MARKETS IN ROWAN COUNTY FROM CERTAIN REQUIREMENTS OF THE NORTH CAROLINA BUILDING CODE, is withdrawn from the Calendar pursuant to Rule 36(b), and re-referred to the Committee on Rules, Calendar, and Operations of the House

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representatives Hall, Owens, Spear, and Hill (Primary Sponsors); Floyd, Glazier, R. Moore, and Parfitt:

H.B. 862, A BILL TO BE ENTITLED AN ACT TO ENHANCE ELECTION INTEGRITY AND PROTECT VOTER ACCESS, is referred to the Committee on Elections.

By Representatives Martin, Parfitt, and Hall (Primary Sponsors); M. Alexander, Fisher, Glazier, McGuirt, and Weiss:

H.B. 863, A BILL TO BE ENTITLED AN ACT TO ENSURE THAT THE BEHAVIORAL HEALTH NEEDS OF MEMBERS OF THE MILITARY, VETERANS, AND THEIR FAMILIES ARE MET, is referred to the Committee on Appropriations.

By Representative Crawford:

H.B. 864, A BILL TO BE ENTITLED AN ACT TO MODIFY THE REMITTANCE OF TAXES BASED ON VALUATION OF PROPERTY IN THE BUTNER FIRE AND POLICE PROTECTION DISTRICT, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

SPECIAL MESSAGE FROM THE SENATE

2011 GENERAL ASSEMBLY FIRST SESSION 2011

Senate Chamber
April 14, 2011

April 14, 2011

Mr. Speaker:

Pursuant to G.S. 115D-2.1(b)(4)f., and **S.J.R. 88**, A JOINT RESOLUTION SETTING THE DATE FOR THE HOUSE OF REPRESENTATIVES AND THE SENATE TO ELECT MEMBERS TO THE STATE BOARD OF COMMUNITY COLLEGES, it is ordered that a message be sent to your honorable body notifying you that the Senate has elected the following member to the State Board of Community Colleges:

Darrell B. Saunders for a six year term effective July 1, 2011 and ending June 30, 2017.

Respectfully,
S/ Sarah Clapp
Principal Clerk

MESSAGE FROM THE SENATE

The following is received from the Senate:

S.J.R. 256, A JOINT RESOLUTION TO PARDON WILLIAM W. HOLDEN FROM THE JUDGMENT IMPOSED UPON HIM BY THE SENATE ON MARCH 22, 1871, ON CONVICTION OF ARTICLES OF IMPEACHMENT, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

SPECIAL MESSAGE FROM THE SENATE

2011 GENERAL ASSEMBLY FIRST SESSION 2011

Senate Chamber
April 14, 2011

Ms. Denise Weeks
Principal Clerk of the House of Representatives
Room 2319, Legislative Building
Raleigh, NC 27601

Dear Ms. Weeks:

Senate Bill 265, AN ACT TO MAKE APPROPRIATIONS AND ADJUSTMENTS FOR THE 2011-2013 FISCAL BIENNIUM TO THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES;

April 14, 2011

AND TO TRANSFER THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES TO THE OFFICE OF STATE TREASURER, was vetoed by Beverly E. Perdue on April 13, 2011, and was returned to the Senate with the attached veto message.

Respectfully,
S/ Sarah Clapp
Principal Clerk of the Senate

STATE OF NORTH CAROLINA
OFFICE OF THE GOVERNOR
20301 Mail Service Center • Raleigh, NC 27699-0301

Beverly Eaves Perdue
Governor

April 13, 2011

GOVERNOR'S OBJECTIONS AND VETO MESSAGE

Senate Bill 265, "An Act To Make Appropriations And Adjustments For The 2011-2013 Fiscal Biennium To The State Health Plan For Teachers And State Employees; And To Transfer The State Health Plan For Teachers And State Employees To The Office of State Treasurer."

The General Assembly has attempted to reform the State Health Plan, which serves approximately 663,000 people - 160,000 of them retired workers and 181,000 of them teachers and public school employees.

But other than 60 seconds in front of a legislative committee, retired workers and teachers' groups had no opportunity to be involved in the legislative discussions about changes to their health plan that could dramatically affect their costs and their benefits.

This bill is in effect a tax on teachers, who have not received a pay raise - and have effectively seen their pay drop - for the past three years. In 2008, North Carolina ranked 25th in the nation in teachers' salaries. By 2011, we have dropped to 45th. Now is simply not the time to cut teachers' pay yet again. To do so would be a tremendous step backward for North Carolina, and we know clearly that teachers will flee the profession at a time when education is most critical to the future of this state.

I believe there must be a way to bring these groups to the table and to negotiate a solution.

April 14, 2011

I ask the General Assembly for another, more inclusive version of this bill back on my desk without delay. I support the General Assembly's reform efforts - moving the Plan to the Treasurer's Office, where it will receive greater scrutiny and oversight, is something I support wholeheartedly. But I simply cannot sign a bill that harms our teachers and retirees without ever giving them a significant voice in the discussion.

Therefore, I veto this bill.

S/ Beverly E. Perdue

This bill, having been vetoed, is returned to the Clerk of the North Carolina Senate on this thirteenth day of April, 2011, at 5:56 p.m. for reconsideration by that body.

CALENDAR (continued)

H.R. 525, A HOUSE RESOLUTION HONORING HOKE COUNTY'S ONE HUNDREDTH ANNIVERSARY.

The resolution is adopted, by electronic vote (116-0), and ordered printed.

H.R. 526, A HOUSE RESOLUTION HONORING THE TOWN OF WAGRAM ON THE TOWN'S ONE HUNDREDTH ANNIVERSARY.

The resolution is adopted, by electronic vote (114-0), and ordered printed.

H.B. 284 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT COUNTIES OF WAYNE AND CURRITUCK TO UTILIZE THE DESIGN-BUILD METHOD OF CONSTRUCTION AND RENOVATION OF COUNTY BUILDINGS.

The bill, as amended, passes its third reading, and is ordered engrossed and sent to the Senate.

H.B. 296 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE SAMPSON COUNTY TO PROHIBIT THE ISSUANCE OF A SPECIAL USE OR CONDITIONAL USE PERMIT, OR A BUILDING PERMIT, TO A DELINQUENT TAXPAYER, AND TO AUTHORIZE SAMPSON COUNTY TO REQUIRE THE PAYMENT OF DELINQUENT PROPERTY TAXES BEFORE RECORDING DEEDS CONVEYING PROPERTY, passes its second reading, and there being no objection is read a third time.

April 14, 2011

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

H.B. 335, A BILL TO BE ENTITLED AN ACT TO REPEAL THE PROHIBITION ON CONTRACTING FOR THE MAINTENANCE OF PRISON FACILITIES AND TO DIRECT THE DEPARTMENT OF CORRECTION TO STUDY CONTRACTING FOR MAINTENANCE SERVICES AT PRISON FACILITIES.

The bill, as amended, passes its third reading, by electronic vote (101-14), and is ordered engrossed and sent to the Senate.

Representative R. Moore requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (102-14).

H.B. 595, A BILL TO BE ENTITLED AN ACT CHANGING THE STRUCTURE OF CERTAIN LEGISLATIVE COMMITTEES AND COMMISSIONS, TRANSFERRING THE DUTIES OF CERTAIN COMMITTEES AND COMMISSIONS TO OTHER COMMITTEES AND COMMISSIONS, CHANGING THE COMPOSITION OF VARIOUS LEGISLATIVE COMMITTEES AND COMMISSIONS, AND MAKING CONFORMING CHANGES.

Representative Burr offers Amendment No. 1 which is adopted by electronic vote (117-0).

The bill, as amended, passes its third reading, by electronic vote (110-7), and is ordered engrossed and sent to the Senate.

H.B. 164 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE RELEASE OF FUNDS DEPOSITED BY AN UPSET BIDDER OR A HIGH BIDDER IN A FORECLOSURE PROCEEDING WHEN A BANKRUPTCY PETITION IS FILED, passes its second reading, by electronic vote (116-0), and there being no objection is read a third time.

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

H.B. 167 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO EXTEND THE PERIOD FOR LOCAL GOVERNMENTS TO REFUND SPECIFIED UNUSED ASSESSMENTS.

Representative Wainwright offers Amendment No. 1.

The Speaker rules that the amendment is not germane to the bill, and is not in order.

April 14, 2011

The bill passes its second reading, by electronic vote (115-0), and there being no objection is read a third time.

Representative Brawley requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (116-0).

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

H.B. 222 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PLUG-IN ELECTRIC VEHICLES TO OPERATE IN HIGH OCCUPANCY VEHICLE LANES AND TO EXEMPT PLUG-IN ELECTRIC VEHICLES FROM THE EMISSIONS INSPECTION REQUIREMENT.

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

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.

H.B. 243, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT THE FEE CHARGED BY THE CLERK OF SUPERIOR COURT FOR CERTIFICATES UNDER SEAL IS WAIVED FOR APPOINTED ATTORNEYS REPRESENTING INDIGENT CLIENTS, 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.

H.B. 302, A BILL TO BE ENTITLED AN ACT TO BROADEN THE EXEMPTION FROM CHARITABLE LICENSING REQUIREMENTS FOR CERTAIN NONPROFIT ADULT RESIDENTIAL TREATMENT FACILITIES.

Representative Samuelson offers Amendment No. 1 which is adopted by electronic vote (115-0). This amendment changes the title.

The bill, as amended, passes its second reading by electronic vote (115-0). The caption having been amended, the bill remains on the Calendar.

Representative McCormick requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (116-0).

April 14, 2011

H.B. 339 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING A HOUSING AUTHORITY TO COLLECT UNPAID DELINQUENT DEBT BY SETTING OFF THE DEBT AGAINST A STATE INCOME TAX REFUND DUE A TENANT OR FORMER TENANT OF THE HOUSING AUTHORITY, 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.

H.B. 394, A BILL TO BE ENTITLED AN ACT PROVIDING FOR VOLUNTARY FLEXIBLE WORK SCHEDULES FOR STATE EMPLOYEES DURING THE 2011-2013 FISCAL BIENNIUM, passes its second reading, by electronic vote (113-1), and there being no objection is read a third time.

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

H.B. 613 (Committee Substitute), A BILL TO BE ENTITLED AN ACT MAKING PROGRAMMATIC AMENDMENTS TO THE NC-THINKS STATE EMPLOYEE SUGGESTION PROGRAM, passes its second reading, by electronic vote (115-0), and there being no objection is read a third time.

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

H.B. 616, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS RELATING TO THE REGULATION OF ENGINEERING AND LAND SURVEYING, 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.

H.B. 766, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ASSESSMENT OF CAREER AND COLLEGE READINESS WITH NATIONALLY AND INTERNATIONALLY BENCHMARKED TESTS; THE CONTINUATION OF NORTH CAROLINA'S PARTICIPATION IN THE DEVELOPMENT AND IMPLEMENTATION OF TESTS RELATED TO COMMON CORE STATE STANDARDS ADOPTED BY A MAJORITY OF STATES; AND DIAGNOSTIC TOOLS TO ASSIST IN TEACHING AND STUDENT LEARNING, passes its second reading, by electronic vote (114-3), and there being no objection is read a third time.

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

April 14, 2011

S.B. 343 (Committee Substitute), A BILL TO BE ENTITLED AN ACT ESTABLISHING THE COMMUNICATIONS REGULATORY REFORM AND INVESTMENT ACT OF 2011, passes its second reading, by electronic vote (107-9), 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. 406, A BILL TO BE ENTITLED AN ACT TO REPEAL THE REQUIREMENT THAT A PERSON OBTAIN A PERMIT TO RECEIVE, SELL, PURCHASE, OR OTHERWISE TRANSFER A CROSSBOW, passes its second reading by electronic vote (77-39).

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

S.B. 464, A BILL TO BE ENTITLED AN ACT TO ENACT THE DEBT REDUCTION ACT OF 2011.

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

RE-REFERRALS

On motion of Representative T. Moore and without objection, the serial referral to the Committee on Finance on **H.B. 810**, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS AMENDMENTS TO THE NORTH CAROLINA CONSUMER FINANCE ACT TO INCREASE CONSUMER ACCESS AND CREDIT MARKET PARITY, is stricken.

On motion of Representative T. Moore and without objection, **S.B. 75** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROMOTE THE USE OF ELECTRICITY DEMAND REDUCTION TO SATISFY RENEWABLE ENERGY PORTFOLIO STANDARDS, is withdrawn from the Committee on Finance and pursuant to Rule 36(b), is placed on the Calendar.

On motion of the Speaker, the House recesses at 2:41 p.m.

RECESS

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

April 14, 2011

**REPORTS OF STANDING COMMITTEES AND PERMANENT
SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representatives L. Brown and Ingle, Chairs, for the Committee on Government:

H.B. 482, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ADDITIONAL CONNECTIONS TO WATER SUPPLY LINES FUNDED BY THE CLEAN WATER AND NATURAL GAS CRITICAL NEEDS BOND ACT OF 1998, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

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

H.B. 506, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF WRIGHTSVILLE BEACH TO REMOVE AND DISPOSE OF ABANDONED VESSELS WITHIN THE TOWN'S ZONING JURISDICTION, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

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

H.B. 537, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE BOUNDARY BETWEEN THE BROADWAY AND MORAVIAN FALLS FIRE TAX DISTRICTS IN WILKES COUNTY, with a favorable report as to the committee substitute bill, unfavorable as to the original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

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

S.B. 83, A BILL TO BE ENTITLED AN ACT TO CHANGE THE DATE THAT MEMBERS OF THE WILSON COUNTY BOARD OF EDUCATION TAKE OFFICE AND TO FIX AN ERROR IN A 1987 LOCAL ACT RELATING TO THAT BOARD, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the original bill.

April 14, 2011

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

SPECIAL MESSAGE FROM THE SENATE

**2011 GENERAL ASSEMBLY
FIRST SESSION 2011**

Senate Chamber
April 14, 2011

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. 8** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE EDUCATIONAL OPPORTUNITIES FOR THE CHILDREN OF NORTH CAROLINA BY REMOVING THE CAP ON CHARTER SCHOOLS; AND BY CREATING A NEW PUBLIC CHARTER SCHOOLS COMMISSION TO APPROVE AND MONITOR CHARTER SCHOOLS; AND BY STRENGTHENING THE STANDARDS FOR GRANTING AND RETAINING A CHARTER FOR A CHARTER SCHOOL; AND BY AUTHORIZING LOCAL BOARDS OF EDUCATION TO CONVERT SCHOOLS TO CHARTER SCHOOLS WITHOUT FORMING A NONPROFIT CORPORATION; AND BY CLARIFYING THE FUNDING FORMULA FOR CHARTER SCHOOLS; AND BY PROVIDING THAT COUNTIES MAY PROVIDE FUNDING FOR CHARTER SCHOOLS IN THEIR JURISDICTIONS; AND TO MAKE OTHER CHANGES TO THE STATUTES GOVERNING CHARTER SCHOOLS, and requests conferees. The President *Pro Tempore* appoints:

Senator Stevens, Chair
Senator Graham
Senator Soucek

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/ Sarah Clapp
Principal Clerk

April 14, 2011

The Speaker appoints Representatives Stam, Samuelson, and Brandon as conferees on the part of the House and the Senate is so notified by Special Message.

SPECIAL MESSAGE FROM THE SENATE

**2011 GENERAL ASSEMBLY
FIRST SESSION 2011**

Senate Chamber
April 14, 2011

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. 31** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PENALTY FOR THE UNAUTHORIZED PRACTICE OF MEDICINE.

Respectfully,
S/ Sarah Clapp
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

**2011 GENERAL ASSEMBLY
FIRST SESSION 2011**

Senate Chamber
April 14, 2011

Mr. Speaker:

It is ordered that a message be sent your Honorable Body that the Senate has passed **S.B. 265 (Ratified)**, AN ACT TO MAKE APPROPRIATIONS AND ADJUSTMENTS FOR THE 2011-2013 FISCAL BIENNIUM TO THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES; AND TO TRANSFER THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES TO THE OFFICE OF STATE TREASURER, notwithstanding the objections of the Governor.

Respectfully,
S/ Sarah Clapp
Principal Clerk

April 14, 2011

CALENDAR (continued)

Without objection, Representative T. Moore gives notice, pursuant to Rule 36(b), and **H.B. 420**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF OAK ISLAND TO USE WHEEL LOCKS TO ENFORCE PARKING REGULATIONS, is placed on today's Calendar for immediate consideration.

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

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

Without objection, Representative T. Moore gives notice, pursuant to Rule 36(b), and **H.B. 480**, A BILL TO BE ENTITLED AN ACT TO CHANGE THE CANDIDATE FILING PERIOD FOR THE STANLY COUNTY BOARD OF EDUCATION, is placed on today's Calendar for immediate consideration.

The bill passes its second reading and there being no objection is read a third time.

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

Without objection, Representative T. Moore gives notice, pursuant to Rule 36(b), and **H.B. 566**, A BILL TO BE ENTITLED AN ACT TO CHANGE THE TERM OF OFFICE OF THE MAYOR AND COUNCIL OF THE TOWN OF GRANTSBORO TO FOUR YEARS, is placed on today's Calendar for immediate consideration.

The bill passes its second reading and there being no objection is read a third time.

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

Without objection, Representative T. Moore gives notice, pursuant to Rule 36(b), and **H.B. 536**, A BILL TO BE ENTITLED AN ACT REQUIRING THE LINCOLN COUNTY BOARD OF EDUCATION TO REVISE ITS RESIDENCY DISTRICTS AFTER EACH CENSUS AS IF THEY WERE ELECTORAL DISTRICTS, is placed on today's Calendar for immediate consideration.

The bill passes its second reading and there being no objection is read a third time.

April 14, 2011

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

Without objection, Representative T. Moore gives notice, pursuant to Rule 36(b), and **H.B. 481**, A BILL TO BE ENTITLED AN ACT TO CHANGE THE MANNER OF FILLING VACANCIES IN THE OFFICE OF SHERIFF OF STANLY COUNTY, is placed on today's Calendar for immediate consideration.

The bill passes its second reading and there being no objection is read a third time.

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

Without objection, Representative T. Moore gives notice, pursuant to Rule 36(b), and **S.B. 261**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A SEASON FOR TAKING FOXES WITH WEAPONS AND BY TRAPPING IN CHOWAN COUNTY, is placed on today's Calendar for immediate consideration.

The bill passes its second reading, and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Representative T. Moore gives notice, pursuant to Rule 36(b), and **H.B. 438**, A BILL TO BE ENTITLED AN ACT EXTENDING THE AUTHORITY OF CERTAIN BOARDS OF COUNTY COMMISSIONERS OVER LOCAL BOARDS, AGENCIES, AND COMMISSIONS, is placed on today's Calendar for immediate consideration.

The bill passes its second reading, by electronic vote (113-1), and there being no objection is read a third time.

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

Without objection, Representative T. Moore gives notice, pursuant to Rule 36(b), and **H.B. 482** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ADDITIONAL CONNECTIONS TO WATER SUPPLY LINES FUNDED BY THE CLEAN WATER AND NATURAL GAS CRITICAL NEEDS BOND ACT OF 1998, is placed on today's Calendar for immediate consideration.

The bill passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

April 14, 2011

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

Without objection, Representative T. Moore gives notice, pursuant to Rule 36(b), and **H.B. 506** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF WRIGHTSVILLE BEACH TO REMOVE AND DISPOSE OF ABANDONED VESSELS WITHIN THE TOWN'S ZONING JURISDICTION, is placed on today's Calendar for immediate consideration.

The bill passes its second reading and there being no objection is read a third time.

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

Without objection, Representative T. Moore gives notice, pursuant to Rule 36(b), and **H.B. 567**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR STAGGERED TERMS FOR THE MOUNTAIN RESOURCES COMMISSION ESTABLISHED BY CHAPTER 153B OF THE GENERAL STATUTES, is placed on today's Calendar for immediate consideration.

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.

SPECIAL MESSAGE FROM THE SENATE

The following Special Message is received from the Senate:

H.B. 383 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROTECT UNEMPLOYMENT BENEFITS AND PREVENT ANY SHUTDOWN OF STATE GOVERNMENT, 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 the Calendar for immediate consideration.

Upon concurrence the Senate committee substitute bill changes the title.

On motion of Representative Stam, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (66-49), and the bill is ordered enrolled and presented to the Governor by Special Message.

April 14, 2011

Pursuant to Rule 6, the Speaker states that Representative Stam will preside on Saturday, April 16, 2011.

RE-REFERRAL

On motion of Representative LaRoque, pursuant to Rule 39.2 and without objection, **H.B. 709**, A BILL TO BE ENTITLED AN ACT PROTECTING AND PUTTING NORTH CAROLINA BACK TO WORK BY REFORMING THE WORKERS' COMPENSATION ACT TO (1) DEFINE "SUITABLE EMPLOYMENT" PERTAINING TO AN EMPLOYEE'S RETURN TO WORK WITHIN RESTRICTIONS OR AFTER REACHING MAXIMUM IMPROVEMENT; (2) MAKE WILLFUL MISREPRESENTATIONS GROUNDS FOR DISQUALIFICATION FROM RECEIVING BENEFITS; (3) PROVIDE THAT PARTIES MAY REACH A SEPARATE CONTEMPORANEOUS AGREEMENT TO RESOLVE ISSUES NOT COVERED BY THE ACT; (4) CLARIFY THE RIGHTS AND RESPONSIBILITIES OF EMPLOYERS AND EMPLOYEES REGARDING MEDICAL EXAMINATIONS, TREATMENT, AND ACCESS TO MEDICAL INFORMATION; (5) CAP THE DURATION OF COMPENSATION FOR TEMPORARY TOTAL DISABILITY; (6) EXTEND FROM THREE HUNDRED TO FIVE HUNDRED THE NUMBER OF WEEKS AN INJURED EMPLOYEE IS ELIGIBLE TO RECEIVE COMPENSATION FOR PARTIAL INCAPACITY; (7) INCREASE THE DEATH BENEFIT AND BURIAL EXPENSE ALLOWANCE; (8) REDUCE THE INDUSTRIAL COMMISSION FROM SEVEN TO FIVE MEMBERS SUBJECT TO LEGISLATIVE CONFIRMATION; (9) PROVIDE THAT COMMISSIONERS AND DEPUTY COMMISSIONERS ARE SUBJECT TO THE CODE OF JUDICIAL STANDARDS; AND (10) REPEAL THE COMMISSION'S FULL EXEMPTION FROM THE ADMINISTRATIVE PROCEDURE ACT, THEREBY SUBJECTING THE COMMISSION TO RULE MAKING PURSUANT TO ARTICLE 2A OF CHAPTER 150B OF THE GENERAL STATUTES AND REQUIRING THE COMMISSION TO READOPT RULES PURSUANT TO THAT ARTICLE, is withdrawn from the Committee on Insurance and re-referred to the Select Committee on Tort Reform and, if favorable, to the Committee on Insurance.

Representative LaRoque moves, seconded by Representative Rhyne, that the House adjourn, subject to the ratification of bills and the receipt of Messages from the Senate, to reconvene Saturday, April 16, 2011, at 8:00 a.m.

The motion carries.

No bills having been presented for ratification, or Messages from the Senate having been received, the House stands adjourned at 4:13 p.m.

April 14, 2011

FORTY-SEVENTH DAY

HOUSE OF REPRESENTATIVES
Saturday, April 16, 2011

The House meets at 8:00 a.m. pursuant to adjournment and is called to order by Representative Stam, Majority Leader.

Prayer is offered by Representative Jennifer Weiss.

Representative Murry reports the Journal of April 14 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 bill is duly ratified and presented to the Governor:

H.B. 383, AN ACT TO PROTECT UNEMPLOYMENT BENEFITS
AND PREVENT ANY SHUTDOWN OF STATE GOVERNMENT.

On motion of Representative Bradley, seconded by Representative Jackson, the House adjourns at 8:04 a.m. to reconvene Monday, April 18, 2011 at 7:00 p.m.

FORTY-EIGHTH DAY

HOUSE OF REPRESENTATIVES
Monday, April 18, 2011

The House meets at 7:00 p.m. pursuant to adjournment and is called to order by Representative Folwell, Speaker Pro Tempore.

Prayer is offered by Representative Verla Insko.

The Chair leads the Body in the Pledge of Allegiance.

April 18, 2011

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

Leaves of absence are granted Representatives Farmer-Butterfield, Pierce, and E. Warren for today.

MESSAGE FROM THE GOVERNOR

**STATE OF NORTH CAROLINA
OFFICE OF THE GOVERNOR**
20301 Mail Service Center • Raleigh, NC 27699-0301

Beverly Eaves Perdue
Governor

April 16, 2011

GOVERNOR'S OBJECTIONS AND VETO MESSAGE

House Bill 383, "An Act To Protect Unemployment Benefits and Prevent Any Shutdown of State Government"

House Bill 383 irresponsibly took the financial lifelines for 37,000 North Carolina citizens and families and hitched to them a budget ploy that will wreck the lives of millions more.

The General Assembly's leadership needs to quickly send me a bill that will aid our fellow North Carolinians, free of these antics, and I will sign it.

Therefore, I veto this bill.

S/ Beverly E. Perdue

This bill, having been vetoed, is returned to the Clerk of the North Carolina House on this sixteenth day of April, 2011, at 11:27 p.m. for reconsideration by that body.

ENROLLED BILLS

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

April 18, 2011

S.B. 343, AN ACT ESTABLISHING THE COMMUNICATIONS REGULATORY REFORM AND INVESTMENT ACT OF 2011.

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

S.B. 261, AN ACT TO ESTABLISH A SEASON FOR TAKING FOXES WITH WEAPONS AND BY TRAPPING IN CHOWAN COUNTY.

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representatives Steen and Cook:

H.B. 865, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION TO INCREASE PASSENGER RAIL FARES TO ELIMINATE THE OPERATING SUBSIDY PROVIDED TO AMTRAK, is referred to the Committee on Finance.

By Representatives Insko and Glazier (Primary Sponsors); Gill, Lucas, and Parfitt:

H.B. 866, A BILL TO BE ENTITLED AN ACT TO PROVIDE THE STATE BOARD OF EDUCATION WITH THE AUTHORITY TO ASSUME GOVERNANCE AND OPERATION OF THE EASTERN NORTH CAROLINA SCHOOL FOR THE DEAF, THE NORTH CAROLINA SCHOOL FOR THE DEAF, AND THE GOVERNOR MOREHEAD SCHOOL FOR THE BLIND, TO PROVIDE FUNDING FOR OVERSIGHT OF THESE SCHOOLS, TO REPEAL UNNECESSARY STATUTES RELATED TO OVERSIGHT OF THE RESIDENTIAL SCHOOLS BY THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, AND TO PROVIDE FUNDS TO THE DEPARTMENT OF PUBLIC INSTRUCTION FOR PROPER OVERSIGHT OF THE RESIDENTIAL SCHOOLS, is referred to the Committee on Health and Human Services and, if favorable, to the Committee on Appropriations.

MESSAGES FROM THE SENATE

The following are received from the Senate:

H.B. 215 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE CRIMINAL OFFENSES FOR ACTS THAT CAUSE THE DEATH OR INJURY OF AN UNBORN CHILD OR ARE COMMITTED AGAINST A PREGNANT WOMAN, AND TO PROVIDE

April 18, 2011

THAT THE ACT SHALL BE ENTITLED "THE UNBORN VICTIMS OF VIOLENCE ACT/ETHEN'S 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 April 19.

S.B. 272 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE ROLE OF CHARITABLE DONATIONS AND WRITE-OFFS AS COLLATERAL SOURCES FOR CRIME VICTIMS COMPENSATION, TO MODIFY THE SCOPE OF DEPENDENT'S ECONOMIC LOSS FOR CRIME VICTIMS COMPENSATION, TO CLARIFY THE CONFIDENTIALITY OF CRIME VICTIMS COMPENSATION COMMISSION RECORDS, AND TO REQUIRE SUSPENSION OF CRIME VICTIMS COMPENSATION PROCEEDINGS UPON REQUEST OF THE ATTORNEY GENERAL, is read the first time and referred to Judiciary Subcommittee B.

S.B. 394 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE REQUIREMENT THAT SCHOOL PRINCIPALS REPORT CERTAIN ACTS TO LAW ENFORCEMENT, is read the first time and referred to Judiciary Subcommittee B.

INTRODUCTION OF PAGES

Pages for the week of April 18 are introduced to the membership. They are: Alexis Barfield of New Hanover; Cooper Blackwell of Edgecombe; William Carter of Wake; Parmer Cherry of Pitt; Mary Frances Foster of Cleveland; Clay Heath of Mecklenburg; Raynelle Jones of Ashe; Cameron Martin of Wake; Demery Moody of Cleveland; Caroline Morelock of Mecklenburg; Maleah Murray of Columbus; Caitlin Neal of New Hanover; David Ojo of Cumberland; Mark Parent of Guilford; Sophia Potepalov of Wake; Callie Pruett of Haywood; Ian Ratcliff of Wake; Micaiah Rawlings of Wake; Ashley Saltzman of Wake; Cutter Troutman of New Hanover; Renee Ward of Wake; and Erin Wilson of Cleveland.

On motion of Representative T. Moore, seconded by Representative Cleveland, the House adjourns at 7:23 p.m. to reconvene April 19 at 2:00 p.m.

April 18, 2011

FORTY-NINTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, April 19, 2011

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

The following remarks and prayer are offered by Representative Dewey Hill:

"Mr. Speaker and Members of the House:

"As we pray today, may we keep in mind all those who lost lives and property during the storm which caused much devastation in our State over the past weekend.

"Father, thank You for the gift of life today, and for the men and women who make up this Body. They are capable, able and focused on serving the people of their districts. I've been thinking some, Father, about a recipe for making a Representative. I think that I would give him the wisdom of Solomon, the patience of Job, the strength of Samson and the hide of an alligator. Mix in equal proportions of the courage of a lion and the gentleness of a lamb. Anoint him with the insight and perception of a Daniel. Put just a pinch of peacock to make him strut a little. And then, I would burst up his heart a time or two to give him feeling and compassion. After that, I would get him elected and send him to Raleigh, and give him a job so hard that nobody could do it without Your help to teach him faith. Then I would sit back, pray for him and watch him work. Seems like that's that I'm doing, Father, so bless their working and help me with my praying. Through Christ, Our Lord. Amen."

(Reverend William T. Mills, House Chaplain, offered this prayer on April 18, 1995, in this Chamber.)

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

A leave of absence is granted Representative Justice for today.

April 19, 2011

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

LEGISLATURE OF THE STATE OF IDAHO
Sixty-first Legislature First Regular Session - 2011

IN THE HOUSE OF REPRESENTATIVES

HOUSE JOINT MEMORIAL NO. 1

BY EDUCATION COMMITTEE

A JOINT MEMORIAL

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES AND TO THE LEGISLATURES OF THE SEVERAL STATES.

The Speaker states that the entire document is on file in the House Principal Clerk's office.

CHAPTERED BILLS

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

S.B. 261, AN ACT TO ESTABLISH A SEASON FOR TAKING FOXES WITH WEAPONS AND BY TRAPPING IN CHOWAN COUNTY. (S.L. 2011-40)

**REPORTS OF STANDING COMMITTEES AND PERMANENT
SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representatives Langdon and Sager, Chairs, for the Committee on Agriculture:

H.B. 460, A BILL TO BE ENTITLED AN ACT TO REGULATE HUNTING, FISHING, AND TRAPPING ON PRIVATE LAND IN ROCKINGHAM COUNTY, with a favorable report.

April 19, 2011

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 20.

By Representative Dockham, Chair, for the Committee on Insurance:

S.B. 323 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN THE INSURANCE LAWS TO PRIVATIZE ONLINE AND ADMINISTRATIVE PROCESSES FOR LICENSE APPLICANTS, CODIFY THE EXISTING SENIORS' HEALTH INSURANCE INFORMATION PROGRAM, ENSURE ACCURACY IN CERTIFICATES OF INSURANCE, REQUIRE PRIOR APPROVAL OF SMALL GROUP HEALTH INSURANCE RATES AND ENCOURAGE THE SALE OF CHILD-ONLY HEALTH INSURANCE POLICIES, AMEND THE RISK-BASED CAPITAL LAW TO MAINTAIN NAIC ACCREDITATION, PROVIDE AN EXEMPTION FOR LICENSING OF CLAIMS INPUT EMPLOYEES FOR PORTABLE ELECTRONIC DEVICES, PROHIBIT FEDERAL PREEMPTION OF CROP ADJUSTERS' REGULATION, AND EASE THE REGULATORY BURDEN ON THE NORTH CAROLINA SELF-INSURANCE SECURITY ASSOCIATION AND THE ASSOCIATION AGGREGATE SECURITY SYSTEM, 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 McElraft, Samuelson, and West, Chairs, for the Committee on Environment:

H.B. 242, A BILL TO BE ENTITLED AN ACT TO INCREASE THE AMOUNT OF THE BOND REQUIRED UPON REGISTRATION IN ORDER TO DRILL FOR OIL OR NATURAL GAS IN THE STATE, 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. 110 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE PERMITTING AND CONSTRUCTION OF TERMINAL GROINS AT INLETS UNDER CERTAIN CONDITIONS, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the Senate committee substitute bill.

April 19, 2011

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of April 20. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representatives McComas and Rhyne, Chairs, for the Select Committee on Tort Reform:

S.B. 33 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REFORM THE LAWS RELATING TO MEDICAL LIABILITY BY PROVIDING LIMITED PROTECTION FROM LIABILITY TO THOSE REQUIRED BY FEDERAL LAW TO PROVIDE EMERGENCY MEDICAL CARE, BY AUTHORIZING THE BIFURCATION OF TRIALS ON ISSUES OF LIABILITY AND DAMAGES IN CERTAIN ACTIONS, BY LIMITING THE AMOUNT OF NONECONOMIC DAMAGES THAT MAY BE AWARDED, BY AUTHORIZING THE PERIODIC PAYMENT OF FUTURE ECONOMIC DAMAGES IN LIEU OF A LUMP-SUM PAYMENT, BY MODIFYING APPEAL BONDS IN MEDICAL MALPRACTICE ACTIONS, BY CLARIFYING THAT COMPLAINTS ALLEGING MEDICAL MALPRACTICE BY HEALTH CARE PROVIDERS MUST ASSERT THAT ALL MEDICAL RECORDS AVAILABLE TO THE PLAINTIFF HAVE BEEN REVIEWED BY AN EXPERT WITNESS, AND BY REQUIRING THAT CERTAIN INFORMATION BE PROVIDED BY EXPERT WITNESSES, 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 April 20. The Senate committee substitute bill is placed on the Unfavorable Calendar.

SUBCOMMITTEE REFERRAL

Representative Daughtry, Chair, for the Standing Committee on Judiciary, refers **S.B. 187** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE THE USE OF PHOTOGRAPHIC CAMERA SYSTEMS TO REGULATE TRAFFIC UNLAWFUL, to Judiciary Subcommittee B.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative T. Moore and without objection, **H.B. 332**, A BILL TO BE ENTITLED AN ACT CLARIFYING THAT A LOCAL GOVERNMENT MAY NOT IMPOSE A MORATORIUM ON DEVELOPMENT APPROVALS FOR THE PURPOSE OF DEVELOPING AND ADOPTING A NEW OR REVISED DEVELOPMENT ORDINANCE, is withdrawn from the Calendar and placed on the Calendar of April 20.

April 19, 2011

RE-REFERRAL

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 810**, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS AMENDMENTS TO THE NORTH CAROLINA CONSUMER FINANCE ACT TO INCREASE CONSUMER ACCESS AND CREDIT MARKET PARITY, the serial referral to the Committee on Finance is restored.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Stam and without objection, **H.B. 8** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO PROHIBIT CONDEMNATION OF PRIVATE PROPERTY EXCEPT FOR A PUBLIC USE, AND TO PROVIDE FOR THE PAYMENT OF JUST COMPENSATION WITH RIGHT OF TRIAL BY JURY IN ALL CONDEMNATION CASES, AND TO MAKE SIMILAR STATUTORY CHANGES, is withdrawn from the Calendar of April 20 and placed on the Calendar of April 25.

CALENDAR

Action is taken on the following:

H.B. 215 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE CRIMINAL OFFENSES FOR ACTS THAT CAUSE THE DEATH OR INJURY OF AN UNBORN CHILD OR ARE COMMITTED AGAINST A PREGNANT WOMAN, AND TO PROVIDE THAT THE ACT SHALL BE ENTITLED "THE UNBORN VICTIMS OF VIOLENCE ACT/ETHEN'S LAW."

On motion of Representative Folwell, the House concurs in the Senate committee substitute bill, by electronic vote (77-40), and the bill is ordered enrolled and presented to the Governor.

[Pursuant to the motion made by Representative Floyd on April 20, 2011, and without objection, he is granted leave of the House to change his vote from "no" to "aye". The adjusted vote total is (78-39).]

H.B. 488, A BILL TO BE ENTITLED AN ACT EXTENDING THE WAIVER OF RETROACTIVITY PERTAINING TO THE ACQUISITION OF LAND BY THE TOWN OF NASHVILLE UNDER THE PARKS AND RECREATION TRUST FUND PROGRAM, passes its second reading and there being no objection is read a third time.

April 19, 2011

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

S.B. 82, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE TOWN OF ATKINSON TO ALLOW THE QUALIFIED VOTERS OF THE ENTIRE TOWN TO ELECT THE TOWN OFFICERS, TO CHANGE THE NAME OF THE GOVERNING BODY, AND TO EXTEND THE TERM OF OFFICE OF THE MEMBERS OF THE GOVERNING BODY FROM TWO TO FOUR YEARS AND STAGGERING THOSE TERMS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 83 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CHANGE THE DATE THAT MEMBERS OF THE WILSON COUNTY BOARD OF EDUCATION TAKE OFFICE, passes its second reading and there being no objection is read a third time.

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

H.B. 302, A BILL TO BE ENTITLED AN ACT TO BROADEN THE EXEMPTION FROM CHARITABLE LICENSING REQUIREMENTS FOR CERTAIN NONPROFIT ADULT RESIDENTIAL TREATMENT FACILITIES, passes its third reading, as amended, by electronic vote (116-1), and is ordered engrossed and sent to the Senate.

Representative Shepard requests and is granted leave of the House to change his vote from "no" to "aye". The adjusted vote total is (117-0).

S.B. 406, A BILL TO BE ENTITLED AN ACT TO REPEAL THE REQUIREMENT THAT A PERSON OBTAIN A PERMIT TO RECEIVE, SELL, PURCHASE, OR OTHERWISE TRANSFER A CROSSBOW, passes its third reading, by electronic vote (69-48), and is ordered enrolled and presented to the Governor.

H.B. 436 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE MEMBERS OF SANITARY DISTRICT BOARDS ESTABLISHED UNDER PART 2 OF ARTICLE 2 OF CHAPTER 130A OF THE GENERAL STATUTES TO FILE A STATEMENT OF ECONOMIC INTEREST, 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.

April 19, 2011

H.B. 492, A BILL TO BE ENTITLED AN ACT TO (1) PROVIDE THAT DEVELOPMENT IN THE UNINCORPORATED AREAS OF A COUNTY IS NOT SUBJECT TO THE STANDARDS REGARDING POST-CONSTRUCTION PRACTICES UNDER SECTION 9 OF S.L. 2006-246 OR ANY ADMINISTRATIVE RULES ADOPTED TO REPLACE THAT SECTION WHEN THE DEVELOPMENT IS LOCATED IN A COUNTY THAT CONTAINS AN URBANIZED AREA AND HAD AN ACTUAL POPULATION GROWTH RATE THAT EXCEEDED THE STATE POPULATION GROWTH RATE FOR THE PERIOD 1995 THROUGH 2004 WHEN THAT POPULATION GROWTH OCCURRED IN AN AREA WITHIN THE COUNTY THAT CONSISTS OF LESS THAN FIVE PERCENT OF THE TOTAL LAND AREA OF THE COUNTY AND (2) RESCIND THE CURRENT DESIGNATION OF ANY SUCH COUNTY, passes its second reading, by electronic vote (115-2), and there being no objection is read a third time.

Representatives Bordsen, Fisher, Insko, and Weiss request and are granted leave of the House to change their votes from "aye" to "no". The adjusted vote total is (111-6).

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

H.B. 802, A BILL TO BE ENTITLED AN ACT CLARIFYING THE LAWS PERTAINING TO THE STAYING OF ORDERS ON APPEAL AS RELATED TO CHILD CUSTODY, CHILD SUPPORT, AND ALIMONY, 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.

S.B. 75 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROMOTE THE USE OF ELECTRICITY DEMAND REDUCTION TO SATISFY RENEWABLE ENERGY PORTFOLIO STANDARDS, passes its second reading by electronic vote (80-38).

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

H.B. 427 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE SEIZURE, FORFEITURE, AND SALE OF MOTOR VEHICLES USED BY DEFENDANTS IN FELONY CASES INVOLVING SPEEDING TO ELUDE ARREST.

April 19, 2011

Representative Folwell offers Amendment No. 1 which is adopted by electronic vote (118-0).

The bill, as amended, passes its third reading, by electronic vote (118-0), and is ordered engrossed and sent to the Senate.

RE-REFERRAL

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 857**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF CORRECTION TO REPLACE THE CURRENT ELECTRONIC MONITORING SERVICE AND EQUIPMENT USED TO MONITOR CONVICTED SEX OFFENDERS WITH A NEW SYSTEM THAT PROVIDES EXCLUSION ZONES AROUND ALL OF THE STATE'S K-12 SCHOOL CAMPUSES, is withdrawn from Judiciary Subcommittee A and re-referred to Judiciary Subcommittee C.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative T. Moore and without objection, **H.B. 519**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THE PIEDMONT TRIAD REGIONAL WATER AUTHORITY WITH THE AUTHORITY TO CONTROL FISHING IN RANDLEMAN RESERVOIR, is withdrawn from the Calendar pursuant to Rule 36(b), and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of the Speaker, the House recesses at 2:50 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 LaRoque and T. Moore, Chairs, for the Committee on Rules, Calendar, and Operations of the House:

S.B. 146, A BILL TO BE ENTITLED AN ACT TO MAKE THE SNEADS FERRY SHRIMP FESTIVAL THE OFFICIAL STATE SHRIMP FESTIVAL, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the original bill.

April 19, 2011

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 Iler and Mills, Chairs, for the Committee on Transportation:

H.B. 821, A BILL TO BE ENTITLED AN ACT TO ALLOW THE DEPARTMENT OF TRANSPORTATION TO USE RECYCLED ASPHALT FOR HIGHWAY CONSTRUCTION AND MAINTENANCE IF IT MEETS THE REQUIRED MINIMUM CONTENT STANDARDS AND THE MATERIAL MEETS THE MINIMUM SPECIFICATIONS FOR THE PROJECT, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 20.

By Representatives Brubaker, Barnhart, Gillespie, and Johnson, Chairs, for the Committee on Appropriations:

S.B. 323 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE APPROPRIATIONS AND ADJUSTMENTS FOR THE 2011-2013 FISCAL BIENNIUM TO THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES; AND TO TRANSFER THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES TO THE OFFICE OF STATE TREASURER, with a favorable report.

Pursuant to Rule 36(b) and without objection, the bill is placed on today's Calendar.

CALENDAR (continued)

S.B. 146 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO SUSPEND THE BAN ON PLASTIC BAGS IN CERTAIN COASTAL AREAS DUE TO A DISRUPTION IN THE SUPPLY OF PAPER BAGS BECAUSE OF THE SEVERE TORNADOS, 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.

April 19, 2011

RE-REFERRAL

On motion of Representative LaRoque, pursuant to Rule 39.2 and without objection, a serial referral to the Committee on Finance to **H.B. 292**, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF ROUGEMONT, SUBJECT TO A REFERENDUM, is added.

CALENDAR (continued)

S.B. 323 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE APPROPRIATIONS AND ADJUSTMENTS FOR THE 2011-2013 FISCAL BIENNIUM TO THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES; AND TO TRANSFER THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES TO THE OFFICE OF STATE TREASURER, passes its second reading by electronic vote (61-54).

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

Representative LaRoque moves, seconded by Representative Boles, that the House adjourn, in memory of the twenty-one souls who lost their lives in the storms on April 16, 2011, and subject to the receipt of Committee Reports, to reconvene April 20 at 2:00 p.m.

The motion carries.

No Committee Reports having been received, the House stands adjourned at 3:52 p.m.

FIFTIETH DAY

HOUSE OF REPRESENTATIVES
Wednesday, April 20, 2011

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 Representative Danny McComas:

April 20, 2011

"Lord, make me an instrument of Your peace.
Where there is hatred, let me sow love;
where there is injury, pardon;
where there is doubt, faith;
where there is despair, hope;
where there is darkness, light;
and where there is sadness, joy.

"O Divine Master, grant that I 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. Amen."

(Prayer of Saint Francis of Assisi)

Representative T. Moore, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of April 19 has been examined and found correct. Upon his motion, the Journal is approved as written.

A leave of absence is granted Representative Justice for today. Representative Stone is excused for a portion of the Session.

ENROLLED BILLS

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

S.B. 146, AN ACT TO SUSPEND THE BAN ON PLASTIC BAGS IN CERTAIN COASTAL AREAS DUE TO A DISRUPTION IN THE SUPPLY OF PAPER BAGS BECAUSE OF THE SEVERE TORNADOS.

S.B. 406, AN ACT TO REPEAL THE REQUIREMENT THAT A PERSON OBTAIN A PERMIT TO RECEIVE, SELL, PURCHASE, OR OTHERWISE TRANSFER A CROSSBOW.

H.B. 138, AN ACT TO AMEND THE HEALTH INSURANCE RISK POOL STATUTES.

H.B. 171, AN ACT TO CLARIFY THAT A MUNICIPALITY HAS NO AUTHORITY TO PETITION ITSELF FOR SELF-ANNEXATION OF PROPERTY IT DOES NOT OWN OR HAVE ANY LEGAL INTEREST IN, SUCH AS STATE-MAINTAINED STREETS, AND TO CLARIFY THAT

April 20, 2011

A PETITION FOR VOLUNTARY SATELLITE ANNEXATION MUST BE SIGNED AND, IF NO SIGNATURE IS REQUIRED FOR CERTAIN PROPERTY, THE PROPERTY MAY NOT BE INCLUDED IN THE PETITION OVER THE OWNER'S OBJECTION.

H.B. 215, AN ACT TO CREATE CRIMINAL OFFENSES FOR ACTS THAT CAUSE THE DEATH OR INJURY OF AN UNBORN CHILD OR ARE COMMITTED AGAINST A PREGNANT WOMAN, AND TO PROVIDE THAT THE ACT SHALL BE ENTITLED "THE UNBORN VICTIMS OF VIOLENCE ACT/ETHEN'S LAW".

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

S.B. 82, AN ACT AMENDING THE CHARTER OF THE TOWN OF ATKINSON TO ALLOW THE QUALIFIED VOTERS OF THE ENTIRE TOWN TO ELECT THE TOWN OFFICERS, TO CHANGE THE NAME OF THE GOVERNING BODY, AND TO EXTEND THE TERM OF OFFICE OF THE MEMBERS OF THE GOVERNING BODY FROM TWO TO FOUR YEARS AND STAGGERING THOSE TERMS.

H.B. 68, AN ACT TO AUTHORIZE ALAMANCE, BRUNSWICK, BUNCOMBE, AND YANCEY COUNTIES TO REQUIRE THE PAYMENT OF DELINQUENT PROPERTY TAXES BEFORE RECORDING DEEDS CONVEYING PROPERTY.

H.B. 365, AN ACT TO AMEND THE CHARTER OF THE TOWN OF PINK HILL TO PROVIDE A FOUR-YEAR TERM FOR THE MAYOR AND STAGGERED FOUR-YEAR TERMS FOR THE TOWN COMMISSIONERS, SUBJECT TO A REFERENDUM.

CHAPTERED BILLS

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

H.B. 162, AN ACT TO EXEMPT CERTAIN ACTIVITIES RELATED TO SMALL-SCALE PROCESSING OF AGRICULTURAL PRODUCTS FROM WASTEWATER PERMIT REQUIREMENTS. (S.L. 2011-41)

H.B. 234, AN ACT TO AMEND THE QUALIFICATIONS FOR PROSPECTIVE JURORS IN ORDER TO ALLOW HEARING-IMPAIRED PERSONS TO SERVE AS JURORS AND TO PROVIDE FOR PERSONS WITH DISABILITIES TO APPLY FOR EXEMPTIONS FROM JURY DUTY. (S.L. 2011-42)

April 20, 2011

S.B. 154, AN ACT TO ABOLISH THE HIGHER EDUCATION BOND OVERSIGHT COMMITTEE, WHICH HAS COMPLETED ITS WORK. (S.L. 2011-43)

SPECIAL MESSAGE FROM THE SENATE

**2011 GENERAL ASSEMBLY
FIRST SESSION 2011**

Senate Chamber
April 19, 2011

Mr. Speaker:

Pursuant to the message from the Senate on April 14, 2011, informing the House of Representatives that the Senate fails to concur in House Amendment No. 1 to **S.B. 31** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PENALTY FOR THE UNAUTHORIZED PRACTICE OF MEDICINE, 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 Mansfield, Chair
Senator Purcell
Senator Hise

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/ Sarah Clapp
Principal Clerk

The Speaker appoints Representative Stevens, Chair; Representatives Faircloth, Glazier, and Stam as conferees on the part of the House and the Senate is so notified by Special Message.

WITHDRAWAL OF BILLS FROM CALENDAR

On motion of Representative LaRoque and without objection, the following bills are withdrawn from the Calendar and placed on the Calendar of April 26.

April 20, 2011

H.B. 332, A BILL TO BE ENTITLED AN ACT CLARIFYING THAT A LOCAL GOVERNMENT MAY NOT IMPOSE A MORATORIUM ON DEVELOPMENT APPROVALS FOR THE PURPOSE OF DEVELOPING AND ADOPTING A NEW OR REVISED DEVELOPMENT ORDINANCE.

S.B. 110 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE PERMITTING AND CONSTRUCTION OF UP TO THREE TERMINAL GROINS AT INLETS UNDER CERTAIN CONDITIONS.

CALENDAR

Action is taken on the following:

H.B. 460, A BILL TO BE ENTITLED AN ACT TO REGULATE HUNTING, FISHING, AND TRAPPING ON PRIVATE LAND IN ROCKINGHAM COUNTY, passes its second reading.

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

S.B. 75 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROMOTE THE USE OF ELECTRICITY DEMAND REDUCTION TO SATISFY RENEWABLE ENERGY PORTFOLIO STANDARDS.

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

S.B. 323 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE APPROPRIATIONS AND ADJUSTMENTS FOR THE 2011-2013 FISCAL BIENNIUM TO THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES; AND TO TRANSFER THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES TO THE OFFICE OF STATE TREASURER.

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

The bill, as amended, passes its third reading, by electronic vote (83-34), and is ordered engrossed and sent to the Senate for concurrence in the House committee substitute bill by Special Message.

Representative Bryant requests and is granted leave of the House to be recorded as voting "no". The adjusted vote total is (83-35).

April 20, 2011

S.B. 75 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROMOTE THE USE OF ELECTRICITY DEMAND REDUCTION TO SATISFY RENEWABLE ENERGY PORTFOLIO STANDARDS, which was temporarily displaced, is before the Body.

Representative K. Alexander offers Amendment No. 1 which fails of adoption by electronic vote (52-66).

The bill passes its third reading, by electronic vote (78-40), and is ordered enrolled and presented to the Governor.

H.B. 821, A BILL TO BE ENTITLED AN ACT TO ALLOW THE DEPARTMENT OF TRANSPORTATION TO USE RECYCLED ASPHALT FOR HIGHWAY CONSTRUCTION AND MAINTENANCE IF IT MEETS THE REQUIRED MINIMUM CONTENT STANDARDS AND THE MATERIAL MEETS THE MINIMUM SPECIFICATIONS FOR THE PROJECT, 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.

S.B. 33 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REFORM THE LAWS RELATING TO MONEY JUDGMENT APPEAL BONDS, BIFURCATION OF TRIALS IN CIVIL CASES, AND MEDICAL LIABILITY.

On motion of Representative Stam and without objection, Rule 10(b) is suspended in order to provide Representative Rhyne adequate time to explain the bill.

Representative Rhyne offers Amendment No. 1 which is adopted by electronic vote (118-0).

Representative Brandon requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (119-0).

Representative Mills offers Amendment No. 2.

Representative Jordan offers perfecting Amendment No. 3 to Amendment No. 2, which is adopted by electronic vote (97-18).

Amendment No. 2, as perfected by Amendment No. 3, is adopted by electronic vote (67-49).

April 20, 2011

Representative Faison offers Amendment No. 4 which fails of adoption by electronic vote (49-68).

Representative Glazier offers Amendment No. 5 which is adopted by electronic vote (115-2).

Representative Faison offers Amendment No. 6 which fails of adoption by electronic vote (41-75).

The bill, as amended, passes its second reading by electronic vote (88-29).

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

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following report from standing committee is presented:

By Representatives LaRoque and T. Moore, Chairs, for the Committee on Rules, Calendar, and Operations of the House:

H.B. 645, A BILL TO BE ENTITLED AN ACT PROVIDING THAT THE 2011 GENERAL ASSEMBLY SHALL MEET FOR A DAY AT THE STATE CAPITOL, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

The committee substitute changes the bill from public to local.

Pursuant to Rule 36(b) and without objection, the committee substitute bill is placed on today's Calendar. The original bill is placed on the Unfavorable Calendar.

VOTE ADJUSTED

Without objection, Representative Floyd is granted leave of the House to change his vote on April 19, 2011, from "no" to "aye" on the concurrence of **H.B. 215** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE CRIMINAL OFFENSES FOR ACTS THAT CAUSE THE DEATH OR INJURY OF AN UNBORN CHILD OR ARE COMMITTED AGAINST A PREGNANT WOMAN, AND TO PROVIDE THAT THE ACT SHALL BE ENTITLED "THE UNBORN VICTIMS OF VIOLENCE ACT/ETHEN'S LAW". The adjusted vote total is (78-39).

April 20, 2011

CALENDAR (continued)

H.B. 645 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ADULT DAY CARE/OVERNIGHT RESPITE PROGRAMS IN CLEVELAND COUNTY.

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

H.B. 460, A BILL TO BE ENTITLED AN ACT TO REGULATE HUNTING, FISHING, AND TRAPPING ON PRIVATE LAND IN ROCKINGHAM COUNTY.

Representative Jones removes his objection to the third reading, and the bill is before the Body.

Representative Jones offers Amendment No. 1 which is adopted by electronic vote (117-0).

The bill, as amended, passes its third reading, and is ordered engrossed and sent to the Senate.

SPECIAL MESSAGE FROM THE SENATE

The following Special Message is received from the Senate:

H.B. 268 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO (1) PROVIDE THAT USES OF RECLAIMED WATER THAT ARE DEEMED TO BE PERMITTED BY REGULATION, WITHOUT THE ISSUANCE OF AN INDIVIDUAL PERMIT OR COVERAGE UNDER A GENERAL PERMIT, INCLUDE IRRIGATION OF ORNAMENTAL CROPS BY FIELD NURSERIES AND ABOVEGROUND CONTAINER NURSERIES AND TO PROVIDE THAT CERTAIN SETBACK REQUIREMENTS AND DESIGN CRITERIA FOR WASTEWATER TREATMENT STORAGE FACILITIES DO NOT APPLY TO ARTIFICIAL LAKES OR PONDS THAT ARE USED FOR STORAGE AND IRRIGATION OF RECLAIMED WATER AS PART OF A CONJUNCTIVE USE RECLAIMED WATER SYSTEM AND (2) AUTHORIZE THE DISPOSAL, TEMPORARY STORAGE, AND BURNING OF STORM-RELATED DEBRIS DURING THE STATE OF EMERGENCY DECLARED ON APRIL 16, 2011, THROUGH JUNE 1, 2011, is returned for concurrence in the Senate committee substitute bill.

April 20, 2011

On motion of Representative LaRoque 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 Gillespie, 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.

WITHDRAWAL OF OBJECTION TO THIRD READING

Representative LaRoque withdraws his objection to the third reading of **S.B. 33** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REFORM THE LAWS RELATING TO MONEY JUDGMENT APPEAL BONDS, BIFURCATION OF TRIALS IN CIVIL CASES, AND MEDICAL LIABILITY, and the bill, as amended, is before the Body.

Representative LaRoque offers Amendment No. 7.

Representative LaRoque withdraws Amendment No. 7.

The bill, as amended, passes its third reading, by electronic vote (90-28), and is ordered engrossed and sent to the Senate by Special Message.

Representative Rapp requests and is granted leave of the House to change his vote from "no" to "aye". The adjusted vote total is (91-27).

RE-REFERRALS

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 571**, A BILL TO BE ENTITLED AN ACT IMPOSING A SERVICE CHARGE OF ONE AND TWO-TENTHS PERCENT ON THE PURCHASE OF PREPAID WIRELESS TELECOMMUNICATIONS SERVICE FOR ANY PURPOSE OTHER THAN RESALE OCCURRING IN THIS STATE, REQUIRING THAT THE SERVICE CHARGE BE COLLECTED BY THE SELLER OF PREPAID WIRELESS TELECOMMUNICATION SERVICE AND REMITTED TO THE DEPARTMENT OF REVENUE, AND PROVIDING THAT THE DEPARTMENT OF REVENUE SHALL TRANSFER ALL SERVICE CHARGES COLLECTED, MINUS THE COSTS OF COLLECTION, TO THE 911 FUND TO SUPPORT 911 SERVICES IN THE STATE, is withdrawn from the Committee on Commerce and Job Development and re-referred to the Committee on Public Utilities.

April 20, 2011

On motion of Representative T. Moore and without objection, the serial referral to the Committee on Finance to **H.B. 810**, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS AMENDMENTS TO THE NORTH CAROLINA CONSUMER FINANCE ACT TO INCREASE CONSUMER ACCESS AND CREDIT MARKET PARITY, is stricken.

On motion of Representative T. Moore, the serial referral to the Committee on Judiciary to **H.B. 139**, A BILL TO BE ENTITLED AN ACT TO LIMIT CAMPAIGN CONTRIBUTIONS BY INDIVIDUALS WHO DIRECTLY AND SUBSTANTIALLY BENEFIT FROM CONTRACTS WITH THE STATE TO CANDIDATE CAMPAIGN COMMITTEES OF CERTAIN STATEWIDE CANDIDATES, is stricken.

WITHDRAWAL OF BILLS FROM COMMITTEE

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 200**, A BILL TO BE ENTITLED AN ACT TO MAKE BASE BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, is withdrawn from the Committee on Appropriations and re-referred to the Committee on Finance.

On motion of Representative T. Moore and without objection, **S.B. 464**, A BILL TO BE ENTITLED AN ACT TO ENACT THE DEBT REDUCTION ACT OF 2011, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and pursuant to Rule 36(b), is placed on the Calendar.

Representative LaRoque moves, seconded by Representative Daughtry, that the House adjourn, subject to the appointment of conferees, the ratification of bills, the receipt of Committee Reports, the referral of bills to committee, and the reading of papers addressed to the House, to reconvene April 21 at 1:00 p.m.

The motion carries.

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

**STATE OF NORTH CAROLINA
OFFICE OF THE GOVERNOR**
20301 Mail Service Center • Raleigh, NC 27699-0301

April 20, 2011

Beverly Eaves Perdue
Governor

April 20, 2011

Ms. Denise Weeks
Principal Clerk of the House
North Carolina General Assembly
Legislative Building
Raleigh, NC 27601

Dear Ms. Weeks:

Pursuant to North Carolina General Statute § 62-10, I hereby reappoint Edward Finley to serve as a member of the North Carolina Utilities Commission and submit his name for confirmation by the North Carolina General Assembly. Mr. Finley's term shall begin July 1, 2011, and will expire June 30, 2019.

Please feel free to call on him or members of my staff if you need additional information.

Sincerely,
S/ Bev Perdue

The Speaker refers the letter to the Committee on Public Utilities.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

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

By Representative Boles, Chair, for the Commerce and Job Development Subcommittee on Alcoholic Beverage Control, with approval of standing committee Chair for reports to be made directly to the floor of the House:

H.B. 98, A BILL TO BE ENTITLED AN ACT TO ALLOW ALCOHOLIC BEVERAGE PERMITTEES WHO HAVE BEEN ISSUED BREWERY PERMITS TO SELL MALT BEVERAGES BREWED AT THE BREWERY ON THE PREMISES OF THE BREWERY, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

April 20, 2011

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. 130 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT A WINE WHOLESALER FROM DISTRIBUTING WINE BEYOND ITS DESIGNATED SALES TERRITORY AND TO AUTHORIZE CERTAIN INTRATERRITORY TRANSFERS OF WINE BETWEEN OFF-PREMISES WINE PERMITTEES UNDER COMMON OWNERSHIP, with a favorable report as to the House committee substitute bill, unfavorable as to the Senate committee substitute bill.

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

By Representative McCormick, Chair, for the Commerce and Job Development Subcommittee on Business and Labor, with approval of standing committee Chair for reports to be made directly to the floor of the House:

H.B. 385, A BILL TO BE ENTITLED AN ACT MAKING OMNIBUS AMENDMENTS TO THE LABOR LAWS OF NORTH CAROLINA, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 21.

H.B. 386, A BILL TO BE ENTITLED AN ACT TO MODERNIZE THE NORTH CAROLINA REAL ESTATE LICENSE LAW, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

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

H.B. 417, A BILL TO BE ENTITLED AN ACT TO EXTEND THE TIME PERIOD FOR HOLDING REAL PROPERTY AS A FUTURE SITE FOR HOUSING FOR LOW- OR MODERATE-INCOME INDIVIDUALS AND FAMILIES, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

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

H.B. 648, A BILL TO BE ENTITLED AN ACT TO CLARIFY AND AMEND THE LAWS PERTAINING TO EXCEPTIONS AND BUILDING PERMITS AS RELATED TO GENERAL CONTRACTORS, with a favorable report as to the committee substitute bill, unfavorable as to the original bill and recommendation that the bill be re-referred to Judiciary Subcommittee B.

April 20, 2011

The serial referral to Judiciary Subcommittee B is stricken.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 26. The original bill is placed on the Unfavorable Calendar.

By Representative Blust, Chair, for Judiciary Subcommittee A, with approval of standing committee Chair for reports to be made directly to the floor of the House:

H.B. 297 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE IT UNLAWFUL FOR ANY BUSINESS TO REQUIRE THAT A LICENSED DRIVER RELINQUISH HIS OR HER DRIVERS LICENSE, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

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

H.B. 306, A BILL TO BE ENTITLED AN ACT TO (1) ALLOW SERVICE BY SIGNATURE CONFIRMATION OR DESIGNATED DELIVERY SERVICE IN SMALL CLAIM ACTIONS ASSIGNED TO MAGISTRATES AND IN ADMINISTRATIVE CASES, (2) CLARIFY THAT THE SIXTY-DAY TIME FRAME FOR SERVING A SUMMONS UNDER RULE 4 OF THE RULES OF CIVIL PROCEDURE APPLIES TO ALL SUMMONSES UNDER RULE 4(J) AND (J1), (3) REQUIRE THAT A COPY OF A MOTION TO TERMINATE PARENTAL RIGHTS THAT IS SERVED ON A PARENT BE SENT TO THAT PARENT'S ATTORNEY OF RECORD, IF ANY, (4) REQUIRE THAT A PARTY'S ATTORNEY OF RECORD, IF ANY, MUST BE SERVED WHEN SERVICE IS MADE UNDER RULE 5(B) OF THE RULES OF CIVIL PROCEDURE, IN ADDITION TO ANY SERVICE ON THE PARTY, AND (5) CLARIFY THAT AN ATTORNEY MAY BE SERVED UNDER RULE 5(B) BY MAIL, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with a favorable report.

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

H.B. 397, A BILL TO BE ENTITLED AN ACT REVISING PENALTIES AND REMEDIES CONCERNING HEALTH FACILITIES, 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.

April 20, 2011

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

H.B. 497, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DEFINITION OF A GENERAL CONTRACTOR, with a favorable report.

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

By Representatives Stam and Stevens, Chairs, for Judiciary Subcommittee B, with approval of standing committee Chair for reports to be made directly to the floor of the House:

H.B. 659, A BILL TO BE ENTITLED AN ACT TO AMEND THE CAPITAL TRIAL, SENTENCING, AND POSTCONVICTION PROCEDURES FOR A PERSON WITH A SEVERE MENTAL DISABILITY AND TO PROVIDE THAT INSANITY IS NOT AVAILABLE AS A DEFENSE TO A CRIMINAL ACTION IF PRIOR ALCOHOL OR DRUG USE OR BOTH ARE THE SOLE CAUSE OF THE PSYCHOSIS OR IF VOLUNTARY INTOXICATION, A VOLUNTARY DRUGGED CONDITION, OR BOTH COMBINED ARE THE SOLE SUPPORT FOR THE DEFENSE, with a favorable report as to the committee substitute bill, unfavorable as to the original bill and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

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

H.B. 660, A BILL TO BE ENTITLED AN ACT ALLOWING A RESPONDENT IN AN ACTION FOR A CIVIL NO CONTACT ORDER TO BE SERVED BY MEANS OTHER THAN SERVICE IN PERSON BY A SHERIFF, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 21.

H.B. 719, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DIVISION OF MOTOR VEHICLES TO EXPUNGE SUSPENSIONS AND REVOCATIONS ENTERED ON A LIMITED PERMITTEE OR PROVISIONAL LICENSEE'S DRIVING RECORD IF THE STUDENT PROVIDES THE REQUIRED DOCUMENTATION TO THE DIVISION THAT THE STUDENT MEETS THE ELIGIBILITY REQUIREMENTS AND IF THE LIMITED PERMITTEE OR PROVISIONAL LICENSEE HAS NEVER HAD A PRIOR EXPUNCTION FROM THE PERMITTEE'S DRIVING RECORD, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

April 20, 2011

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

H.B. 779, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING ELECTRONIC RECORDING OF CUSTODIAL INTERROGATIONS, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

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

S.B. 105, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTY FOR SECOND DEGREE MURDER TO A B1 FELONY, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the original bill.

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

By Representatives Howard, Folwell, Setzer, and Starnes, Chairs, for the Committee on Finance:

H.B. 204, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE EDGEcombe COUNTY TOURISM DEVELOPMENT AUTHORITY, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 21.

H.B. 224, A BILL TO BE ENTITLED AN ACT TO VALIDATE A SPECIAL ASSESSMENT LEVIED BY FOXFIRE VILLAGE, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 21.

H.B. 266 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW WAKE COUNTY AND THE TOWNS OF APEX, CARY, FUQUAY-VARINA, GARNER, HOLLY SPRINGS, KNIGHTDALE, MORRISVILLE, ROLESVILLE, WAKE FOREST, WENDELL, AND ZEBULON TO ENTER INTO LEASES FOR THE SITING AND OPERATION OF A RENEWABLE ENERGY FACILITY FOR UP TO TWENTY YEARS WITHOUT TREATING IT AS A SALE AND WITHOUT GIVING NOTICE BY PUBLICATION, AND EXEMPTING THOSE

April 20, 2011

LOCAL GOVERNMENTS UNTIL JUNE 30, 2015, FROM COMPETITIVE BIDDING REQUIREMENTS WHEN LETTING CONTRACTS FOR USE AS PART OF LOCAL PILOT PROGRAMS AIMED AT INCREASING ENERGY EFFICIENCY, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 21.

H.B. 537 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE BOUNDARY BETWEEN THE BROADWAY AND MORAVIAN FALLS FIRE TAX DISTRICTS IN WILKES COUNTY, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 21.

H.B. 545, A BILL TO BE ENTITLED AN ACT TO MODIFY THE MOORE COUNTY OCCUPANCY TAX, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 21. The original bill is placed on the Unfavorable Calendar.

S.B. 281 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CITIES TO ESTABLISH A MUNICIPAL SERVICE DISTRICT FOR THE PURPOSE OF CONVERTING PRIVATE RESIDENTIAL STREETS TO PUBLIC STREETS AND TO AUTHORIZE RELATED COMMUNITY ASSOCIATIONS TO TRANSFER PLANNED COMMUNITY PROPERTY TO CITIES, with a favorable report.

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

By Representatives Current, Dollar, and Hollo, Chairs, for the Committee on Health and Human Services:

H.B. 423, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE SECRETARY OF HEALTH AND HUMAN SERVICES TO ALLOW CERTAIN CERTIFIED PROVIDERS TO CONDUCT INITIAL (FIRST-LEVEL) EXAMINATIONS FOR INVOLUNTARY COMMITMENT OF INDIVIDUALS WITH MENTAL ILLNESS, IN A MANNER CONSISTENT WITH THE FIRST EVALUATION PILOT PROGRAM, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

April 20, 2011

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

By Representatives Iler and Mills, Chairs, for the Committee on Transportation:

H.B. 217, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE TO DIRECT THE PROGRAM EVALUATION DIVISION TO STUDY THE SAFETY AND EMISSIONS INSPECTION PROGRAM IN THE DIVISION OF MOTOR VEHICLES TO DETERMINE IF THE REQUIREMENT OF REQUIRING A LICENSED DEALER TO INSPECT ALL SALVAGED VEHICLES THAT ARE INOPERABLE AND INCAPABLE OF BEING MADE OPERABLE BEFORE THEY CAN BE SOLD SHOULD BE ELIMINATED OR IF THE REQUIREMENT SHOULD BE EXTENDED TO SALVAGED VEHICLES THAT ARE INOPERABLE AND INCAPABLE OF BEING MADE OPERABLE WHICH ARE SOLD BY INSURANCE COMPANIES THAT ARE ACTING AS BROKERS, WHICH ARE NOT SUBJECT TO THE SAME STRICT REQUIREMENTS AS A LICENSED DEALER, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 21. The original bill is placed on the Unfavorable Calendar.

H.B. 422, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE DEPARTMENT OF TRANSPORTATION FROM ACCEPTING FEDERAL FUNDS FOR A HIGH-SPEED RAIL PROJECT WITHOUT EXPLICIT AUTHORIZATION FROM THE GENERAL ASSEMBLY, AND TO PROVIDE A PENALTY FOR THE DEPARTMENT OF TRANSPORTATION FOR NONCOMPLIANCE, 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 Commerce and Job Development.

The committee substitute bill is re-referred to the Committee on Commerce and Job Development. The original bill is placed on the Unfavorable Calendar.

By Representatives T. Moore and Rhyne, Chairs, for Judiciary Subcommittee C, with approval of standing committee Chair for reports to be made directly to the floor of the House:

April 20, 2011

H.B. 637, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS APPLICABLE TO ADOPTIONS, AS RECOMMENDED BY THE NORTH CAROLINA BAR ASSOCIATION, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 21. The original bill is placed on the Unfavorable Calendar.

H.B. 706, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE LAW RELATING TO ALIMONY AND POSTSEPARATION SUPPORT, AS RECOMMENDED BY THE NORTH CAROLINA BAR ASSOCIATION, with a favorable report.

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

H.B. 734, A BILL TO BE ENTITLED AN ACT REQUIRING THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO ISSUE TO PARTICIPANTS IN THE SUPPLEMENTAL FOOD AND NUTRITION PROGRAM (SNAP) DEBIT CARDS THAT CONTAIN PHOTO IDENTIFICATION ON THE CARD, 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. 803, A BILL TO BE ENTITLED AN ACT ALLOWING A COURT TO ASSESS ATTORNEYS' FEES WHEN A CIVIL NO-CONTACT ORDER IS BROUGHT WITHOUT FACTUAL BASIS, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 21. The original bill is placed on the Unfavorable Calendar.

H.B. 846, A BILL TO BE ENTITLED AN ACT TO EXPAND THE SCOPE OF THE LAW THAT ALLOWS AN AGENCY ACTING AS A CONFIDENTIAL INTERMEDIARY TO OBTAIN A COPY OF A DEATH CERTIFICATE OF A BIOLOGICAL PARENT OR AN ADULT ADOPTEE TO INCLUDE A LINEAL ASCENDANT OF A BIOLOGICAL PARENT WHEN IT IS DETERMINED THE BIOLOGICAL PARENT, ADULT ADOPTEE, OR THE LINEAL ASCENDANT OF THE BIOLOGICAL PARENT IS DECEASED, with a favorable report.

April 20, 2011

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 21.

H.B. 857, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF CORRECTION TO REPLACE THE CURRENT ELECTRONIC MONITORING SERVICE AND EQUIPMENT USED TO MONITOR CONVICTED SEX OFFENDERS WITH A NEW SYSTEM THAT PROVIDES EXCLUSION ZONES AROUND ALL OF THE STATE'S K-12 SCHOOL CAMPUSES, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 21. The original bill is placed on the Unfavorable Calendar.

By Representative Avila, Chair, for the Commerce and Job Development Subcommittee on Science and Technology.

S.B. 346, A BILL TO BE ENTITLED AN ACT TO EXEMPT BONA FIDE COOKING SCHOOLS FROM REGULATIONS GOVERNING THE SANITATION OF ESTABLISHMENTS THAT PREPARE OR SERVE FOOD OR DRINK TO THE PUBLIC, reported to the Standing Committee on Commerce and Job Development, with a favorable recommendation as to the proposed House committee substitute bill, unfavorable as to the original bill.

By Representatives Holloway and Langdon, Chairs, for the Committee on Education:

H.B. 736, A BILL TO BE ENTITLED AN ACT TO REORGANIZE THE GENERAL STATUTES RELATING TO SCHOOL DISCIPLINE; PREVENT LITIGATION BY ADDING DEFINITIONS TO AND CLARIFYING AMBIGUITIES IN THE CURRENT LAW; CODIFY EXISTING CASE LAW; AND INCREASE LOCAL CONTROL AND FLEXIBILITY REGARDING DISCIPLINE, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

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

H.B. 769, A BILL TO BE ENTITLED AN ACT DIRECTING LOCAL BOARDS OF EDUCATION TO ADOPT AND IMPLEMENT POLICIES THAT ENCOURAGE HIGH SCHOOL TO WORK PARTNERSHIPS, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

April 20, 2011

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

H.B. 792, A BILL TO BE ENTITLED AN ACT TO ENACT THE GFELLER-WALLER CONCUSSION AWARENESS ACT, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

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

H.B. 829, A BILL TO BE ENTITLED AN ACT TO STREAMLINE PUBLIC SCHOOL PLANNING RESPONSIBILITIES, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

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

By Representatives LaRoque and T. Moore, Chairs, for the Committee on Rules, Calendar, and Operations of the House:

H.B. 333, A BILL TO BE ENTITLED AN ACT TO ADOPT STOCK CAR RACING AS THE OFFICIAL SPORT OF NORTH CAROLINA, with a favorable report.

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

SUBCOMMITTEE REFERRAL

Representative McComas, Chair, for the Standing Committee on Commerce and Job Development, refers **H.B. 587**, A BILL TO BE ENTITLED AN ACT TO PROMOTE NORTH CAROLINA JOB GROWTH THROUGH REGULATORY REFORM, to the Commerce and Job Development Subcommittee on Business and Labor.

SPECIAL MESSAGE FROM THE SENATE

2011 GENERAL ASSEMBLY FIRST SESSION 2011

Senate Chamber
April 20, 2011

April 20, 2011

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. 323** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN THE INSURANCE LAWS TO PRIVATIZE ONLINE AND ADMINISTRATIVE PROCESSES FOR LICENSE APPLICANTS, CODIFY THE EXISTING SENIORS' HEALTH INSURANCE INFORMATION PROGRAM, ENSURE ACCURACY IN CERTIFICATES OF INSURANCE, REQUIRE PRIOR APPROVAL OF SMALL GROUP HEALTH INSURANCE RATES AND ENCOURAGE THE SALE OF CHILD-ONLY HEALTH INSURANCE POLICIES, AMEND THE RISK-BASED CAPITAL LAW TO MAINTAIN NAIC ACCREDITATION, PROVIDE AN EXEMPTION FOR LICENSING OF CLAIMS INPUT EMPLOYEES FOR PORTABLE ELECTRONIC DEVICES, PROHIBIT FEDERAL PREEMPTION OF CROP ADJUSTERS' REGULATION, AND EASE THE REGULATORY BURDEN ON THE NORTH CAROLINA SELF-INSURANCE SECURITY ASSOCIATION AND THE ASSOCIATION AGGREGATE SECURITY SYSTEM, and requests conferees. The President *Pro Tempore* appoints:

Senator Apodaca, Chair
Senator Rucho
Senator Hise
Senator Brunstetter
Senator Hunt
Senator Tucker

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/ Sarah Clapp
Principal Clerk

The Speaker appoints Representative Dockham, Chair; Representatives Dollar, Murry, and Wilkins as conferees on the part of the House and the Senate is so notified by Special Message.

ENROLLED BILLS

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

H.B. 268, AN ACT TO (1) PROVIDE THAT USES OF RECLAIMED WATER THAT ARE DEEMED TO BE PERMITTED BY REGULATION,

April 20, 2011

WITHOUT THE ISSUANCE OF AN INDIVIDUAL PERMIT OR COVERAGE UNDER A GENERAL PERMIT, INCLUDE IRRIGATION OF ORNAMENTAL CROPS BY FIELD NURSERIES AND ABOVE-GROUND CONTAINER NURSERIES AND TO PROVIDE THAT CERTAIN SETBACK REQUIREMENTS AND DESIGN CRITERIA FOR WASTEWATER TREATMENT STORAGE FACILITIES DO NOT APPLY TO ARTIFICIAL LAKES OR PONDS THAT ARE USED FOR STORAGE AND IRRIGATION OF RECLAIMED WATER AS PART OF A CONJUNCTIVE USE RECLAIMED WATER SYSTEM AND (2) AUTHORIZE THE DISPOSAL, TEMPORARY STORAGE, AND BURNING OF STORM-RELATED DEBRIS DURING THE STATE OF EMERGENCY DECLARED ON APRIL 16, 2011, THROUGH JUNE 1, 2011.

The House stands adjourned at 6:05 p.m.

FIFTY-FIRST DAY

HOUSE OF REPRESENTATIVES
Thursday, April 21, 2011

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

Prayer is offered by Representative Dan Ingle.

Representative T. Moore, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of April 20 has been examined and found correct. Upon his motion, the Journal is approved as written.

A leave of absence is granted Representative Justice for today.

ENROLLED BILLS

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

S.B. 75, AN ACT TO PROMOTE THE USE OF ELECTRICITY DEMAND REDUCTION TO SATISFY RENEWABLE ENERGY PORTFOLIO STANDARDS.

April 21, 2011

S.B. 182, AN ACT TO MAKE EFFECTIVE STATEWIDE A LOCAL ACT PROVIDING THAT A LIST OF THE E-MAIL ADDRESSES OF PERSONS SUBSCRIBING TO LOCAL GOVERNMENT E-MAIL LISTS IS OPEN TO PUBLIC INSPECTION BUT IS NOT REQUIRED TO BE PROVIDED, AND TO PROVIDE THAT THE LOCAL GOVERNMENT MAY USE THAT LIST ONLY FOR THE PURPOSE THAT IT WAS SUBSCRIBED TO.

S.B. 275, AN ACT ADOPTING THE HERRING FESTIVAL HELD IN THE TOWN OF JAMESVILLE AS THE OFFICIAL HERRING FESTIVAL OF THE STATE OF NORTH CAROLINA.

H.B. 407, AN ACT TO MODIFY THE REQUIREMENT THAT A PERSON WHO IS EIGHTEEN YEARS OLD OR OLDER WEAR A HELMET WHILE OPERATING AN ALL-TERRAIN VEHICLE.

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

H.B. 17, AN ACT TO ALLOW THE WAYNE COUNTY BOARD OF EDUCATION TO FILL ITS OWN VACANCIES.

H.B. 26, AN ACT TO ALLOW HENDERSON COUNTY TO INCLUDE ALL UNINCORPORATED AREAS IN A FIRE PROTECTION DISTRICT.

H.B. 140, AN ACT AMENDING THE CHARTER OF THE TOWN OF OAK ISLAND TO PROVIDE A PROCEDURE TO RECALL ELECTED OFFICIALS, SUBJECT TO A REFERENDUM.

CHAPTERED BILLS

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

S.B. 82, AN ACT AMENDING THE CHARTER OF THE TOWN OF ATKINSON TO ALLOW THE QUALIFIED VOTERS OF THE ENTIRE TOWN TO ELECT THE TOWN OFFICERS, TO CHANGE THE NAME OF THE GOVERNING BODY, AND TO EXTEND THE TERM OF OFFICE OF THE MEMBERS OF THE GOVERNING BODY FROM TWO TO FOUR YEARS AND STAGGERING THOSE TERMS. (S.L. 2011-44)

H.B. 68, AN ACT TO AUTHORIZE ALAMANCE, BRUNSWICK, BUNCOMBE, AND YANCEY COUNTIES TO REQUIRE THE PAYMENT OF DELINQUENT PROPERTY TAXES BEFORE RECORDING DEEDS CONVEYING PROPERTY. (S.L. 2011-45)

April 21, 2011

H.B. 365, AN ACT TO AMEND THE CHARTER OF THE TOWN OF PINK HILL TO PROVIDE A FOUR-YEAR TERM FOR THE MAYOR AND STAGGERED FOUR-YEAR TERMS FOR THE TOWN COMMISSIONERS, SUBJECT TO A REFERENDUM. (S.L. 2011-46)

S.B. 146, AN ACT TO SUSPEND THE BAN ON PLASTIC BAGS IN CERTAIN COASTAL AREAS DUE TO A DISRUPTION IN THE SUPPLY OF PAPER BAGS BECAUSE OF THE SEVERE TORNADOS. (S.L. 2011-47)

H.B. 268, AN ACT TO (1) PROVIDE THAT USES OF RECLAIMED WATER THAT ARE DEEMED TO BE PERMITTED BY REGULATION, WITHOUT THE ISSUANCE OF AN INDIVIDUAL PERMIT OR COVERAGE UNDER A GENERAL PERMIT, INCLUDE IRRIGATION OF ORNAMENTAL CROPS BY FIELD NURSERIES AND ABOVE-GROUND CONTAINER NURSERIES AND TO PROVIDE THAT CERTAIN SETBACK REQUIREMENTS AND DESIGN CRITERIA FOR WASTEWATER TREATMENT STORAGE FACILITIES DO NOT APPLY TO ARTIFICIAL LAKES OR PONDS THAT ARE USED FOR STORAGE AND IRRIGATION OF RECLAIMED WATER AS PART OF A CONJUNCTIVE USE RECLAIMED WATER SYSTEM AND (2) AUTHORIZE THE DISPOSAL, TEMPORARY STORAGE, AND BURNING OF STORM-RELATED DEBRIS DURING THE STATE OF EMERGENCY DECLARED ON APRIL 16, 2011, THROUGH JUNE 1, 2011. (S.L. 2011-48)

WITHDRAWAL OF BILLS FROM CALENDAR

On motion of Representative LaRoque and without objection, **H.B. 846**, A BILL TO BE ENTITLED AN ACT TO EXPAND THE SCOPE OF THE LAW THAT ALLOWS AN AGENCY ACTING AS A CONFIDENTIAL INTERMEDIARY TO OBTAIN A COPY OF A DEATH CERTIFICATE OF A BIOLOGICAL PARENT OR AN ADULT ADOPTEE TO INCLUDE A LINEAL ASCENDANT OF A BIOLOGICAL PARENT WHEN IT IS DETERMINED THE BIOLOGICAL PARENT, ADULT ADOPTEE, OR THE LINEAL ASCENDANT OF THE BIOLOGICAL PARENT IS DECEASED, is withdrawn from the Calendar and placed on the Calendar of April 26.

On motion of Representative T. Moore and without objection, **H.B. 645** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ADULT DAY CARE/OVERNIGHT RESPITE PROGRAMS IN CLEVELAND COUNTY, is withdrawn from the Calendar and placed on the Calendar of April 27.

April 21, 2011

RE-REFERRAL

On motion of Representative T. Moore, the serial referral for **H.B. 345**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE MOVE OVER LAW TO INCLUDE ALL HIGHWAY MAINTENANCE VEHICLES AND UTILITY VEHICLES, is changed from Judiciary Subcommittee B to Judiciary Subcommittee A.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Howard, Folwell, Setzer, and Starnes, Chairs, for the Committee on Finance:

H.B. 160, A BILL TO BE ENTITLED AN ACT TO PROVIDE SPACE ON THE INCOME TAX RETURN FOR INDIVIDUALS TO MAKE DONATIONS FOR EARLY DETECTION OF BREAST AND CERVICAL CANCER AS PROVIDED BY THE BREAST AND CERVICAL CANCER CONTROL PROGRAM, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 26.

By Representatives L. Brown and Ingle, Chairs, for the Committee on Government:

H.B. 292, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF ROUGEMONT, 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.

H.B. 352, A BILL TO BE ENTITLED AN ACT AT THE REQUEST OF THE CITY OF KANNAPOLIS TO DELAY FOR TWO YEARS THE LEGISLATIVE ANNEXATION OF THE SOUTHLAND DEVELOPMENT TRACTS IN SOUTHERN ROWAN COUNTY, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

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

April 21, 2011

H.B. 367, A BILL TO BE ENTITLED AN ACT TO DEANNEX CERTAIN PARCELS PREVIOUSLY ANNEXED BY A LEGISLATIVE ANNEXATION, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

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

H.B. 409, A BILL TO BE ENTITLED AN ACT TO ALLOW GUILFORD TECHNICAL COMMUNITY COLLEGE TO LEASE A PORTION OF ITS PROPERTY TO THE NORTH CAROLINA CENTER FOR GLOBAL LOGISTICS, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

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

H.B. 416, A BILL TO BE ENTITLED AN ACT TO ALLOW CAMDEN COUNTY TO EXPAND WATERSHED IMPROVEMENT COMMISSIONS FROM THREE TO FIVE MEMBERS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 26.

H.B. 471, A BILL TO BE ENTITLED AN ACT TO EXPAND THE BOARD OF COMMISSIONERS OF BUNCOMBE COUNTY FROM FIVE TO SEVEN MEMBERS AND TO PROVIDE FOR THE ELECTION OF ALL BUT THE CHAIR BY DISTRICTS, with a favorable report.

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

H.B. 486, A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF TRYON, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

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

H.B. 516, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF MOUNT AIRY, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

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

April 21, 2011

H.B. 565, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A BOUNDARY LINE AGREEMENT AND LIMIT THE EXTRATERRITORIAL JURISDICTION AND ANNEXATION AUTHORITY WHICH MAY BE EXERCISED BY THE TOWNS OF MOREHEAD CITY AND BEAUFORT, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

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

H.B. 605, A BILL TO BE ENTITLED AN ACT TO EXPAND THE DEFINITION OF LOCAL AGENCY FOR PURPOSES OF THE DEBT SETOFF COLLECTION 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.

S.B. 295, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF MARSHVILLE, 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.

SUBCOMMITTEE REFERRAL

Representative Daughtry, Chair, for the Standing Committee on Judiciary, refers **H.B. 154**, A BILL TO BE ENTITLED AN ACT TO PERMIT INTRODUCTION OF EVIDENCE REGARDING DEFENDANTS' INSURANCE COVERAGE FOR LIABILITY IN ANY CIVIL ACTION, to Judiciary Subcommittee A.

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representatives Starnes, Burr, Moffitt, T. Moore, Murry, and Stam:

H.B. 867, A BILL TO BE ENTITLED AN ACT TO REPEAL THE CLICK-THROUGH PROVISION AND TO ELIMINATE A REMOTE RETAILER'S OBLIGATION TO COLLECT SALES TAX BASED ON AFFILIATE CONTRACTS WITH NORTH CAROLINA RESIDENTS, is referred to the Committee on Finance.

April 21, 2011

By Representatives M. Alexander, Bordsen, Glazier, and Harrison (Primary Sponsors):

H.B. 868, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO INCREASE ACCESS TO COUNSEL IN CIVIL CASES, is referred to the Committee on Appropriations.

By Representative Cook:

H.B. 869, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO PRODUCE A SPECIAL PLATE FOR THE AURORA FOSSIL MUSEUM, is referred to the Committee on Transportation and, if favorable, to the Committee on Finance.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 364, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE CANCELLATION OF AN AIRCRAFT LABOR AND STORAGE LIEN WHEN A SURETY BOND IN AN AMOUNT EQUAL TO ONE AND ONE-FOURTH TIMES THE AMOUNT OF THE LIEN CLAIMED IS DEPOSITED WITH THE CLERK OF COURT, is read the first time and referred to Judiciary Subcommittee A.

S.B. 437 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE SECRETARY OF HEALTH AND HUMAN SERVICES TO ALLOW CERTAIN CERTIFIED PROVIDERS TO CONDUCT INITIAL (FIRST-LEVEL) EXAMINATIONS FOR INVOLUNTARY COMMITMENT OF INDIVIDUALS WITH MENTAL ILLNESS, IN A MANNER CONSISTENT WITH THE FIRST EVALUATION PILOT PROGRAM, is read the first time and referred to Judiciary Subcommittee A.

S.B. 457, A BILL TO BE ENTITLED AN ACT TO AMEND ARTICLE 13 OF THE NORTH CAROLINA BUSINESS CORPORATION ACT, is read the first time and referred to Judiciary Subcommittee A.

S.B. 466 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE LAW RELATING TO CAREER STATUS FOR PUBLIC SCHOOL TEACHERS, is read the first time and referred to the Committee on Education.

April 21, 2011

CALENDAR

Action is taken on the following:

H.B. 537 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE BOUNDARY BETWEEN THE BROADWAY AND MORAVIAN FALLS FIRE TAX DISTRICTS IN WILKES COUNTY, passes its second reading by the following vote:

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Avila, Barnhart, Bell, Blackwell, Blust, Boles, Bordsen, Bradley, Brawley, Brisson, L. Brown, R. Brown, Brubaker, Bryant, Burr, Carney, Cleveland, Collins, Cook, Cotham, Crawford, Current, Daughtry, Dixon, Dockham, Dollar, Earle, Faircloth, Faison, Farmer-Butterfield, Fisher, Folwell, Frye, Gill, Gillespie, Glazier, Goodman, Guice, Hackney, Hager, Haire, Hall, Hamilton, Harrison, Hastings, Hill, Hilton, Hollo, Holloway, Horn, Howard, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Jordan, Keever, Killian, Langdon, LaRoque, Lewis, Lucas, Luebke, Martin, McComas, McCormick, McElraft, McGee, McGrady, McGuirt, McLawhorn, Michaux, Mills, Mobley, Moffitt, R. Moore, T. Moore, Murry, Owens, Parfitt, Parmon, Pierce, Pridgen, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Wainwright, E. Warren, H. Warren, Weiss, West, Wilkins, Womble, and Wray - 115.

Voting in the negative: None.

Excused absence: Representative Justice.

On motion of Representative T. Moore and without objection, the bill is placed on the Calendar of April 26.

H.B. 204, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE EDGECOMBE COUNTY TOURISM DEVELOPMENT AUTHORITY, passes its second reading and there being no objection is read a third time.

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

H.B. 224, A BILL TO BE ENTITLED AN ACT TO VALIDATE A SPECIAL ASSESSMENT LEVIED BY FOXFIRE VILLAGE, 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.

April 21, 2011

H.B. 266 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW WAKE COUNTY AND THE TOWNS OF APEX, CARY, FUQUAY-VARINA, GARNER, HOLLY SPRINGS, KNIGHTDALE, MORRISVILLE, ROLESVILLE, WAKE FOREST, WENDELL, AND ZEBULON TO ENTER INTO LEASES FOR THE SITING AND OPERATION OF A RENEWABLE ENERGY FACILITY FOR UP TO TWENTY YEARS WITHOUT TREATING IT AS A SALE AND WITHOUT GIVING NOTICE BY PUBLICATION, AND EXEMPTING THOSE LOCAL GOVERNMENTS UNTIL JUNE 30, 2015, FROM COMPETITIVE BIDDING REQUIREMENTS WHEN LETTING CONTRACTS FOR USE AS PART OF LOCAL PILOT PROGRAMS AIMED AT INCREASING ENERGY EFFICIENCY, passes its second reading and there being no objection is read a third time.

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

H.B. 545 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE MOORE COUNTY OCCUPANCY TAX, 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.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Stam and without objection, **H.B. 8** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO PROHIBIT CONDEMNATION OF PRIVATE PROPERTY EXCEPT FOR A PUBLIC USE, AND TO PROVIDE FOR THE PAYMENT OF JUST COMPENSATION WITH RIGHT OF TRIAL BY JURY IN ALL CONDEMNATION CASES, AND TO MAKE SIMILAR STATUTORY CHANGES, is withdrawn from the Calendar of April 25 and placed on the Calendar of April 26.

CALENDAR (continued)

H.B. 217 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE INSPECTION REQUIREMENTS FOR USED VEHICLES SOLD ON A SALVAGE TITLE BY DEALERS, passes its second reading by electronic vote (116-0).

Representative T. Moore objects to the third reading. On his motion, the bill is placed on the Calendar of April 26.

H.B. 385, A BILL TO BE ENTITLED AN ACT MAKING OMNIBUS AMENDMENTS TO THE LABOR LAWS OF NORTH CAROLINA.

April 21, 2011

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

H.B. 637 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS APPLICABLE TO ADOPTIONS, AS RECOMMENDED BY THE NORTH CAROLINA BAR ASSOCIATION, passes its second reading, by electronic vote (115-0), and there being no objection is read a third time.

Representative Dockham requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (116-0).

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

H.B. 660, A BILL TO BE ENTITLED AN ACT ALLOWING A RESPONDENT IN AN ACTION FOR A CIVIL NO CONTACT ORDER TO BE SERVED BY MEANS OTHER THAN SERVICE IN PERSON BY A SHERIFF, passes its second reading, by electronic vote (115-1), and there being no objection is read a third time.

Representative Murry requests and is granted leave of the House to change his vote from "no" to "aye". The adjusted vote total is (116-0).

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

H.B. 857 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF CORRECTION TO REPLACE THE CURRENT ELECTRONIC MONITORING SERVICE AND EQUIPMENT USED TO MONITOR CONVICTED SEX OFFENDERS WITH A NEW SYSTEM THAT PROVIDES EXCLUSION ZONES AROUND ALL OF THE STATE'S K-12 SCHOOL CAMPUSES, 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.

H.B. 803 (Committee Substitute), A BILL TO BE ENTITLED AN ACT ALLOWING A COURT TO ASSESS ATTORNEYS' FEES IN CIVIL NO-CONTACT ORDERS, passes its second reading, by electronic vote (117-0), and there being no objection is read a third time.

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

April 21, 2011

H.B. 385, A BILL TO BE ENTITLED AN ACT MAKING OMNIBUS AMENDMENTS TO THE LABOR LAWS OF NORTH CAROLINA, which was temporarily displaced, is before the Body.

The bill 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.

On motion of the Speaker, the House recesses at 2:03 p.m.

RECESS

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

RE-REFERRAL

On motion of Representative LaRoque, pursuant to Rule 39.2 and without objection, **H.B. 414**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE RUTHERFORD COUNTY OCCUPANCY TAX, is withdrawn from the Committee on Government and re-referred to the Committee on Finance.

WITHDRAWAL OF BILL FROM COMMITTEE

On motion of Representative LaRoque and without objection, **H.B. 422** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO REPORT THE ACCEPTANCE OF ALL FEDERAL RAIL FUNDS AND TO CONSULT WITH THE GENERAL ASSEMBLY PRIOR TO ACCEPTING FUNDS FOR CERTAIN PROJECTS, is withdrawn from the Committee on Commerce and Job Development and pursuant to Rule 36(b), is placed on the Calendar of April 26.

The serial referral to the Committee on Finance is stricken.

Representative LaRoque moves, seconded by Representative T. Moore, that the House adjourn, subject to the receipt of Committee Reports, to reconvene April 25 at 5:15 p.m.

The motion carries.

April 21, 2011

**REPORTS OF STANDING COMMITTEES AND PERMANENT
SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representatives L. Brown and Ingle, Chairs, for the Committee on Government:

H.B. 403, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF WILMINGTON TO APPLY THE CITY'S DEMOLITION BY NEGLECT ORDINANCES TO CONTRIBUTING STRUCTURES LOCATED IN NATIONAL REGISTER HISTORIC DISTRICTS WITHIN THE CITY'S CENTRAL BUSINESS DISTRICT, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

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

H.B. 511, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF GOLDSBORO TO CONVEY BY PRIVATE NEGOTIATION AND SALE ITS RIGHT, TITLE, AND INTEREST IN THE GOLDSBORO-WAYNE MUNICIPAL AIRPORT TO WAYNE COUNTY, DISSOLVING THE GOLDSBORO-WAYNE AIRPORT AUTHORITY, AND CREATING THE WAYNE AIRPORT AUTHORITY, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 26. The original bill is placed on the Unfavorable Calendar.

H.B. 552, A BILL TO BE ENTITLED AN ACT TO CREATE THE GREATER ASHEVILLE REGIONAL AIRPORT AUTHORITY, 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 Lewis, Chair, for the Committee on Elections:

April 21, 2011

H.B. 139, A BILL TO BE ENTITLED AN ACT TO LIMIT CAMPAIGN CONTRIBUTIONS BY INDIVIDUALS WHO DIRECTLY AND SUBSTANTIALLY BENEFIT FROM CONTRACTS WITH THE STATE TO CANDIDATE CAMPAIGN COMMITTEES OF CERTAIN STATE-WIDE CANDIDATES, with a favorable report as to the committee substitute bill, unfavorable as to the original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Judiciary.

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

By Representatives McElraft, Samuelson, and West, Chairs, for the Committee on Environment:

H.B. 116, A BILL TO BE ENTITLED AN ACT REGARDING THE DELINEATION OF PROTECTIVE RIPARIAN BUFFERS FOR COASTAL WETLANDS IN THE NEUSE RIVER AND TAR-PAMLICO RIVER BASINS, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

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

H.B. 819, A BILL TO BE ENTITLED AN ACT TO AMEND LAWS RELATING TO OCEAN SETBACKS TO PROTECT THE PROPERTY RIGHTS OF HOMEOWNERS, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

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

The House stands adjourned at 3:05 p.m.

FIFTY-SECOND DAY

HOUSE OF REPRESENTATIVES
Monday, April 25, 2011

The House meets at 5:15 p.m. pursuant to adjournment and is called to order by Representative Folwell, Speaker Pro Tempore.

April 25, 2011

Prayer is offered by Representative Pat Hurley.

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 April 21 has been examined and found correct. Upon his motion, the Journal is approved as written.

There are no excused absences for today.

MESSAGES FROM THE SENATE

The following are received from the Senate:

H.B. 316 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THE NORTH CAROLINA GENERAL ASSEMBLY SPECIAL POLICE WITH STATEWIDE LAW ENFORCEMENT JURISDICTION, is returned for concurrence in the Senate committee substitute bill.

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

S.B. 141 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ANY PERSON WHO IS A DISTRICT ATTORNEY, AN ASSISTANT DISTRICT ATTORNEY, OR INVESTIGATOR EMPLOYED BY THE OFFICE OF A DISTRICT ATTORNEY AND WHO HAS A CONCEALED HANDGUN PERMIT THAT IS VALID IN NORTH CAROLINA IS EXEMPT FROM THE GENERAL PROHIBITION AGAINST CARRYING A CONCEALED WEAPON AND FROM THE PROHIBITIONS AGAINST CARRYING A WEAPON ON CERTAIN PREMISES OR IN CERTAIN CIRCUMSTANCES, is read the first time and referred to Judiciary Subcommittee B.

S.B. 273 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW WAKE COUNTY AND THE TOWNS OF APEX, CARY, FUQUAY-VARINA, GARNER, HOLLY SPRINGS, KNIGHTDALE, MORRISVILLE, ROLESVILLE, WAKE FOREST, WENDELL, AND ZEBULON TO ENTER INTO LEASES FOR THE SITING AND OPERATION OF A RENEWABLE ENERGY FACILITY FOR UP TO TWENTY YEARS WITHOUT TREATING IT AS A SALE AND WITHOUT GIVING NOTICE BY PUBLICATION, AND EXEMPTING THOSE MUNICIPALITIES UNTIL JUNE 30, 2015, FROM COMPETITIVE BIDDING REQUIREMENTS WHEN LETTING CONTRACTS FOR USE AS

April 25, 2011

PART OF LOCAL PILOT PROGRAMS AIMED AT INCREASING ENERGY EFFICIENCY, is read the first time and referred to the Committee on Public Utilities.

S.B. 397, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A YOUTHFUL OFFENDER'S CRIMINAL RECORD MAY BE EXPUNGED OF NONVIOLENT FELONIES BUT TO ALLOW THE CRIMINAL JUSTICE EDUCATION AND TRAINING STANDARDS COMMISSION AND THE SHERIFFS' EDUCATION AND TRAINING STANDARDS COMMISSION ACCESS TO THE RECORDS OF EXPUNCTION, is read the first time and referred to Judiciary Subcommittee B.

S.B. 434 (Committee Substitute), A BILL TO BE ENTITLED AN ACT GOVERNING THE LIABILITY OF DIRECTED TRUSTEES, is read the first time and referred to Judiciary Subcommittee A.

S.B. 472 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ADDITIONAL CONNECTIONS TO WATER SUPPLY LINES FUNDED BY THE CLEAN WATER AND NATURAL GAS CRITICAL NEEDS BOND ACT OF 1998, is read the first time and referred to the Committee on Environment.

S.B. 474 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT PHARMACIES TO REQUIRE PHOTO IDENTIFICATION PRIOR TO DISPENSING CERTAIN CONTROLLED SUBSTANCES, is read the first time and referred to the Committee on Judiciary.

On motion of Representative Owens, seconded by Representative Wainwright, the House adjourns at 5:22 p.m. to reconvene April 26 at 2:00 p.m.

FIFTY-THIRD DAY

HOUSE OF REPRESENTATIVES
Tuesday, April 26, 2011

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

Prayer is offered by Representative Kelly Hastings.

April 26, 2011

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

A leave of absence is granted Representative K. Alexander for today. Representatives Dockham and Folwell are excused for a portion of the Session.

ENROLLED BILLS

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

H.B. 219, AN ACT TO PROVIDE THAT A PERSON REQUIRED TO REGISTER AS A SEX OFFENDER MUST INDICATE ON THE INITIAL REGISTRATION FORM THE NAME UNDER WHICH THE PERSON WAS CONVICTED FOR THE SEX OFFENSE, TO PROVIDE THAT THE REGISTRANT MUST ALSO NOTIFY THE APPROPRIATE SHERIFF OF ANY NAME CHANGE BY THE REGISTRANT AND INCLUDE NAME CHANGES AS PART OF THE VERIFICATION PROCEDURE, TO DIRECT THE DIVISION OF CRIMINAL STATISTICS TO MAINTAIN THE STATEWIDE REGISTRY SO THAT A MEMBER OF THE PUBLIC MAY CONDUCT SEX OFFENDER SEARCHES USING ANY NAME OR ALIAS OF A REGISTRANT, TO CLARIFY THAT SEX OFFENDERS MAY NOT CHANGE THEIR NAME PURSUANT TO CHAPTER 101 OF THE GENERAL STATUTES, AND TO AMEND THE LAW REGARDING THE VENUE IN WHICH TO FILE A PETITION TO TERMINATE A SEX OFFENDER REGISTRATION REQUIREMENT.

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

S.B. 83, AN ACT TO CHANGE THE DATE THAT MEMBERS OF THE WILSON COUNTY BOARD OF EDUCATION TAKE OFFICE.

CHAPTERED BILLS

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

H.B. 17, AN ACT TO ALLOW THE WAYNE COUNTY BOARD OF EDUCATION TO FILL ITS OWN VACANCIES. (S.L. 2011-49)

H.B. 26, AN ACT TO ALLOW HENDERSON COUNTY TO INCLUDE ALL UNINCORPORATED AREAS IN A FIRE PROTECTION DISTRICT. (S.L. 2011-50)

April 26, 2011

H.B. 140, AN ACT AMENDING THE CHARTER OF THE TOWN OF OAK ISLAND TO PROVIDE A PROCEDURE TO RECALL ELECTED OFFICIALS, SUBJECT TO A REFERENDUM. (S.L. 2011-51)

**REPORTS OF STANDING COMMITTEES AND PERMANENT
SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representatives Howard, Folwell, Setzer, and Starnes, Chairs, for the Committee on Finance:

H.B. 200, A BILL TO BE ENTITLED AN ACT TO MAKE BASE BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill, 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. 137 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE FORGIVABLE EDUCATION LOANS FOR SERVICE PROGRAM AND THE FORGIVABLE EDUCATION LOANS FOR SERVICE FUND AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON STATE FUNDED STUDENT FINANCIAL AID, 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 April 28. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representatives Current, Dollar, and Hollo, Chairs, for the Committee on Health and Human Services:

H.B. 509, A BILL TO BE ENTITLED AN ACT TO EXCLUDE FROM LICENSURE AS A FACILITY CONSUMERS LIVING IN THEIR OWN HOME AND RECEIVING SERVICES, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 28.

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INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representatives Pierce and Hall (Primary Sponsors):

H.B. 870, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE THE SUM OF ONE HUNDRED THOUSAND DOLLARS TO THE STATE HIGHWAY PATROL DIVISION OF THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY TO BE USED FOR THE EDUCATION OF TEENAGERS ABOUT THE RISKS AND PENALTIES OF TEXTING WHILE DRIVING, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Pierce:

H.B. 871, A BILL TO BE ENTITLED AN ACT CREATING A PERMANENT STATEWIDE POVERTY TASK FORCE; ESTABLISHING TWO NEW PERSONNEL POSITIONS IN THE DEPARTMENT OF HEALTH AND HUMAN SERVICES DEDICATED TO POVERTY REDUCTION AND ECONOMIC RECOVERY; AND APPROPRIATING FUNDS FOR THOSE PURPOSES, is referred to the Committee on Rules, Calendar, and Operations of the House.

MESSAGES FROM THE SENATE

The following are received from the Senate:

H.B. 270 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW ESTABLISHING THE REGULAR AND SPECIAL CONDITIONS OF PROBATION AND TO REPEAL THE LAW TOLLING THE PROBATION PERIOD WHILE CRIMINAL CHARGES ARE PENDING THAT MIGHT RESULT IN REVOCATION PROCEEDINGS, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 28.

H.B. 336 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE HAULING OF READY-MIXED CONCRETE IN EXCESS OF WEIGHT LIMITS SO LONG AS CERTAIN CONDITIONS ARE MET, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 28.

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S.B. 449 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE CONSUMER PROTECTION DIVISION, DEPARTMENT OF JUSTICE, TO COORDINATE A TASK FORCE ON FRAUD AGAINST OLDER ADULTS, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING, is read the first time and referred to the Committee on Health and Human Services.

S.B. 451, A BILL TO BE ENTITLED AN ACT TO AMEND THE ACT THAT DIRECTED THE UNIVERSITY OF NORTH CAROLINA INSTITUTE ON AGING, AND THE DIVISION OF AGING AND ADULT SERVICES, DEPARTMENT OF HEALTH AND HUMAN SERVICES, TO PROVIDE LEADERSHIP IN HELPING NORTH CAROLINA PREPARE FOR INCREASED NUMBERS OF OLDER ADULTS, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING, is read the first time and referred to the Committee on Health and Human Services.

S.B. 461 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW AN EXEMPTION FROM VEHICLE WEIGHT LIMITS FOR A PERSON HAULING LIVE POULTRY FROM THE FARM WHERE THE LIVE POULTRY IS RAISED TO ANY PROCESSING FACILITY WITHIN ONE HUNDRED FIFTY MILES OF THAT FARM, is read the first time and referred to the Committee on Transportation.

CALENDAR

Action is taken on the following:

H.B. 537 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE BOUNDARY BETWEEN THE BROADWAY AND MORAVIAN FALLS FIRE TAX DISTRICTS IN WILKES COUNTY, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, M. Alexander, Avila, Barnhart, Bell, Blackwell, Blust, Boles, Bordsen, Bradley, Brandon, Brawley, Brisson, L. Brown, R. Brown, Brubaker, Bryant, Burr, Carney, Cleveland, Collins, Cook, Cotham, Crawford, Current, Dixon, Dockham, Dollar, Earle, Faircloth, Faison, Farmer-Butterfield, Fisher, Floyd, Folwell, Frye, Gill, Gillespie, Glazier, Goodman, Graham, Hackney, Hager, Haire, Hall, Hamilton, Harrison, Hastings, Hill, Hilton, Hollo, Holloway, Howard, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Jordan, Justice, Kever, Killian, Langdon, LaRoque, Lewis, Lucas, Luebke, Martin, McComas, McElraft, McGee, McGrady, McGuirt, McLawhorn, Michaux, Mills, Mobley, Moffitt, R. Moore, T. Moore, Murry, Owens, Parfitt, Parmon, Pierce,

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Pridgen, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Wainwright, E. Warren, H. Warren, Weiss, West, Wilkins, Womble, and Wray - 114.

Voting in the negative: None.

Excused absence: Representative K. Alexander.

H.B. 792 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE GFELLER-WALLER CONCUSSION AWARENESS ACT.

On motion of Representative Folwell and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of May 3.

RE-REFERRALS

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 641**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A CERTIFICATE OF RESTORATION OF RIGHTS THAT WILL ASSIST INDIVIDUALS CONVICTED OF LESS SERIOUS CRIMES IN DEALING WITH COLLATERAL SANCTIONS AND DISQUALIFICATIONS THAT RESULT FROM A CRIMINAL CONVICTION AND A PROCEDURE FOR ISSUING THAT CERTIFICATE, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to Judiciary Subcommittee B.

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 646**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FUNDING TO THE DEPARTMENT OF CORRECTION TO COMPLETE THE CONSTRUCTION OF AN AUTHORIZED PRISON HOSPITAL, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Health and Human Services.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative T. Moore and without objection, **H.B. 645** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ADULT DAY CARE/OVERNIGHT RESPITE PROGRAMS IN CLEVELAND COUNTY, is withdrawn from the Calendar of April 27 and re-referred to the Committee on Health and Human Services.

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NOTICE GIVEN OF DISCHARGE PETITION FOR BILL

Representative Wainwright gives notice, pursuant to Rule 39(a), that he will file a petition with the Principal Clerk's office for the discharge of **H.B. 676**, A BILL TO BE ENTITLED AN ACT AMENDING THE EMPLOYMENT SECURITY LAWS OF NORTH CAROLINA TO IMPLEMENT THE THREE-YEAR LOOK BACK PERIOD FOR FEDERALLY FUNDED EXTENDED UNEMPLOYMENT BENEFITS AS AUTHORIZED BY SECTION 502 OF THE TAX RELIEF, UNEMPLOYMENT INSURANCE REAUTHORIZATION, AND JOB CREATION ACT OF 2010, PUBLIC LAW 111-312, WITH THE AMENDMENTS EXPIRING JANUARY 1, 2012, from the Committee on Commerce and Job Development. The petition, with fiscal note attached, will be on file in the House Principal Clerk's office.

CALENDAR (continued)

H.B. 332, A BILL TO BE ENTITLED AN ACT CLARIFYING THAT A LOCAL GOVERNMENT MAY NOT IMPOSE A MORATORIUM ON DEVELOPMENT APPROVALS FOR THE PURPOSE OF DEVELOPING AND ADOPTING A NEW OR REVISED DEVELOPMENT ORDINANCE.

On motion of Representative Mills and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of April 28.

H.B. 416, A BILL TO BE ENTITLED AN ACT TO ALLOW CAMDEN COUNTY TO EXPAND WATERSHED IMPROVEMENT COMMISSIONS FROM THREE TO FIVE MEMBERS, passes its second reading, and there being no objection is read a third time.

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

H.B. 511 (Committee Substitute), A BILL TO BE ENTITLED AN ACT DISSOLVING THE GOLDSBORO-WAYNE AIRPORT AUTHORITY, passes its second reading, and there being no objection is read a third time.

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

H.B. 8 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO PROHIBIT CONDEMNATION OF PRIVATE PROPERTY EXCEPT FOR A PUBLIC USE, AND TO PROVIDE FOR THE PAYMENT OF JUST COMPENSATION WITH RIGHT OF TRIAL BY JURY IN ALL CONDEMNATION CASES, AND TO MAKE SIMILAR STATUTORY CHANGES, passes its second reading, by the following three-fifths majority vote.

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Those voting in the affirmative are: Representatives M. Alexander, Avila, Barnhart, Blackwell, Blust, Boles, Bradley, Brawley, Brisson, L. Brown, R. Brown, Brubaker, Burr, Carney, Cleveland, Collins, Cook, Cotham, Crawford, Current, Daughtry, Dixon, Dockham, Dollar, Faircloth, Faison, Folwell, Frye, Gillespie, Glazier, Goodman, Graham, Guice, Hager, Hamilton, Hastings, Hill, Hilton, Hollo, Holloway, Horn, Howard, Hurley, Iler, Ingle, Jeffus, Johnson, Jones, Jordan, Justice, Killian, Langdon, LaRoque, Lewis, Lucas, McComas, McCormick, McElraft, McGee, McGrady, McGuirt, McLawhorn, Mills, Moffitt, T. Moore, Murry, Owens, Pridgen, Randleman, Rapp, Rhyne, Sager, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, E. Warren, H. Warren, West, Wilkins, and Wray - 89.

Voting in the negative: Representatives Adams, Bell, Bordsen, Bryant, Earle, Farmer-Butterfield, Fisher, Floyd, Gill, Hackney, Haire, Hall, Harrison, Insko, Jackson, Keever, Luebke, Martin, Michaux, Mobley, R. Moore, Parfitt, Parmon, Pierce, Ross, Wainwright, Weiss, and Womble - 28.

Excused absence: Representative K. Alexander.

Without objection, the bill is placed on the Calendar of April 28.

H.B. 217 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE INSPECTION REQUIREMENTS FOR USED VEHICLES SOLD ON A SALVAGE TITLE BY DEALERS, passes its third reading, by electronic vote (117-0), and is ordered sent to the Senate.

H.B. 160, A BILL TO BE ENTITLED AN ACT TO PROVIDE SPACE ON THE INCOME TAX RETURN FOR INDIVIDUALS TO MAKE DONATIONS FOR EARLY DETECTION OF BREAST AND CERVICAL CANCER AS PROVIDED BY THE BREAST AND CERVICAL CANCER CONTROL PROGRAM.

Representative Womble offers Amendment No. 1 which is adopted by electronic vote (114-3).

The bill, as amended, passes its second reading by electronic vote (115-3).

Representative Wainwright objects to the third reading. Without objection, the bill is placed on the Calendar of April 28.

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

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H.B. 297 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE IT UNLAWFUL FOR ANY BUSINESS TO REQUIRE THAT A LICENSED DRIVER RELINQUISH HIS OR HER DRIVERS LICENSE.

Representative Starnes 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 engrossed and sent to the Senate.

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

H.B. 386 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODERNIZE THE NORTH CAROLINA REAL ESTATE LICENSE LAW, passes its second reading by electronic vote (118-0).

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

H.B. 422 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO REPORT THE ACCEPTANCE OF ALL FEDERAL RAIL FUNDS AND TO CONSULT WITH THE GENERAL ASSEMBLY PRIOR TO ACCEPTING FUNDS FOR CERTAIN PROJECTS.

Pursuant to Rule 24.1A, Representative Moffitt requests that he be excused from voting on this bill because he has a pecuniary interest in its outcome. This request is granted.

Representative Killian offers Amendment No. 1 which is adopted by electronic vote (64-51).

The bill, as amended, passes its second reading by electronic vote (68-49).

Representative Bryant requests and is granted leave of the House to change her vote from "aye" to "no". The adjusted vote total is (67-50).

Representative Rapp objects to the third reading. Without objection, the bill is placed on the Calendar of April 28.

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Representative Stam withdraws his objection to the third reading of **H.B. 386** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODERNIZE THE NORTH CAROLINA REAL ESTATE LICENSE LAW, and the bill is before the Body.

The bill passes its third reading, by electronic vote (115-1), and is ordered sent to the Senate.

Representative Wainwright requests and is granted leave of the House to change his vote from "no" to "aye". The adjusted vote total is (116-0).

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

H.B. 648 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY AND AMEND THE LAWS PERTAINING TO EXCEPTIONS AND BUILDING PERMITS AS RELATED TO GENERAL CONTRACTORS, passes its second reading, by electronic vote (116-0), and there being no objection is read a third time.

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

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

H.B. 706, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE LAW RELATING TO ALIMONY AND POSTSEPARATION SUPPORT, AS RECOMMENDED BY THE NORTH CAROLINA BAR ASSOCIATION, fails to pass its second reading by electronic vote (49-68).

The bill is placed on the Unfavorable Calendar.

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

H.B. 719 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DIVISION OF MOTOR VEHICLES TO EXPUNGE SUSPENSIONS AND REVOCATIONS ENTERED ON A LIMITED PERMITTEE'S OR A PROVISIONAL LICENSEE'S DRIVING RECORD IF THE STUDENT PROVIDES THE REQUIRED DOCUMENTATION TO THE DIVISION THAT THE STUDENT MEETS THE ELIGIBILITY REQUIREMENTS AND IF THE LIMITED PERMITTEE OR PROVISIONAL LICENSEE HAS NEVER HAD A PRIOR EXPUNCTION FROM THE PERMITTEE'S DRIVING RECORD, passes its second reading, by electronic vote (115-0), and there being no objection is read a third time.

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Representative H. Warren requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (116-0).

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

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

H.B. 779 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING ELECTRONIC RECORDING OF CUSTODIAL INTERROGATIONS, passes its second reading by electronic vote (116-0).

Representative Glazier objects to the third reading. Without objection, the bill is placed on the Calendar of April 28.

H.B. 846, A BILL TO BE ENTITLED AN ACT TO EXPAND THE SCOPE OF THE LAW THAT ALLOWS AN AGENCY ACTING AS A CONFIDENTIAL INTERMEDIARY TO OBTAIN A COPY OF A DEATH CERTIFICATE OF A BIOLOGICAL PARENT OR AN ADULT ADOPTEE TO INCLUDE A LINEAL ASCENDANT OF A BIOLOGICAL PARENT WHEN IT IS DETERMINED THE BIOLOGICAL PARENT, ADULT ADOPTEE, OR THE LINEAL ASCENDANT OF THE BIOLOGICAL PARENT IS DECEASED.

Representative LaRoque offers Amendment No. 1 which is adopted by electronic vote (117-0).

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.

S.B. 110 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE PERMITTING AND CONSTRUCTION OF UP TO THREE TERMINAL GROINS AT INLETS UNDER CERTAIN CONDITIONS, passes its second reading, by electronic vote (71-46), 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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RE-REFERRALS

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 772**, A BILL TO BE ENTITLED AN ACT TO COMPLY WITH THE FEDERAL SEX OFFENDER REGISTRATION AND NOTIFICATION ACT, is withdrawn from Judiciary Subcommittee C and re-referred to Judiciary Subcommittee B.

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, the following bills are withdrawn from Judiciary Subcommittee B and re-referred to the Committee on Judiciary:

H.B. 145 (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.

S.B. 187 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE THE USE OF PHOTOGRAPHIC CAMERA SYSTEMS TO REGULATE TRAFFIC UNLAWFUL.

MOTION TO RECONSIDER VOTE

H.B. 706, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE LAW RELATING TO ALIMONY AND POSTSEPARATION SUPPORT, AS RECOMMENDED BY THE NORTH CAROLINA BAR ASSOCIATION.

Having voted with the prevailing side, Representative Blust moves that the vote, by which the bill failed to pass its second reading, be reconsidered. The motion carries by electronic vote (107-8).

April 26, 2011

On motion of Representative T. Moore and without objection, the bill is withdrawn from the Calendar and re-referred to Judiciary Subcommittee C.

SPECIAL MESSAGE FROM THE SENATE

**2011 GENERAL ASSEMBLY
FIRST SESSION**

Senate Chamber
April 26, 2011

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. 33** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REFORM THE LAWS RELATING TO MEDICAL LIABILITY BY PROVIDING LIMITED PROTECTION FROM LIABILITY TO THOSE REQUIRED BY FEDERAL LAW TO PROVIDE EMERGENCY MEDICAL CARE, BY AUTHORIZING THE BIFURCATION OF TRIALS ON ISSUES OF LIABILITY AND DAMAGES IN CERTAIN ACTIONS, BY LIMITING THE AMOUNT OF NONECONOMIC DAMAGES THAT MAY BE AWARDED, BY AUTHORIZING THE PERIODIC PAYMENT OF FUTURE ECONOMIC DAMAGES IN LIEU OF A LUMP-SUM PAYMENT, BY MODIFYING APPEAL BONDS IN MEDICAL MALPRACTICE ACTIONS, BY CLARIFYING THAT COMPLAINTS ALLEGING MEDICAL MALPRACTICE BY HEALTH CARE PROVIDERS MUST ASSERT THAT ALL MEDICAL RECORDS AVAILABLE TO THE PLAINTIFF HAVE BEEN REVIEWED BY AN EXPERT WITNESS, AND BY REQUIRING THAT CERTAIN INFORMATION BE PROVIDED BY EXPERT WITNESSES, and requests conferees. The President *Pro Tempore* appoints:

Senator Brunstetter, Chair
Senator Apodaca
Senator Brown
Senator Rucho
Senator Mansfield

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/ Sarah Clapp
Principal Clerk

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The Speaker appoints Representatives Rhyne, McComas, Stam, Murry, Crawford, Brisson, and McGrady as conferees on the part of the House and the Senate is so notified by Special Message.

On motion of Representative LaRoque, seconded by Representative Justice, the House adjourns, in memory of Ruth Hatcher Hewitt, mother of Representative Justice, subject to the receipt of Committee Reports, to reconvene April 27 at 12:15 p.m.

The motion carries.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Holloway and Langdon, Chairs, for the Committee on Education:

H.B. 197, A BILL TO BE ENTITLED AN ACT TO GIVE CERTAIN LOCAL BOARDS OF EDUCATION ADDITIONAL FLEXIBILITY WITH REGARD TO INSTRUCTIONAL TIME LOST DUE TO INCLEMENT WEATHER, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 28.

H.B. 344, A BILL TO BE ENTITLED AN ACT TO ALLOW AN INDIVIDUAL INCOME TAX CREDIT FOR CHILDREN WITH DISABILITIES WHO REQUIRE SPECIAL EDUCATION AND TO CREATE A FUND FOR SPECIAL EDUCATION AND RELATED SERVICES, 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 Current, Dollar, and Hollo, Chairs, for the Committee on Health and Human Services:

H.B. 474, A BILL TO BE ENTITLED AN ACT TO PROTECT ADULT CARE HOME RESIDENTS BY INCREASING MINIMUM CONTINUING EDUCATION, TRAINING, AND COMPETENCY EVALUATION REQUIREMENTS FOR ADULT CARE HOME MEDICATION AIDES, STRENGTHENING ADULT CARE HOME INFECTION CONTROL

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REQUIREMENTS, AND REQUIRING THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF HEALTH SERVICE REGULATION, TO ANNUALLY INSPECT ADULT CARE HOMES FOR COMPLIANCE WITH SAFE INFECTION CONTROL STANDARDS, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 28. The original bill is placed on the Unfavorable Calendar.

By Representatives Iler and Mills, Chairs, for the Committee on Transportation:

H.B. 561, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE DEPARTMENT OF TRANSPORTATION FROM CONSTRUCTING TRAFFIC MEDIANS ON THAT PORTION OF U.S. HIGHWAY 70 IN LENOIR COUNTY BETWEEN THE INTERSECTIONS OF U.S. HIGHWAY 258 SOUTH AND NC HIGHWAY 58 SOUTH, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 28.

H.B. 598, A BILL TO BE ENTITLED AN ACT TO EXPAND THE NC 54/I-40 CORRIDOR STUDY TO INCLUDE THOSE PORTIONS OF NC HIGHWAY 54 IN WAKE COUNTY PASSING THROUGH CARY AND MORRISVILLE, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 28. The original bill is placed on the Unfavorable Calendar.

The House stands adjourned at 5:38 p.m.

FIFTY-FOURTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, April 27, 2011

The House meets at 12:15 p.m. pursuant to adjournment and is called to order by Representative T. Moore.

April 27, 2011

Prayer is offered by Representative Marvin Lucas.

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

There are no excused absences for today.

CHAPTERED BILLS

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

S.B. 343, AN ACT ESTABLISHING THE COMMUNICATIONS REGULATORY REFORM AND INVESTMENT ACT OF 2011. (S.L. 2011-52)

S.B. 83, AN ACT TO CHANGE THE DATE THAT MEMBERS OF THE WILSON COUNTY BOARD OF EDUCATION TAKE OFFICE. (S.L. 2011-53)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

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

By Representatives Current, Dollar, and Hollo, Chairs, for the Committee on Health and Human Services:

H.B. 808, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF HEALTH SERVICE REGULATION, TO WAIVE ANNUAL INSPECTIONS OF ADULT CARE HOMES THAT ACHIEVE THE HIGHEST RATING, AND TO DEVELOP AN INFORMAL DISPUTE RESOLUTION PROCEDURE THAT ALLOWS ADULT CARE HOMES TO DISPUTE CITED INSPECTION DEFICIENCIES, with a favorable report, as amended.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 28.

By Representatives Holloway and Langdon, Chairs, for the Committee on Education:

April 27, 2011

H.B. 546, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CHARLOTTE-MECKLENBURG SCHOOLS TO DEVELOP AND IMPLEMENT ALTERNATIVE SALARY PLANS FOR INSTRUCTIONAL PERSONNEL AND SCHOOL ADMINISTRATORS, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 28. The original bill is placed on the Unfavorable Calendar.

By Representative Dockham, Chair, for the Committee on Insurance:

H.B. 298, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN THE INSURANCE LAWS TO PRIVATIZE ONLINE AND ADMINISTRATIVE PROCESSES FOR LICENSE APPLICANTS, ENSURE ACCURACY IN CERTIFICATES OF INSURANCE, REQUIRE PRIOR APPROVAL OF SMALL GROUP HEALTH INSURANCE RATES AND ENCOURAGE THE SALE OF CHILD-ONLY HEALTH INSURANCE POLICIES, AMEND THE RISK-BASED CAPITAL LAW TO MAINTAIN NAIC ACCREDITATION, PROVIDE AN EXEMPTION FOR LICENSING OF CLAIMS INPUT EMPLOYEES FOR PORTABLE ELECTRONIC DEVICES, PROHIBIT FEDERAL PREEMPTION OF CROP ADJUSTERS' REGULATION, AND EASE THE REGULATORY BURDEN ON THE ASSOCIATION AGGREGATE SECURITY SYSTEM, 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. 299, A BILL TO BE ENTITLED AN ACT TO CONFORM PROVISIONS OF NORTH CAROLINA SURPLUS LINES INSURANCE LAWS TO THE FEDERAL NONADMITTED AND REINSURANCE REFORM ACT OF 2010 AND TO PREVENT ANY LOSS OF PREMIUM TAX REVENUE TO THE STATE, 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.

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H.B. 578, A BILL TO BE ENTITLED AN ACT TO EXEMPT HEALTH CARE SHARING ORGANIZATIONS FROM THE HEALTH INSURANCE REGULATORY LAWS, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 28. The original bill is placed on the Unfavorable Calendar.

By Representatives Stam and Stevens, Chairs, for Judiciary Subcommittee B, with approval of standing committee Chair for reports to be made directly to the floor of the House:

H.B. 483, A BILL TO BE ENTITLED AN ACT TO EXPAND THE LIST OF FELONIES FOR WHICH A DNA SAMPLE SHALL BE TAKEN UPON ARREST, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 28.

H.B. 629, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE SCREENING AND ASSESSING FOR CHEMICAL DEPENDENCY FOR DEFENDANTS ORDERED TO SUBMIT TO RESIDENTIAL TREATMENT AT THE BLACK MOUNTAIN SUBSTANCE ABUSE TREATMENT CENTER FOR WOMEN AND TO PROVIDE THAT A DEFENDANT MAY BE REQUIRED TO PARTICIPATE IN TREATMENT ORDERED BY THE COURT FOR ITS DURATION REGARDLESS OF THE LENGTH OF THE SUSPENDED SENTENCE IMPOSED, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 28. The original bill is placed on the Unfavorable Calendar.

H.B. 806, A BILL TO BE ENTITLED AN ACT CHANGING THE STATUTE OF LIMITATIONS AND REPOSE FOR CHALLENGING ZONING ORDINANCES AND TO PROHIBIT SPECIFIED ZONING ORDINANCES AFFECTING SINGLE-FAMILY DETACHED RESIDENTIAL USES ON LOTS GREATER THAN TEN ACRES IN AGRICULTURAL ZONING DISTRICTS, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 28. The original bill is placed on the Unfavorable Calendar.

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H.B. 852, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE COURT SHALL NOT DISPOSE OF A CRIMINAL ACTION THAT IS A CLASS B, C, D, OR E FELONY BY ORDERING A PRAYER FOR JUDGMENT CONTINUED THAT EXCEEDS TWELVE MONTHS, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 28. The original bill is placed on the Unfavorable Calendar.

Representative Rhyne moves, seconded by Representative McGee, that the House adjourn, subject to the receipt of Committee Reports, the receipt of Special Messages from the Senate, and the receipt of Conference Reports, to reconvene April 28 at 9:00 a.m.

The motion carries.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following report from standing committee is presented:

By Representatives Iler and Mills, Chairs, for the Committee on Transportation:

H.B. 468, A BILL TO BE ENTITLED AN ACT TO ALLOW AN EXEMPTION FROM VEHICLE WEIGHT LIMITS FOR A PERSON HAULING LIVE POULTRY FROM THE FARM WHERE THE LIVE POULTRY IS RAISED TO ANY PROCESSING FACILITY WITHIN ONE HUNDRED FIFTY MILES OF THAT FARM, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 28. The original bill is placed on the Unfavorable Calendar.

CONFERENCE REPORT

Representative Ingle sends forth the Conference Report on **S.B. 49** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE FINE FOR SPEEDING IN A SCHOOL ZONE. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of April 28.

The House stands adjourned at 6:00 p.m.

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FIFTY-FIFTH DAY

HOUSE OF REPRESENTATIVES
Thursday, April 28, 2011

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

The following prayer is offered by Representative Larry Womble:

"Dear God:

"We adore and appreciate You for this day that You have allowed us to see. It is not by our own strength that we are here, but it is only by Your precious grace and mercy.

"Father, we would also ask that You guide us as we serve to the best of our abilities here in this Chamber. Help us to make the best decisions possible that will help all North Carolinian's live the best and fullest life possible. Father, we thank You in advance for all that You are doing and will continue to do for this great State and the citizens of this great State of North Carolina. Amen."

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

Leaves of absence are granted Representatives K. Alexander, Daughtry, and McComas for today. Representatives Hastings, Holloway, Wainwright, and West are excused for a portion of the Session.

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representatives Bordsen and Martin (Primary Sponsors); and Harrison:

H.B. 872, A BILL TO BE ENTITLED AN ACT TO PROVIDE A TAX CREDIT FOR RESEARCH REGARDING TECHNOLOGIES FOR THE MODERN ELECTRIC GRID, AS THAT TERM IS DEFINED UNDER THE FEDERAL ENERGY POLICY ACT OF 2007, is referred to the Committee on Public Utilities and, if favorable, to the Committee on Finance.

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MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 60, A BILL TO BE ENTITLED AN ACT DESIGNATING THE MONTH OF MAY OF EACH YEAR AS LUPUS AWARENESS MONTH, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 307 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA SMART CARD PILOT PROGRAM TO COMBAT FRAUD, is read the first time and referred to the Committee on Health and Human Services.

S.B. 450 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT A STUDY OF DIRECT CARE WORKER WAGES AND BENEFITS TO EXAMINE WAYS TO REDUCE TURNOVER AND ADDRESS THE ANTICIPATED DIRECT CARE WORKER SHORTAGE RESULTING FROM INCREASED DEMAND FROM AGING BABY BOOMERS, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING, is read the first time and referred to the Committee on Health and Human Services.

WITHDRAWAL OF BILLS FROM CALENDAR

On motion of Representative T. Moore and without objection, **H.B. 471**, A BILL TO BE ENTITLED AN ACT TO EXPAND THE BOARD OF COMMISSIONERS OF BUNCOMBE COUNTY FROM FIVE TO SEVEN MEMBERS AND TO PROVIDE FOR THE ELECTION OF ALL BUT THE CHAIR BY DISTRICTS, is withdrawn from the Calendar and placed on the Calendar of May 2.

On motion of Representative T. Moore and without objection, **H.B. 116** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO LIMIT THE IMPACT OF COASTAL WETLAND RIPARIAN BUFFER REQUIREMENTS ON THE CONSTRUCTION OF SINGLE-FAMILY RESIDENCES ON CERTAIN LOTS PLATTED AND RECORDED PRIOR TO AUGUST 1, 2000, is withdrawn from the Calendar and re-referred to the Committee on Environment.

On motion of Representative T. Moore and without objection, **H.B. 497**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DEFINITION OF A GENERAL CONTRACTOR, is withdrawn from the Calendar and placed on the Calendar of May 5.

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On motion of Representative T. Moore and without objection, **H.B. 423** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE SECRETARY OF HEALTH AND HUMAN SERVICES TO ALLOW CERTAIN CERTIFIED PROVIDERS TO CONDUCT INITIAL (FIRST-LEVEL) EXAMINATIONS FOR INVOLUNTARY COMMITMENT OF INDIVIDUALS WITH MENTAL ILLNESS, IN A MANNER CONSISTENT WITH THE FIRST EVALUATION PILOT PROGRAM, is withdrawn from the Calendar and re-referred to the Committee on Health and Human Services.

On motion of Representative T. Moore and without objection, **H.B. 806** (Committee Substitute), A BILL TO BE ENTITLED AN ACT CHANGING THE STATUTE OF LIMITATIONS AND REPOSE FOR CHALLENGING ZONING ORDINANCES, CLARIFYING THE APPLICABILITY OF THE STATUTE OF LIMITATIONS TO ENFORCEMENT ACTIONS OR ADMINISTRATIVE APPEALS AND TO PROHIBIT SPECIFIED ZONING ORDINANCES AFFECTING SINGLE-FAMILY DETACHED RESIDENTIAL USES ON LOTS GREATER THAN TEN ACRES IN AGRICULTURAL ZONING DISTRICTS, is withdrawn from the Calendar and placed on the Calendar of May 5.

WITHDRAWAL OF BILLS FROM COMMITTEE

On motion of Representative LaRoque and without objection, **H.R. 667**, A HOUSE RESOLUTION HONORING THE LIFE AND MEMORY OF GORDON PHILLIP ALLEN, SR., FORMER MEMBER OF THE GENERAL ASSEMBLY, 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 May 2.

On motion of Representative T. Moore and without objection, **H.R. 317**, A HOUSE RESOLUTION HONORING NORTH CAROLINA FAMILY AND CONSUMER SCIENCES ON THE 100TH ANNIVERSARY OF ITS FOUNDING, 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 May 2.

INTRODUCTION OF PAGES

Pages for the week of April 25 are introduced to the membership. They are: Betsy Agner of Gaston; Zachary Almond of Stanly; Charlotte Barrick of Franklin; Jordan Branch of Alexander; Joshua Branch of Alexander; Ethan Dancy of Alexander; Sarah Doerrler of Wake; Jonathan Hall of Scotland; Nell Herring of Iredell; Jana LaBrose of Caldwell; Danielle Latham of Beaufort; Kirk O'Steen of Wake; Patresia Payton of Cumberland;

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Lindsey Potter of Caldwell; Matthew Randall of Burke; Christopher Rouleau of Wake; Steven Sanders of Burke; Maggie Shadoin of Avery; Carly Smith of Stanly; Garrett Stanley of Chowan; Meleah Starnes of Caldwell; Kermit Thompson of Wayne; and Allison Yount of Gaston.

Serving as Honorary Page for today is Chloe Renfer, daughter of Dodie Renfer, member of the Speaker's staff.

RE-REFERRALS

On motion of Representative T. Moore, a serial referral to the Committee on Finance for **H.B. 619**, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA PHYSICAL THERAPY PRACTICE ACT BY PROVIDING FOR PROFESSIONAL ASSOCIATION BUSINESS ORGANIZATION STATUS FOR PHYSICAL THERAPISTS AND SOME ASSOCIATED PROFESSIONALS, CLARIFYING THE DEFINITION OF PHYSICAL THERAPY AIDE, AUTHORIZING THE NORTH CAROLINA BOARD OF PHYSICAL THERAPY EXAMINERS TO CONDUCT CRIMINAL BACKGROUND CHECKS OF APPLICANTS FOR LICENSURE, AND MAKING OTHER MODERNIZING STATUTORY CHANGES, is added.

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 714**, A BILL TO BE ENTITLED AN ACT TO ALLOW NONPROFIT CORPORATIONS OPERATING AS A PROFESSIONAL AND TRADE ASSOCIATION OR A BUSINESS LEAGUE TO PROVIDE LEGAL SERVICES TO ITS MEMBERS USING ATTORNEYS DULY LICENSED TO PRACTICE LAW IN THIS STATE, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Judiciary.

CONFERENCE REPORT

Representative Ingle moves the adoption of the following Conference Report.

House Committee Substitute for S.B. 49

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 49, A BILL TO BE ENTITLED

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AN ACT TO INCREASE THE FINE FOR SPEEDING IN A SCHOOL ZONE, House Committee Substitute Favorable 3/23/11, submit the following report:

The Senate and House agree to the following amendments and the Senate concurs in House Committee Substitute Favorable 3/23/11, as amended:

On page 1, lines 16 and 28, by striking through the words "not less than" at both locations.

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

Date conferees approved report: April 27, 2011.

*Conferees for the
Senate*

*Conferees for the
House of Representatives*

S/ Austin M. Allran, Chair
S/ William R. Purcell
S/ Bob Rucho

S/ Dan W. Ingle, Chair
S/ John Faircloth
S/ Grier Martin

The Conference Report is adopted, by electronic vote (113-1), and the Senate is so notified by Special Message.

CALENDAR

Action is taken on the following:

H.B. 270 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW ESTABLISHING THE REGULAR AND SPECIAL CONDITIONS OF PROBATION AND TO REPEAL THE LAW TOLLING THE PROBATION PERIOD WHILE CRIMINAL CHARGES ARE PENDING THAT MIGHT RESULT IN REVOCATION PROCEEDINGS.

On motion of Representative Guice, 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.

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

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H.B. 316 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THE NORTH CAROLINA GENERAL ASSEMBLY SPECIAL POLICE WITH STATEWIDE LAW ENFORCEMENT JURISDICTION.

On motion of Representative Hilton, the House concurs in the Senate committee substitute bill, by electronic vote (100-13), and the bill is ordered enrolled and presented to the Governor.

H.B. 336 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE HAULING OF READY-MIXED CONCRETE IN EXCESS OF WEIGHT LIMITS SO LONG AS CERTAIN CONDITIONS ARE MET.

On motion of Representative Lewis, the House concurs in the Senate committee substitute bill, by electronic vote (112-2), 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. 403 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF WILMINGTON TO APPLY THE CITY'S DEMOLITION BY NEGLECT ORDINANCES TO CONTRIBUTING STRUCTURES LOCATED OUTSIDE LOCAL HISTORIC DISTRICTS, passes its second reading and there being no objection is read a third time.

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

H.B. 333, A BILL TO BE ENTITLED AN ACT TO ADOPT STOCK CAR RACING AS THE OFFICIAL SPORT OF NORTH CAROLINA.

On motion of Representative Mills and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of May 5.

H.B. 546 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CHARLOTTE-MECKLENBURG SCHOOLS TO DEVELOP AND IMPLEMENT ALTERNATIVE SALARY PLANS FOR INSTRUCTIONAL PERSONNEL AND SCHOOL ADMINISTRATORS.

Representative Cotham inquires of the Chair if the votes on this local bill will be recorded. The Speaker states that the vote will be recorded by electronic vote.

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The bill passes its second reading, by electronic vote (72-42), 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. 8 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO PROHIBIT CONDEMNATION OF PRIVATE PROPERTY EXCEPT FOR A PUBLIC USE, AND TO PROVIDE FOR THE PAYMENT OF JUST COMPENSATION WITH RIGHT OF TRIAL BY JURY IN ALL CONDEMNATION CASES, AND TO MAKE SIMILAR STATUTORY CHANGES.

Representative Stam offers Amendment No. 1 which is adopted by electronic vote (112-3).

Representative Luebke requests and is granted leave of the House to change his vote from "no" to "aye". The adjusted vote total is (113-2).

The bill, as amended, passes its third reading, by the following three-fifths majority vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Speaker Tillis; Representatives Adams, M. Alexander, Avila, Barnhart, Blackwell, Blust, Boles, Bradley, Brandon, Brawley, Brisson, L. Brown, R. Brown, Brubaker, Bryant, Burr, Carney, Cleveland, Collins, Cook, Cotham, Crawford, Current, Dixon, Dockham, Dollar, Earle, Faircloth, Faison, Floyd, Folwell, Frye, Gill, Gillespie, Glazier, Goodman, Graham, Guice, Hager, Hamilton, Hastings, Hill, Hilton, Hollo, Horn, Howard, Hurley, Iler, Ingle, Jeffus, Johnson, Jones, Jordan, Justice, Killian, Langdon, LaRoque, Lewis, Lucas, McCormick, McElraft, McGee, McGrady, McGuirt, McLawhorn, Michaux, Mills, Moffitt, R. Moore, T. Moore, Murry, Owens, Parmon, Pierce, Pridgen, Randleman, Rapp, Rhyne, Sager, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Wainwright, E. Warren, H. Warren, West, Wilkins, and Wray - 98.

Voting in the negative: Representatives Bell, Bordsen, Farmer-Butterfield, Fisher, Hackney, Haire, Hall, Harrison, Insko, Jackson, Keever, Luebke, Martin, Mobley, Parfitt, Ross, Weiss, and Womble - 18.

Excused absences: Representatives K. Alexander, Daughtry, Holloway, and McComas - 4.

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

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S.B. 281 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CITIES TO ESTABLISH A MUNICIPAL SERVICE DISTRICT FOR THE PURPOSE OF CONVERTING PRIVATE RESIDENTIAL STREETS TO PUBLIC STREETS AND TO AUTHORIZE RELATED COMMUNITY ASSOCIATIONS TO TRANSFER PLANNED COMMUNITY PROPERTY TO CITIES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, M. Alexander, Avila, Barnhart, Bell, Blackwell, Blust, Boles, Bordsen, Bradley, Brandon, Brawley, Brisson, L. Brown, R. Brown, Brubaker, Bryant, Burr, Carney, Cleveland, Cook, Cotham, Crawford, Current, Dixon, Dockham, Dollar, Earle, Faircloth, Faison, Farmer-Butterfield, Fisher, Floyd, Folwell, Frye, Gill, Gillespie, Glazier, Goodman, Graham, Guice, Hackney, Haire, Hall, Hamilton, Harrison, Hill, Hilton, Hollo, Horn, Howard, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Jordan, Justice, Kever, Killian, Langdon, LaRoque, Lewis, Lucas, Luebke, Martin, McCormick, McElraft, McGee, McGrady, McGuirt, McLawhorn, Michaux, Mills, Mobley, Moffitt, R. Moore, T. Moore, Murry, Owens, Parfitt, Parmon, Pierce, Pridgen, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Wainwright, E. Warren, H. Warren, Weiss, West, Wilkins, Womble, and Wray - 112.

Voting in the negative: Representatives Collins, Hager, and Hastings - 3.

Excused absences: Representatives K. Alexander, Daughtry, Holloway, and McComas - 4.

H.B. 160, A BILL TO BE ENTITLED AN ACT TO PROVIDE SPACE ON THE INCOME TAX RETURN FOR INDIVIDUALS TO MAKE DONATIONS FOR EARLY DETECTION OF BREAST AND CERVICAL CANCER AS PROVIDED BY THE BREAST AND CERVICAL CANCER CONTROL PROGRAM.

The bill, as amended, passes its third reading, by electronic vote (112-2), and is ordered engrossed and sent to the Senate.

H.B. 422 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO REPORT THE ACCEPTANCE OF ALL FEDERAL RAIL FUNDS AND TO CONSULT WITH THE GENERAL ASSEMBLY PRIOR TO ACCEPTING FUNDS FOR CERTAIN PROJECTS.

Pursuant to Rule 24.1A(c), the request that Representative Moffitt be excused from voting on April 26, 2011, is continued.

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The bill, as amended, passes its third reading, by electronic vote (66-47), and is ordered engrossed and sent to the Senate.

Representative Adams requests and is granted leave of the House to change her vote from "aye" to "no". The adjusted vote total is (65-48).

H.B. 779 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING ELECTRONIC RECORDING OF CUSTODIAL INTERROGATIONS.

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

The bill, as amended, passes its third reading, by electronic vote (113-2), and is ordered engrossed and sent to the Senate.

Representatives Carney and Wainwright request and are granted leave of the House to change their votes from "no" to "aye". The adjusted vote total is (115-0).

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

H.B. 98 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW ALCOHOLIC BEVERAGE PERMITTEES WHO HAVE BEEN ISSUED BREWERY PERMITS TO SELL MALT BEVERAGES BREWED AT THE BREWERY ON THE PREMISES OF THE BREWERY, passes its second reading by electronic vote (66-48).

Representative R. Moore requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (67-48).

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

H.B. 197, A BILL TO BE ENTITLED AN ACT TO GIVE CERTAIN LOCAL BOARDS OF EDUCATION ADDITIONAL FLEXIBILITY WITH REGARD TO INSTRUCTIONAL TIME LOST DUE TO INCLEMENT WEATHER, passes its second reading, by electronic vote (114-1), and there being no objection is read a third time.

Representative Farmer-Butterfield requests and is granted leave of the House to change her vote from "no" to "aye". The adjusted vote total is (115-0).

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

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

H.B. 306, A BILL TO BE ENTITLED AN ACT TO (1) ALLOW SERVICE BY SIGNATURE CONFIRMATION OR DESIGNATED DELIVERY SERVICE IN SMALL CLAIM ACTIONS ASSIGNED TO MAGISTRATES AND IN ADMINISTRATIVE CASES, (2) CLARIFY THAT THE SIXTY-DAY TIME FRAME FOR SERVING A SUMMONS UNDER RULE 4 OF THE RULES OF CIVIL PROCEDURE APPLIES TO ALL SUMMONSES UNDER RULE 4(J) AND (J1), (3) REQUIRE THAT A COPY OF A MOTION TO TERMINATE PARENTAL RIGHTS THAT IS SERVED ON A PARENT BE SENT TO THAT PARENT'S ATTORNEY OF RECORD, IF ANY, (4) REQUIRE THAT A PARTY'S ATTORNEY OF RECORD, IF ANY, MUST BE SERVED WHEN SERVICE IS MADE UNDER RULE 5(B) OF THE RULES OF CIVIL PROCEDURE, IN ADDITION TO ANY SERVICE ON THE PARTY, AND (5) CLARIFY THAT AN ATTORNEY MAY BE SERVED UNDER RULE 5(B) BY MAIL, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, passes its second reading, by electronic vote (113-0), and there being no objection is read a third time.

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

H.B. 332, A BILL TO BE ENTITLED AN ACT CLARIFYING THAT A LOCAL GOVERNMENT MAY NOT IMPOSE A MORATORIUM ON DEVELOPMENT APPROVALS FOR THE PURPOSE OF DEVELOPING AND ADOPTING A NEW OR REVISED DEVELOPMENT ORDINANCE.

Representative Hamilton offers Amendment No. 1 which is adopted by electronic vote (110-4).

Representative Bryant requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (111-4).

The bill, as amended, passes its second reading, by electronic vote (95-21), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H.B. 468 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW AN EXEMPTION FROM VEHICLE WEIGHT LIMITS FOR A PERSON HAULING LIVE POULTRY FROM THE FARM

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WHERE THE LIVE POULTRY IS RAISED TO ANY PROCESSING FACILITY WITHIN ONE HUNDRED FIFTY MILES OF THAT FARM, passes its second reading, by electronic vote (113-1), and there being no objection is read a third time.

Representative Insko requests and is granted leave of the House to change her vote from "aye" to "no". The adjusted vote total is (112-2).

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

On motion of the Speaker, the House recesses at 11:31 a.m.

RECESS

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

CALENDAR (continued)

H.B. 474 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROTECT ADULT CARE HOME RESIDENTS BY INCREASING MINIMUM CONTINUING EDUCATION, TRAINING, AND COMPETENCY EVALUATION REQUIREMENTS FOR ADULT CARE HOME MEDICATION AIDES, STRENGTHENING ADULT CARE HOME INFECTION CONTROL REQUIREMENTS, AND REQUIRING THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF HEALTH SERVICE REGULATION, TO ANNUALLY INSPECT ADULT CARE HOMES FOR COMPLIANCE WITH SAFE INFECTION CONTROL STANDARDS.

Representative Weiss offers Amendment No. 1 which is adopted by electronic vote (111-0).

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

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H.B. 483, A BILL TO BE ENTITLED AN ACT TO EXPAND THE LIST OF FELONIES FOR WHICH A DNA SAMPLE SHALL BE TAKEN UPON ARREST.

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Representative Glazier inquires of Representative Burr if there is a fiscal note for the bill. Representative Burr states that a fiscal note is being prepared.

On motion of Representative Ingle and without objection, the bill is removed from the Calendar until the fiscal note is attached.

H.B. 509, A BILL TO BE ENTITLED AN ACT TO EXCLUDE FROM LICENSURE AS A FACILITY CONSUMERS LIVING IN THEIR OWN HOME AND RECEIVING SERVICES, passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

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

H.B. 561, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE DEPARTMENT OF TRANSPORTATION FROM CONSTRUCTING TRAFFIC MEDIANS ON THAT PORTION OF U.S. HIGHWAY 70 IN LENOIR COUNTY BETWEEN THE INTERSECTIONS OF U.S. HIGHWAY 258 SOUTH AND NC HIGHWAY 58 SOUTH, 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.

H.B. 578 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXEMPT HEALTH CARE SHARING ORGANIZATIONS FROM THE HEALTH INSURANCE REGULATORY LAWS, passes its second reading, by electronic vote (113-0), and there being no objection is read a third time.

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

H.B. 598 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STUDY THE NC HIGHWAY 54 CORRIDOR IN WAKE COUNTY FROM NC 540 TO NORTHWEST MAYNARD ROAD, passes its second reading, by electronic vote (113-0), and there being no objection is read a third time.

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

H.B. 629 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE SCREENING AND ASSESSING FOR CHEMICAL DEPENDENCY FOR DEFENDANTS ORDERED TO SUBMIT TO RESIDENTIAL TREATMENT AT THE BLACK MOUNTAIN SUBSTANCE

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ABUSE TREATMENT CENTER FOR WOMEN AND TO PROVIDE THAT A DEFENDANT MAY BE REQUIRED TO PARTICIPATE IN TREATMENT ORDERED BY THE COURT FOR ITS DURATION REGARDLESS OF THE LENGTH OF THE SUSPENDED SENTENCE IMPOSED, passes its second reading, by electronic vote (113-0), and there being no objection is read a third time.

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

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

H.B. 736 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REORGANIZE THE GENERAL STATUTES RELATING TO SCHOOL DISCIPLINE; PREVENT LITIGATION BY ADDING DEFINITIONS TO, AND CLARIFYING AMBIGUITIES IN, THE CURRENT LAW; CODIFY EXISTING CASE LAW; AND INCREASE LOCAL CONTROL AND FLEXIBILITY REGARDING DISCIPLINE.

Representative Langdon offers Amendment No. 1 which is adopted by electronic vote (113-0).

Representative Luebke offers Amendment No. 2 which is adopted by electronic vote (107-6).

The bill, as amended, passes its second reading, by electronic vote (110-3), 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.

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

H.B. 769 (Committee Substitute), A BILL TO BE ENTITLED AN ACT DIRECTING LOCAL BOARDS OF EDUCATION TO ADOPT AND IMPLEMENT POLICIES THAT ENCOURAGE HIGH SCHOOL TO WORK PARTNERSHIPS, passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

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

H.B. 808, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF HEALTH SERVICE REGULATION, TO WAIVE ANNUAL INSPECTIONS OF ADULT CARE HOMES THAT ACHIEVE THE HIGHEST RATING,

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AND TO DEVELOP AN INFORMAL DISPUTE RESOLUTION PROCEDURE THAT ALLOWS ADULT CARE HOMES TO DISPUTE CITED INSPECTION DEFICIENCIES.

On motion of Representative Burr, Committee Amendment No. 1 is adopted by electronic vote (112-0). This amendment changes the title.

The bill, as amended, passes its second reading by electronic vote (107-1). The caption having been amended, the bill remains on the Calendar.

MOTION TO SUSPEND RULES

Representative LaRoque moves that Rule 12(h) be suspended. The motion fails.

CALENDAR (continued)

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

H.B. 819 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND LAWS RELATING TO OCEAN SETBACKS TO PROVIDE THAT SINGLE-FAMILY AND DUPLEX RESIDENTIAL DWELLINGS GREATER THAN FIVE THOUSAND SQUARE FEET CONSTRUCTED PRIOR TO AUGUST 11, 2009, SHALL HAVE A MINIMUM SETBACK OF SIXTY FEET OR THIRTY TIMES THE SHORELINE EROSION RATE, WHICHEVER IS GREATER, FOR DEVELOPMENT PERMITS ISSUED TO REPAIR OR RECONSTRUCT SUCH PROPERTIES, IN ORDER TO PROTECT THE PROPERTY RIGHTS OF HOMEOWNERS, passes its second reading, by electronic vote (83-29), and there being no objection is read a third time.

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

MOTION TO SUSPEND RULES

Representative Lewis moves that Rule 12(h) be suspended. A division having been called, the motion fails for lack of a two-thirds majority by electronic vote (63-49).

CALENDAR (continued)

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

April 28, 2011

H.B. 829 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STREAMLINE PUBLIC SCHOOL PLANNING RESPONSIBILITIES, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

Representative Keever requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (111-0).

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

H.B. 852 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE COURT SHALL NOT DISPOSE OF A CRIMINAL ACTION THAT IS A CLASS B1, B2, C, D, OR E FELONY BY ORDERING A PRAYER FOR JUDGMENT CONTINUED THAT EXCEEDS TWELVE MONTHS, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

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

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

S.B. 105 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTY FOR CERTAIN SECOND DEGREE MURDERS TO CLASS B1 FELONIES, passes its second reading, by electronic vote (110-1), and there being no objection is read a third time.

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

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

S.B. 130 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT A WINE WHOLESALER FROM DISTRIBUTING WINE BEYOND ITS DESIGNATED SALES TERRITORY AND TO AUTHORIZE CERTAIN INTRATERRITORY TRANSFERS OF WINE BETWEEN OFF-PREMISES WINE PERMITTEES UNDER COMMON OWNERSHIP, 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.

April 28, 2011

S.B. 137 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE FORGIVABLE EDUCATION LOANS FOR SERVICE PROGRAM AND THE FORGIVABLE EDUCATION LOANS FOR SERVICE FUND AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON STATE FUNDED STUDENT FINANCIAL AID, 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 House Committee Substitute Bill No. 2.

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

S.B. 464, A BILL TO BE ENTITLED AN ACT TO ENACT THE DEBT REDUCTION ACT OF 2011, passes its second reading, by electronic vote (64-48), 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.

NOTICE GIVEN OF INTENT TO FILE RESOLUTION

Representative T. Moore gives notice, pursuant to Rule 58(a), of his intent to file a resolution to amend the permanent Rules of the House.

Representative LaRoque moves, seconded by Representative T. Moore, 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, May 2, 2011 at 7:00 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 Stam and Stevens, Chairs, for Judiciary Subcommittee B, with approval of standing committee Chair for report to be made directly to the floor of the House:

April 28, 2011

H.B. 451, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTIES FOR DRIVING WHILE LICENSE REVOKED BY SETTING MINIMUM FINES FOR THE INITIAL AND SUBSEQUENT CONVICTIONS, BY REQUIRING THE VEHICLE BEING OPERATED BY A DRIVER WHOSE LICENSE OR DRIVING PRIVILEGES ARE REVOKED AFTER TWO PRIOR CONVICTIONS FOR DRIVING WHILE LICENSE REVOKED TO BE SEIZED AND FORFEITED TO THE STATE, AND TO REQUIRE A MINIMUM TERM OF IMPRISONMENT OR IN THE ALTERNATIVE HOUSE ARREST FOR A THIRD OR SUBSEQUENT CONVICTION, 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 Representatives Brubaker, Barnhart, Gillespie, and Johnson, Chairs, for the Committee on Appropriations:

H.B. 200 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE BASE BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES; TO ENACT BUDGET RELATED AMENDMENTS; AND TO REORGANIZE STATE GOVERNMENT, 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.

SPECIAL MESSAGE FROM THE SENATE

2011 GENERAL ASSEMBLY FIRST SESSION 2011

Senate Chamber
April 28, 2011

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. 49** (Conference Report), A BILL TO BE ENTITLED AN ACT TO

April 28, 2011

INCREASE THE FINE FOR SPEEDING IN A SCHOOL ZONE, and when a similar action has been taken on the part of your Honorable Body, the President will order the bill enrolled.

Respectfully,
S/ Sarah Clapp
Principal Clerk

CONFERENCE REPORT

Representative Dockham sends forth the Conference Report on **S.B. 323** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE APPROPRIATIONS AND ADJUSTMENTS FOR THE 2011-2013 FISCAL BIENNIUM TO THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES; AND TO TRANSFER THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES TO THE OFFICE OF STATE TREASURER. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of May 2.

The House stands adjourned at 4:30 p.m.

FIFTY-SIXTH DAY

HOUSE OF REPRESENTATIVES
Monday, May 2, 2011

The House meets at 7:00 p.m. pursuant to adjournment and is called to order by Representative Folwell, Speaker Pro Tempore.

The following prayer is offered by Representative Phil Haire:

"I will lift up my eyes to the hills - from whence cometh my help?

"My help cometh from the LORD, who made heaven and earth.

"Oh, give thanks to the LORD! Call upon His name; make known His deeds among the peoples!

"Sing to Him, sing praises to Him; talk of all His wondrous works!

May 2, 2011

"Glory in His Holy name; let the hearts of those rejoice who seek the LORD!

"Remember His marvelous works which He has done, His wonders, and the judgments of His mouth.

"I will open my mouth in a parable: I will utter dark sayings of old:

"Which we have heard and known, and our fathers have told us.

"We will not hide *them* from their children, showing to the generation to come the praises of the LORD, and His strength, and His wonderful works that He hath done.

"That the generations to come might know *them*, even the children which should be born; who should arise and declare *them* to their children.

"That they may set their hope in God, and not forget the works of God, but keep His commandments:

"He shall judge thy people with righteousness, and thy poor with judgment.

"The mountains shall bring peace to the people, and the little hills, by righteousness.

"He shall judge the poor of the people, He will save the children of the needy, and will break in pieces the oppressor.

"They shall fear thee, as long as the sun and moon endure, throughout all generations.

"In thee, O LORD, do I put my trust: Let me never put to confusion.

"Deliver me in righteousness, and cause me to escape: incline thine ear unto me, and save me.

"Be thou my strong habitation, whereunto I may continually resort: thou hast given commandment to save me, for thou art my rock and fortress.

"Deliver me, O my God, out of the hand of the wicked, out of the hand of the unrighteous and cruel man.

May 2, 2011

"For thou art my hope, Oh LORD GOD: thou art my trust from my strong refuge. For thou art my hope, O LORD GOD: thou art from my youth.

"O God, thou hast taught me from my youth: and heretofore have I declared thy wondrous works.

"Now, also when I am old and grey-headed, O God, forsake me not; until I have shown thy strength unto *this* generation, and Thy power to everyone *that* is to come.

"Hear this, all ye people; give ear, all ye inhabitants of the world:

"Both low and high, rich and poor together.

"My mouth shall speak of wisdom, and the meditation of my heart *shall be* understanding.

"In You, O LORD, I put my trust; let me never be ashamed: deliver me in Your righteousness.

"The law of the LORD is perfect, converting the soul: the testimony of the LORD is sure, making wise the simple.

"The statutes of the LORD are right, rejoicing the heart: the commandment of the LORD is pure, enlightening the eyes.

"Blessed *is* the man that walketh not in the counsel of the ungodly, nor standeth in the way of sinners, nor sitteth in the seat of the scornful.

"But his delight *is* in the law of the LORD, and in His law doth he meditate night and day.

"When I consider thy heavens, the work of thy fingers, the moon and the stars, which thou hast ordained.

"What is man that thou art mindful of him? And the son of man, that thou visitest him?

"For thou has made him a little lower than the angels, and has crowned him with glory and honor.

"Thou madest him to have dominion over the works of Thy hands, thou hast put all things under his feet.

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"O LORD, our LORD, how excellent is thy name in all the earth!

"Let the words of my mouth and the meditation of my heart be acceptable in Your sight, O LORD, my strength and my redeemer.

"I will lift up my eyes to the hills - from whence cometh my help?

"My help *cometh* from the LORD, who made heaven and earth. Amen."

(Excerpts from the following Psalms: Psalm 121, Psalm 105, Psalm 78, Psalm 72, Psalm 71, Psalm 49, Psalm 31, Psalm 19, Psalm 1, Psalm 8, and Psalm 121.)

Representative West makes brief remarks and leads the Body in the Pledge of Allegiance.

Representative T. Moore, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of April 28 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Killian and Womble for today. Representative Avila is excused for a portion of the Session.

ENROLLED BILLS

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

S.B. 49, AN ACT TO INCREASE THE FINE FOR SPEEDING IN A SCHOOL ZONE.

S.B. 464, AN ACT TO ENACT THE DEBT REDUCTION ACT OF 2011.

H.B. 173, AN ACT TO MAKE THE SNEADS FERRY SHRIMP FESTIVAL THE OFFICIAL STATE SHRIMP FESTIVAL.

H.B. 270, AN ACT TO AMEND THE LAW ESTABLISHING THE REGULAR AND SPECIAL CONDITIONS OF PROBATION AND TO REPEAL THE LAW TOLLING THE PROBATION PERIOD WHILE CRIMINAL CHARGES ARE PENDING THAT MIGHT RESULT IN REVOCATION PROCEEDINGS.

H.B. 316, AN ACT TO PROVIDE THE NORTH CAROLINA GENERAL ASSEMBLY SPECIAL POLICE WITH STATEWIDE LAW ENFORCEMENT JURISDICTION.

May 2, 2011

H.B. 336, AN ACT TO ALLOW THE HAULING OF READY-MIXED CONCRETE IN EXCESS OF WEIGHT LIMITS SO LONG AS CERTAIN CONDITIONS ARE MET.

CHAPTERED BILLS

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

S.B. 182, AN ACT TO MAKE EFFECTIVE STATEWIDE A LOCAL ACT PROVIDING THAT A LIST OF THE E-MAIL ADDRESSES OF PERSONS SUBSCRIBING TO LOCAL GOVERNMENT E-MAIL LISTS IS OPEN TO PUBLIC INSPECTION BUT IS NOT REQUIRED TO BE PROVIDED, AND TO PROVIDE THAT THE LOCAL GOVERNMENT MAY USE THAT LIST ONLY FOR THE PURPOSE THAT IT WAS SUBSCRIBED TO. (S.L. 2011-54)

S.B. 75, AN ACT TO PROMOTE THE USE OF ELECTRICITY DEMAND REDUCTION TO SATISFY RENEWABLE ENERGY PORTFOLIO STANDARDS. (S.L. 2011-55)

S.B. 406, AN ACT TO REPEAL THE REQUIREMENT THAT A PERSON OBTAIN A PERMIT TO RECEIVE, SELL, PURCHASE, OR OTHERWISE TRANSFER A CROSSBOW. (S.L. 2011-56)

H.B. 171, AN ACT TO CLARIFY THAT A MUNICIPALITY HAS NO AUTHORITY TO PETITION ITSELF FOR SELF-ANNEXATION OF PROPERTY IT DOES NOT OWN OR HAVE ANY LEGAL INTEREST IN, SUCH AS STATE-MAINTAINED STREETS, AND TO CLARIFY THAT A PETITION FOR VOLUNTARY SATELLITE ANNEXATION MUST BE SIGNED AND, IF NO SIGNATURE IS REQUIRED FOR CERTAIN PROPERTY, THE PROPERTY MAY NOT BE INCLUDED IN THE PETITION OVER THE OWNER'S OBJECTION. (S.L. 2011-57)

H.B. 138, AN ACT TO AMEND THE HEALTH INSURANCE RISK POOL STATUTES. (S.L. 2011-58)

S.B. 275, AN ACT ADOPTING THE HERRING FESTIVAL HELD IN THE TOWN OF JAMESVILLE AS THE OFFICIAL HERRING FESTIVAL OF THE STATE OF NORTH CAROLINA. (S.L. 2011-59)

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H.B. 215, AN ACT TO CREATE CRIMINAL OFFENSES FOR ACTS THAT CAUSE THE DEATH OR INJURY OF AN UNBORN CHILD OR ARE COMMITTED AGAINST A PREGNANT WOMAN, AND TO PROVIDE THAT THE ACT SHALL BE ENTITLED "THE UNBORN VICTIMS OF VIOLENCE ACT/ETHEN'S LAW." (S.L. 2011-60)

SPECIAL MESSAGE FROM THE SENATE

**2011 GENERAL ASSEMBLY
FIRST SESSION 2011**

Senate Chamber
April 28, 2011

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. 110** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE PERMITTING AND CONSTRUCTION OF TERMINAL GROINS AT INLETS UNDER CERTAIN CONDITIONS, and requests conferees. The President *Pro Tempore* appoints:

Senator Brown, Chair
Senator Preston
Senator Goolsby
Senator Rabon
Senator White

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/ Sarah Clapp
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

**2011 GENERAL ASSEMBLY
FIRST SESSION 2011**

Senate Chamber
April 28, 2011

May 2, 2011

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. 323** (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE APPROPRIATIONS AND ADJUSTMENTS FOR THE 2011-2013 FISCAL BIENNIUM TO THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES; AND TO TRANSFER THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES TO THE OFFICE OF STATE TREASURER, and when a similar action has been taken on the part of your Honorable Body, the President will order the bill enrolled.

Respectfully,
S/ Sarah Clapp
Principal Clerk

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representatives Jones, Ingle, Blust, and Faircloth (Primary Sponsors):

H.B. 873, A BILL TO BE ENTITLED AN ACT TO AMEND THE JORDAN LAKE RESERVOIR WATER QUALITY RULES, is referred to the Committee on Environment and, if favorable, to the Committee on Appropriations.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 322 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADOPT STOCK CAR RACING AS THE OFFICIAL SPORT OF NORTH CAROLINA, is read the first time.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 5.

S.B. 404, A BILL TO BE ENTITLED AN ACT TO MODERNIZE PROCUREMENT METHODS USED BY THE SECRETARY OF ADMINISTRATION AND STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, is read the first time and referred to the Committee on Commerce and Job Development.

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S.B. 433 (Committee Substitute), A BILL TO BE ENTITLED AN ACT CONCERNING ADMINISTRATION OF HUMAN SERVICES IN COUNTIES THAT HAVE ELECTED TO CONSOLIDATE THOSE SERVICES DIRECTLY EITHER UNDER THE COUNTY OR UNDER A CONSOLIDATED HUMAN SERVICE BOARD, AND TO MAKE THAT STATUTE STATEWIDE IN APPLICABILITY, is read the first time and referred to the Committee on Health and Human Services.

S.B. 463 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE STATE AGENCIES AND CERTAIN NON-STATE ENTITIES TO DEVELOP, IMPLEMENT, AND MAINTAIN INFORMATION SYSTEMS THAT PROVIDE UNIFORM, PROGRAM-LEVEL ACCOUNTABILITY INFORMATION REGARDING THE PROGRAMS OPERATED BY THOSE AGENCIES, is read the first time and referred to the Committee on Finance.

S.B. 479, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ASSESSMENT OF CAREER AND COLLEGE READINESS WITH NATIONALLY AND INTERNATIONALLY BENCHMARKED TESTS; THE CONTINUATION OF NORTH CAROLINA'S PARTICIPATION IN THE DEVELOPMENT AND IMPLEMENTATION OF TESTS RELATED TO COMMON CORE STATE STANDARDS ADOPTED BY A MAJORITY OF STATES; AND DIAGNOSTIC TOOLS TO ASSIST IN TEACHING AND STUDENT LEARNING, is read the first time and referred to the Committee on Education.

S.B. 487, A BILL TO BE ENTITLED AN ACT AUTHORIZING ATTORNEYS LICENSED IN THIS STATE TO DEPOSIT DISPUTED EARNST MONEY WITH THE CLERK OF SUPERIOR COURT, is read the first time and referred to Judiciary Subcommittee C.

S.B. 493 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CODIFY THE NORTH CAROLINA CENTURY FARMS PROGRAM OF THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES, is read the first time and referred to the Committee on Agriculture.

S.B. 501 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO FACILITATE IMPROVED OPERATIONS AND CONDITIONS AT CERTAIN PREEXISTING SWINE FARMS BY PROVIDING FOR THE CONSTRUCTION OR RENOVATION OF SWINE HOUSES AT THOSE FARMS, is read the first time and referred to the Committee on Agriculture.

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S.B. 514, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A NUTRIENT MANAGEMENT PLAN SHALL NOT BE DEVELOPED, ADOPTED, OR IMPLEMENTED FOR SURFACE WATERS OF THE STATE UNLESS THOSE WATERS HAVE FIRST BEEN CLASSIFIED AS NUTRIENT SENSITIVE WATERS, is read the first time and referred to the Committee on Environment.

CALENDAR

Action is taken on the following:

H.R. 317, A HOUSE RESOLUTION HONORING NORTH CAROLINA FAMILY AND CONSUMER SCIENCES ON THE 100TH ANNIVERSARY OF ITS FOUNDING.

The resolution is adopted, by electronic vote (114-0), and ordered printed.

H.R. 667, A HOUSE RESOLUTION HONORING THE LIFE AND MEMORY OF GORDON PHILLIP ALLEN, SR., FORMER MEMBER OF THE GENERAL ASSEMBLY.

The resolution is adopted, by electronic vote (117-0), and ordered printed.

Representative Avila requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (118-0).

S.B. 323 (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE APPROPRIATIONS AND ADJUSTMENTS FOR THE 2011-2013 FISCAL BIENNIUM TO THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES; AND TO TRANSFER THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES TO THE OFFICE OF STATE TREASURER.

On motion of Representative Dockham and without objection, the conference report is temporarily displaced.

H.B. 471, A BILL TO BE ENTITLED AN ACT TO EXPAND THE BOARD OF COMMISSIONERS OF BUNCOMBE COUNTY FROM FIVE TO SEVEN MEMBERS AND TO PROVIDE FOR THE ELECTION OF ALL BUT THE CHAIR BY DISTRICTS.

Representative Keever offers Amendment No. 1 which fails of adoption by electronic vote (52-65).

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Representative Keever offers Amendment No. 2 which fails of adoption by electronic vote (48-69).

Representative Ross requests and is granted leave of the House to change her vote from "no" to "aye". The adjusted vote total is (49-68).

The bill passes its second reading, by electronic vote (69-48), and there being no objection is read a third time.

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

S.B. 281 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CITIES TO ESTABLISH A MUNICIPAL SERVICE DISTRICT FOR THE PURPOSE OF CONVERTING PRIVATE RESIDENTIAL STREETS TO PUBLIC STREETS AND TO AUTHORIZE RELATED COMMUNITY ASSOCIATIONS TO TRANSFER PLANNED COMMUNITY PROPERTY TO CITIES, 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, Avila, Barnhart, Bell, Blust, Boles, Bordsen, Bradley, Brandon, Brawley, L. Brown, R. Brown, Brubaker, Bryant, Burr, Carney, Cleveland, Cook, Cotham, Crawford, Current, Daughtry, Dixon, Dockham, Dollar, Earle, Faircloth, Faison, Farmer-Butterfield, Fisher, Floyd, Folwell, Frye, Gill, Gillespie, Glazier, Goodman, Graham, Guice, Hackney, Haire, Hall, Hamilton, Harrison, Hastings, Hill, Hilton, Hollo, Holloway, Howard, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Jordan, Justice, Keever, Langdon, LaRoque, Lewis, Lucas, Luebke, Martin, McComas, McCormick, McElraft, McGee, McGrady, McGuiert, McLawhorn, Michaux, Mills, Mobley, Moffitt, R. Moore, T. Moore, Murry, Owens, Parfitt, Parmon, Pierce, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Wainwright, E. Warren, H. Warren, Weiss, West, Wilkins, and Wray - 111.

Voting in the negative: Representatives Brisson, Collins, Hager, and Horn - 4.

Excused absences: Representatives Killian and Womble - 2.

Representatives Hastings and McCormick request and are granted leave of the House to change their votes from "aye" to "no". Representative Blackwell requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (110-6).

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H.B. 98 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW ALCOHOLIC BEVERAGE PERMITTEES WHO HAVE BEEN ISSUED BREWERY PERMITS TO SELL MALT BEVERAGES BREWED AT THE BREWERY ON THE PREMISES OF THE BREWERY, passes its third reading, by electronic vote (70-46), and is ordered sent to the Senate.

Representative Hastings requests and is granted leave of the House to change his vote from "no" to "aye". Representative Samuelson requests and is granted leave of the House to change her vote from "aye" to "no". The adjusted vote total is (70-46).

H.B. 808, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF HEALTH SERVICE REGULATION, TO WAIVE ANNUAL INSPECTIONS OF ADULT CARE HOMES THAT ACHIEVE THE HIGHEST RATING, AND TO DEVELOP AN INFORMAL DISPUTE RESOLUTION PROCEDURE THAT ALLOWS ADULT CARE HOMES TO DISPUTE CITED INSPECTION DEFICIENCIES.

The bill, as amended, passes its third reading, by electronic vote (115-2), and is ordered engrossed and sent to the Senate.

FISCAL NOTE ATTACHED

The fiscal note requested by Representative Ingle on April 28, was attached to **H.B. 483**, A BILL TO BE ENTITLED AN ACT TO EXPAND THE LIST OF FELONIES FOR WHICH A DNA SAMPLE SHALL BE TAKEN UPON ARREST, on April 29, and the bill appears on today's Calendar.

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

Representative T. Moore moves, seconded by Representative Burr, that the motion to re-refer the bill do lie upon the table. The motion carries by electronic vote (65-51).

On motion of the Chair, the bill is temporarily displaced.

INTRODUCTION OF PAGES

Pages for the week of May 2 are introduced to the membership. They are: Khari Bailey of Wake; Brandon Edds of Rowan; Dara Fazelnia of Union; Roya Fazelnia of Union; Callie Heisler of Mecklenburg; Tate Heisler

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of Mecklenburg; Rebekah Mackin of Wake; Alexis McDonald of Wake; William Mobley of Wayne; Austin Teague of Lenoir; Alexander Umstead of Forsyth; Benjamin Voss of Wake; and Joseph Vuke of Wake.

CALENDAR (continued)

H.B. 483, A BILL TO BE ENTITLED AN ACT TO EXPAND THE LIST OF FELONIES FOR WHICH A DNA SAMPLE SHALL BE TAKEN UPON ARREST, which was temporarily displaced, is before the Body.

The bill passes its second reading by electronic vote (73-44).

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

BILL PLACED ON CALENDAR

Representative T. Moore is recognized and states that he has placed **H.R. 875**, A HOUSE RESOLUTION TO AMEND THE PERMANENT RULES OF THE HOUSE OF REPRESENTATIVES TO EXTEND THE CROSSOVER DEADLINE AND LIFT THE DEADLINE ON FILING OF RESOLUTIONS, with the Clerk for consideration by the Body.

Upon his motion and without objection, Rule 31(a) is suspended and the resolution is read the first time.

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

The resolution is adopted, by electronic vote (113-3), and ordered printed.

WITHDRAWAL OF BILLS FROM COMMITTEE

On motion of Representative T. Moore and without objection, **H.B. 311**, A BILL TO BE ENTITLED AN ACT REQUIRING THAT MOTOR CARRIERS OF HOUSEHOLD GOODS MARK OR IDENTIFY THEIR VEHICLES AND MAKING IT UNLAWFUL FOR A PERSON NOT CERTIFIED BY THE UTILITIES COMMISSION AS A MOTOR CARRIER OF HOUSEHOLD GOODS TO ADVERTISE OR OTHERWISE REPRESENT THAT THE PERSON IS AUTHORIZED TO ENGAGE IN THE TRANSPORTATION OF HOUSEHOLD GOODS FOR COMPENSATION IN THIS STATE, is withdrawn from the Committee on Finance and pursuant to Rule 36(b), is placed on the Calendar.

May 2, 2011

On motion of Representative T. Moore and without objection, **H.B. 397** (Committee Substitute), A BILL TO BE ENTITLED AN ACT REVISING PENALTIES AND REMEDIES CONCERNING HEALTH FACILITIES, is withdrawn from the Committee on Finance and pursuant to Rule 36(b), is placed on the Calendar.

RE-REFERRALS

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 698**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT DENTIST AGREEMENTS WITH MANAGEMENT COMPANIES DO NOT SHIFT CONTROL OF CLINICAL PATIENT SERVICES AWAY FROM LICENSED DENTISTS, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Health and Human Services and, if favorable, to the Committee on Finance.

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 591**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A LIMITED DRIVING PRIVILEGE WITH AN IGNITION INTERLOCK REQUIREMENT FOR FIRST-TIME DWI OFFENDERS WITH A REFUSAL REVOCATION, TO AUTHORIZE A LIMITED DRIVING PRIVILEGE FOR CERTAIN EIGHTEEN-, NINETEEN-, AND TWENTY-YEAR OLDS, AND TO PROVIDE AN EXCLUSION FROM THE IGNITION INTERLOCK REQUIREMENT AFTER TWO YEARS OF NONOPERATION, is withdrawn from the Committee on Transportation and re-referred to Judiciary Subcommittee B.

CONFEREES APPOINTED

The Speaker appoints the following conferees on **S.B. 110** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE PERMITTING AND CONSTRUCTION OF UP TO THREE TERMINAL GROINS AT INLETS UNDER CERTAIN CONDITIONS: Representatives McElraft, Chair; Representatives Justice, Samuelson, Iler, and Wainwright.

The Senate is so notified by Special Message.

On motion of Representative LaRoque, seconded by Representative Stam, the House adjourns at 9:12 p.m., in honor of those who defend our Nation, and in memory of former Representative Gordon Allen, Sr., and Carl Chip Stam, brother of Representative Stam, to reconvene May 3 at 9:00 a.m.

May 2, 2011

FIFTY-SEVENTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, May 3, 2011

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

The following prayer is offered by Representative William A. Current, Sr.:

"Almighty God:

"We bow our heads before You, recognizing Your glory and wonder, and the blessing of prayer You bestow upon us. We come to You mindful of the devastation and suffering experienced recently by so many. While storms have resulted in the loss of life, property, and the sense of security, we know You are the Shelter in the storm. Hold Your people in the palm of Your hand and let them know Your profound love.

"Heavenly Father, throughout time You have been a God of love and also a God of justice. Thank You for all those who have dedicated themselves to bringing justice to the world's leading terrorist. Let us not forget the lives, the innocence, and the individual liberties we lost nearly ten years ago. We pray this victory provides some comfort to our Nation and to the loved ones of 9/11.

"Great God, Your divine wisdom goes beyond all understanding. Humbly, we seek to set a path for this great State and meet the political challenges of this our day. You set an example for our discourse through Your Son. While it is right to be passionate in our calls to serve, let us remember this commandment to 'love one another.' Lord, lead us now as we occupy these seats of honor and service. Grant us humility in order to learn, discernment in order to decide, and hope to build a better tomorrow. Forgive us where we fall short and let all that is good be to Your glory.

"In His name we pray. Amen."

Representative T. Moore, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 2 has been examined and found correct. Upon his motion, the Journal is approved as written.

May 3, 2011

A leave of absence is granted Representative Killian for today. Representatives Avila, Cook, Folwell, Glazier, Lewis, and McGrady are excused for a portion of the Session.

ENROLLED BILLS

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

S.B. 281, AN ACT TO AUTHORIZE CITIES TO ESTABLISH A MUNICIPAL SERVICE DISTRICT FOR THE PURPOSE OF CONVERTING PRIVATE RESIDENTIAL STREETS TO PUBLIC STREETS AND TO AUTHORIZE RELATED COMMUNITY ASSOCIATIONS TO TRANSFER PLANNED COMMUNITY PROPERTY TO CITIES.

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representatives Luebke, Fisher, Harrison, and Womble (Primary Sponsors); Bell, Bryant, Cotham, Gill, Insko, Keever, Lucas, Martin, R. Moore, and Parfitt:

H.B. 874, A BILL TO BE ENTITLED AN ACT TO CREATE NC SAVES ENERGY AS AN INDEPENDENTLY ADMINISTERED STATEWIDE ENERGY, ELECTRICITY, AND GAS EFFICIENCY PROGRAM IN ORDER TO PROTECT RESIDENTIAL CUSTOMERS FROM RAPIDLY RISING ENERGY COSTS, TO CREATE JOBS, TO IMPROVE THE OLDER HOUSING STOCK, AND TO REDUCE ENERGY DEMAND THROUGH ENERGY EFFICIENCY AND ENERGY CONSERVATION, is referred to the Committee on Public Utilities and, if favorable, to the Committee on Finance.

By Representatives M. Alexander, Bell, Insko, and Lucas:

H.B. 876, A BILL TO BE ENTITLED AN ACT TO INCREASE FEES UNDER THE PSYCHOLOGY PRACTICE ACT, is referred to the Committee on Health and Human Services and, if favorable, to the Committee on Finance.

By Representatives Stevens, Blust, Folwell, and Cleveland (Primary Sponsors); R. Brown, Collins, Current, Hilton, Hurley, Jones, Jordan, LaRoque, McElraft, McGee, Mills, Randleman, and Stone:

May 3, 2011

H.B. 877, A BILL TO BE ENTITLED AN ACT TO PROVIDE SPACE ON THE INCOME TAX RETURN FOR INDIVIDUALS TO MAKE DONATIONS TO THE STATE OF NORTH CAROLINA FOR GOVERNMENTAL SERVICES, is referred to the Committee on Government.

MESSAGES FROM THE SENATE

The following are received from the Senate:

H.B. 310 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO GIVE A VETO OF KINSTON CITY COUNCIL ACTIONS TO THE MAYOR, CONTINGENT ON THE APPROVAL OF THIS ACT BY THE VOTERS OF THE CITY OF KINSTON, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of May 5.

S.B. 401, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DIVISION OF MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES, DEPARTMENT OF HEALTH AND HUMAN SERVICES, TO COORDINATE A PILOT PROGRAM TO EVALUATE THE EFFECTIVENESS OF CRISIS INTERVENTION TRAINING IN A LIMITED NUMBER OF ADULT CARE HOMES, BASED ON RECOMMENDATION 5.2 FROM THE NORTH CAROLINA INSTITUTE OF MEDICINE TASK FORCE ON THE CO-LOCATION OF DIFFERENT POPULATIONS IN ADULT CARE HOMES AND AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING, is read the first time and referred to the Committee on Health and Human Services.

S.B. 421, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DIVISION OF MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES, DEPARTMENT OF HEALTH AND HUMAN SERVICES, TO ESTABLISH A PILOT TRAINING PROGRAM USING GERIATRIC/ADULT MENTAL HEALTH SPECIALTY TEAMS TO CONDUCT TRAINING IN ADULT CARE HOMES ON PREVENTING THE ESCALATION OF BEHAVIORS LEADING TO CRISIS, BASED ON RECOMMENDATION 5.1 FROM THE NORTH CAROLINA INSTITUTE OF MEDICINE TASK FORCE ON THE CO-LOCATION OF DIFFERENT POPULATIONS IN ADULT CARE HOMES AND AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING, is read the first time and referred to the Committee on Health and Human Services.

May 3, 2011

S.B. 530, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE INVOLUNTARY ANNEXATION OF FARMS, is read the first time and referred to the Committee on Government and, if favorable, to the Committee on Finance.

S.B. 608, A BILL TO BE ENTITLED AN ACT TO EXEMPT HEALTH CARE SHARING ORGANIZATIONS FROM THE HEALTH INSURANCE REGULATORY LAWS, is read the first time and referred to the Committee on Insurance.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following report from standing committee is presented:

By Representatives LaRoque and T. Moore, Chairs, for the Committee on Rules, Calendar, and Operations of the House:

H.B. 845, A BILL TO BE ENTITLED AN ACT TO REFORM THE INVOLUNTARY ANNEXATION LAWS OF NORTH CAROLINA, 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.

CALENDAR

Action is taken on the following:

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

H.B. 200 (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 ENACT BUDGET RELATED AMENDMENTS; AND TO REORGANIZE STATE GOVERNMENT.

Representative Brubaker offers Amendment No. 1 which is adopted by electronic vote (111-2).

Representative Barnhart offers Amendment No. 2 which is adopted by electronic vote (114-0).

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Representative Burr offers Amendment No. 3 which is adopted by electronic vote (114-0).

Representative Owens offers Amendment No. 4 which is adopted by electronic vote (115-1).

Representative Daughtry offers Amendment No. 5 which is adopted by electronic vote (61-56).

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

On motion of the Speaker, the House recesses at 11:58 a.m.

RECESS

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

CALENDAR (continued)

H.B. 792 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE GFELLER-WALLER CONCUSSION AWARENESS ACT, passes its second reading, by electronic vote (113-0), and there being no objection is read a third time.

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

H.B. 200 (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 ENACT BUDGET RELATED AMENDMENTS; AND TO REORGANIZE STATE GOVERNMENT, which was temporarily displaced, is before the Body.

Representative Hilton offers Amendment No. 6.

On motion of Representative Hilton, Amendment No. 6 is temporarily displaced.

Representative T. Moore offers Amendment No. 7 which is adopted by electronic vote (111-3).

May 3, 2011

Representative Floyd offers Amendment No. 8.

On motion of the Speaker, Amendment No. 8 is temporarily displaced.

Representative Jackson offers Amendment No. 9 which fails of adoption by electronic vote (52-61).

Representative Dollar offers Amendment No. 10 which is adopted by electronic vote (114-0).

Amendment No. 8, which was temporarily displaced, is before the Body.

Representative Floyd withdraws Amendment No. 8.

Representative Stam offers Amendment No. 11 which is adopted by electronic vote (113-1).

Representative Stam offers Amendment No. 12 which is adopted by electronic vote (114-1).

Representative Bryant requests and is granted leave of the House to change her vote from "no" to "aye". The adjusted vote total is (115-0).

Representative Fisher offers Amendment No. 13 which fails of adoption by electronic vote (52-65).

Representative Adams offers Amendment No. 14 which is adopted by electronic vote (106-9).

Representative Graham requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (107-9).

Representative M. Alexander offers Amendment No. 15.

On motion of Representative M. Alexander, Amendment No. 15 is temporarily displaced.

Representative Parfitt offers Amendment No. 16.

On motion of Representative Parfitt, Amendment No. 16 is temporarily displaced.

Representative Fisher offers Amendment No. 17.

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On motion of Representative Fisher, Amendment No. 17 is temporarily displaced.

Representative Parmon offers Amendment No. 18 which fails of adoption by electronic vote (53-64).

Representative Ross offers Amendment No. 19 which fails of adoption by electronic vote (47-70).

Amendment No. 17, which was temporarily displaced, is before the Body.

Amendment No. 17 fails of adoption by electronic vote (49-67).

Representative Glazier offers Amendment No. 20 which fails of adoption by electronic vote (51-66).

Amendment No. 16, which was temporarily displaced, is before the Body.

Representative Parfitt withdraws Amendment No. 16.

Representative Parfitt offers Amendment No. 21 which fails of adoption by electronic vote (53-65).

Representative Spear offers Amendment No. 22 which is adopted by electronic vote (116-1).

Representative Howard offers Amendment No. 23 which is adopted by electronic vote (112-0).

Representative McLawhorn offers Amendment No. 24 which is adopted by electronic vote (64-53).

Representative McLawhorn offers Amendment No. 25 which fails of adoption by electronic vote (56-60).

Representative Ingle offers Amendment No. 26 which is adopted by electronic vote (111-0).

Representatives Farmer-Butterfield and Hastings request and are granted leave of the House to be recorded as voting "aye". The adjusted vote total is (113-0).

Representative Insko offers Amendment No. 27 which fails of adoption by electronic vote (52-64).

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Representative Hurley offers Amendment No. 28 which is adopted by electronic vote (106-6).

Representative Womble requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (107-6).

Representative Rapp offers Amendment No. 29 which fails of adoption by electronic vote (49-68).

Representative T. Moore requests and is granted leave of the House to change his vote from "aye" to "no". The adjusted vote total is (48-69).

On motion of the Speaker, the House recesses at 4:43 p.m.

RECESS

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

CALENDAR (continued)

H.B. 200 (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 ENACT BUDGET RELATED AMENDMENTS; AND TO REORGANIZE STATE GOVERNMENT, which was temporarily displaced, is before the Body.

Representative Gillespie offers Amendment No. 30.

Pursuant to Rule 24.1A, Representative Martin requests that he be excused from voting on Amendment No. 30 because his wife is employed by the Museum of Natural Sciences and her position would be affected. This request is granted.

Amendment No. 30 is adopted by electronic vote (102-2).

Representatives Jeffus and Starnes request and are granted leave of the House to change their votes from "no" to "aye". The adjusted vote total is (104-0).

Representative Harrison offers Amendment No. 31 which fails of adoption by electronic vote (43-70).

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Representative Goodman requests and is granted leave of the House to change his vote from "aye" to "no". The adjusted vote total is (42-71).

Representative Parfitt offers Amendment No. 32 which is adopted by electronic vote (110-6).

Representative Mobley requests and is granted leave of the House to change her vote from "no" to "aye". The adjusted vote total is (111-5).

Representative T. Moore offers Amendment No. 33.

Pursuant to Rule 24.1A, Representatives Glazier and Luebke request that they be excused from voting on Amendment No. 33 due to a conflict of interest. These requests are granted.

Amendment No. 33 is adopted by electronic vote (100-11).

Representative Blackwell offers Amendment No. 34 which is adopted by electronic vote (116-0).

Representative Cleveland offers Amendment No. 35.

On motion of Representative Cleveland, Amendment No. 35 is temporarily displaced.

Representative Graham offers Amendment No. 36 which fails of adoption by electronic vote (50-65).

Amendment No. 35, which was temporarily displaced, is before the Body.

Amendment No. 35 is adopted by electronic vote (112-6).

Representative Insko offers Amendment No. 37.

On motion of the Speaker, Amendment No. 37 is temporarily displaced.

Representative Starnes offers Amendment No. 38 which is adopted by electronic vote (115-1).

Representative Glazier offers Amendment No. 39.

On motion of the Speaker, Amendment No. 39 is temporarily displaced.

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Representative Earle offers Amendment No. 40 which is adopted by electronic vote (117-0).

Representative Floyd offers Amendment No. 41 which is adopted by electronic vote (104-14).

Amendment No. 15, which was temporarily displaced, is before the Body.

Representative M. Alexander withdraws Amendment No. 15.

Representative M. Alexander offers Amendment No. 42 which is adopted by electronic vote (114-2).

Representative Haire requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (115-2).

Amendment No. 37, which was temporarily displaced, is before the Body.

Representative Insko withdraws Amendment No. 37.

Representative Insko offers Amendment No. 43 which fails of adoption by electronic vote (46-71).

Amendment No. 6, which was temporarily displaced, is before the Body.

Representative Hilton withdraws Amendment No. 6.

Amendment No. 39, which was temporarily displaced, is before the Body.

Amendment No. 39 is adopted by electronic vote (114-0).

Representative T. Moore offers Amendment No. 44 which is adopted by electronic vote (86-31).

Representative Floyd requests and is granted leave of the House to change his vote from "aye" to "no". Representatives Adams, Bryant and Wainwright request and are granted leave of the House to change their votes from "no" to "aye". The adjusted vote total is (88-29).

Representative Starnes offers Amendment No. 45.

Representative Hackney raises a point of order, and asks if the amendment is out of order. He states that, pursuant to Rule 36.4, only matters pertaining to the budget are in order. The Speaker rules that the amendment is in order.

May 3, 2011

Representative Hackney inquires of the Chair if the amendment was submitted by the deadline. The Speaker states that it was.

Representative Starnes withdraws Amendment No. 45.

The bill is temporarily displaced.

On motion of Representative Barnhart and without objection, the following comments by Representative Glazier and Representative Weiss regarding Yom Hashoah, Holocaust Remembrance Day, are spread upon the Journal.

REMARKS BY REPRESENTATIVE GLAZIER

"It has been over 70 years since the Holocaust. To survivors, the Holocaust remains ever-present and never-ending. For the rest of us, seven decades makes the Holocaust seem like ancient history.

"Jewish history is long and filled with many stories of slavery and freedom, sorrow and joy, persecution and redemption and the Hebrew calendar is filled with varied holidays that incorporate and reiterate the history and tradition of the Jewish people. Consequently, after the horrors of the Holocaust, a day to memorialize this tragedy was established.

"But what is it we are supposed to remember about the Holocaust? How did it happen? How *could* it happen? Could it happen again? While the atrocities of the Holocaust remind us of the worst in humankind, there is even more to remember.

"In the midst of the horrific acts of misguided evil, in the midst of the merciless attempts to erase an entire race of people, and in the midst of the obliteration of reason, a kernel of hope emerged from a 13-year old girl hiding in the attic of a house, writing her thoughts in her daily journal.

"Anne Frank wrote, 'It's really a wonder that I haven't dropped all my ideals, because they seem so absurd and impossible to carry out. Yet I keep them, because in spite of everything that has happened I still believe that people are really good at heart.'

"Today, I ask you to join me in the observance of Holocaust Remembrance Day. It is a day to remember our limitations and our weaknesses. And, in spite of what we see around us in too many places in the world, it is a day to remember our humanity."

May 3, 2011

REMARKS BY REPRESENTATIVE WEISS

"Thank you, Mr. Speaker and Members:

"In honor of Holocaust Remembrance Day, I would like to share some quotes from Nobel Peace Prize winner, Elie Wiesel. Elie Wiesel was born in 1928, in the town of Sighet, Transylvania, which is now part of Romania. At the age of 15, he and his family were rounded up and they were sent to Auschwitz. He and his father were sent to be slave laborers, his mother and younger sister were taken upon arrival immediately to the gas chamber. He managed to remain with his father for the next year as they were worked almost to death; starved, beaten and shuttled from camp to camp on foot or in open cattle cars in driving snow, without food, without proper shoes or clothing. In the last months of the war, Wiesel's father succumbed to dysentery, starvation, exhaustion, and exposure. After the war, as a teenager, Wiesel found asylum in France where he learned for the first time that his two older sisters had survived the war.

"He mastered the French language, but for 10 years he observed a self-imposed vow of silence and wrote nothing about his war-time experience. In 1955, he wrote the book La Nuit, (Night), which was an autobiographical account of his experience during the Holocaust. In 1985 he was awarded the Congressional Medal of Freedom and in 1986 the Nobel Prize for Peace. I have a few of his quotes here:

"'Because I remember, I despair.
Because I remember, I have the duty to reject despair.'

"He also wrote: 'I decided to devote my life to telling the story because I felt that having survived I owe something to the dead, and anyone who does not remember betrays them again.'

"I quote: 'I swore never to be silent whenever and wherever human beings endure suffering and humiliation. We must always take sides. Neutrality helps the oppressor, never the victim. Silence encourages the tormentor, never the tormented.'

"'Indifference, to me, is the epitome of evil.'

"And finally, 'There may be times when we are powerless to prevent injustice, but there must never be a time when we fail to protest.'

"Thank you."

May 3, 2011

RE-REFERRALS

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 619**, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA PHYSICAL THERAPY PRACTICE ACT BY PROVIDING FOR PROFESSIONAL ASSOCIATION BUSINESS ORGANIZATION STATUS FOR PHYSICAL THERAPISTS AND SOME ASSOCIATED PROFESSIONALS, CLARIFYING THE DEFINITION OF PHYSICAL THERAPY AIDE, AUTHORIZING THE NORTH CAROLINA BOARD OF PHYSICAL THERAPY EXAMINERS TO CONDUCT CRIMINAL BACKGROUND CHECKS OF APPLICANTS FOR LICENSURE, AND MAKING OTHER MODERNIZING STATUTORY CHANGES, is withdrawn from the Committee on Health and Human Services and re-referred to the Committee on Finance.

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.J.R. 697**, A JOINT RESOLUTION DIRECTING THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF PUBLIC HEALTH, TO ASSESS CHRONIC DISEASE MANAGEMENT OF STROKE PREVENTION IN ATRIAL FIBRILLATION, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Health and Human Services.

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.

CALENDAR (continued)

H.B. 200 (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 ENACT BUDGET RELATED AMENDMENTS; AND TO REORGANIZE STATE GOVERNMENT, which was temporarily displaced, is before the Body.

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

May 3, 2011

Those voting in the affirmative are: Speaker Tillis; Representatives Avila, Barnhart, Blackwell, Blust, Boles, Bradley, Brawley, Brisson, L. Brown, R. Brown, Brubaker, Burr, Cleveland, Collins, Cook, Crawford, Current, Daughtry, Dixon, Dockham, Dollar, Faircloth, Folwell, Frye, Gillespie, Guice, Hager, Hastings, Hill, Hilton, Hollo, Holloway, Horn, Howard, Hurley, Iler, Ingle, Johnson, Jones, Jordan, Justice, Langdon, LaRoque, Lewis, McComas, McCormick, McElraft, McGee, McGrady, Mills, Moffitt, T. Moore, Murry, Owens, Pridgen, Randleman, Rhyne, Sager, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Torbett, H. Warren, and West - 72.

Voting in the negative: Representatives Adams, K. Alexander, M. Alexander, Bell, Bordsen, Brandon, Bryant, Carney, Cotham, Earle, Faison, Farmer-Butterfield, Fisher, Floyd, Gill, Glazier, Goodman, Graham, Hackney, Haire, Hall, Hamilton, Harrison, Insko, Jackson, Jeffus, Keever, Lucas, Luebke, Martin, McGuirt, McLawhorn, Michaux, Mobley, R. Moore, Parfitt, Parmon, Pierce, Rapp, Ross, Tolson, Wainwright, E. Warren, Weiss, Wilkins, Womble, and Wray - 47.

Excused absence: Representative Killian.

SPECIAL MESSAGE FROM THE SENATE

2011 GENERAL ASSEMBLY FIRST SESSION 2011

Senate Chamber
May 3, 2011

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. 105**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTY FOR SECOND DEGREE MURDER TO A B1 FELONY.

Respectfully,
S/ Sarah Clapp
Principal Clerk

May 3, 2011

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

**STATE OF NORTH CAROLINA
OFFICE OF THE GOVERNOR**
20301 Mail Service Center • Raleigh, NC 27699-0301

Beverly Eaves Perdue
Governor

May 30, 2011

Ms. Denise Weeks
Principal Clerk of the House
North Carolina General Assembly
Legislative Building
Raleigh, NC 27601

Dear Ms. Weeks:

Pursuant to North Carolina General Statute § 115C-10, I hereby appoint or reappoint the below individuals to the North Carolina State Board of Education and submit their names for confirmation by the North Carolina General Assembly. Their terms shall begin immediately upon confirmation and will expire in 2019.

- William "Bill" Harrison, At-Large Representative
- William "Bill" Woltz, 7th Education District Representative
- Jean Woolard, 1st Education District Representative

Please feel free to call on them or members of my staff, if you need additional information.

Sincerely,
S/ Beverly Eaves Perdue

The letter is referred to the Committee on Education.

On motion of Representative LaRoque, seconded by Representative Brubaker, the House adjourns at 8:40 p.m. to reconvene May 4 at 2:00 p.m.

May 3, 2011

FIFTY-EIGHTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, May 4, 2011

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

Prayer is offered by Representative David Lewis.

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

A leave of absence is granted Representative Killian for today.

ENROLLED BILLS

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

S.B. 130, AN ACT TO PROHIBIT A WINE WHOLESALER FROM DISTRIBUTING WINE BEYOND ITS DESIGNATED SALES TERRITORY AND TO AUTHORIZE CERTAIN INTRATERRITORY TRANSFERS OF WINE BETWEEN OFF-PREMISES WINE PERMITTEES UNDER COMMON OWNERSHIP.

S.B. 137, AN ACT TO ESTABLISH THE FORGIVABLE EDUCATION LOANS FOR SERVICE PROGRAM AND THE FORGIVABLE EDUCATION LOANS FOR SERVICE FUND AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON STATE-FUNDED STUDENT FINANCIAL AID.

CHAPTERED BILLS

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

H.B. 219, AN ACT TO PROVIDE THAT A PERSON REQUIRED TO REGISTER AS A SEX OFFENDER MUST INDICATE ON THE INITIAL REGISTRATION FORM THE NAME UNDER WHICH THE PERSON WAS CONVICTED FOR THE SEX OFFENSE, TO PROVIDE THAT THE REGISTRANT MUST ALSO NOTIFY THE APPROPRIATE SHERIFF OF ANY NAME CHANGE BY THE REGISTRANT AND

May 4, 2011

INCLUDE NAME CHANGES AS PART OF THE VERIFICATION PROCEDURE, TO DIRECT THE DIVISION OF CRIMINAL STATISTICS TO MAINTAIN THE STATEWIDE REGISTRY SO THAT A MEMBER OF THE PUBLIC MAY CONDUCT SEX OFFENDER SEARCHES USING ANY NAME OR ALIAS OF A REGISTRANT, TO CLARIFY THAT SEX OFFENDERS MAY NOT CHANGE THEIR NAME PURSUANT TO CHAPTER 101 OF THE GENERAL STATUTES, AND TO AMEND THE LAW REGARDING THE VENUE IN WHICH TO FILE A PETITION TO TERMINATE A SEX OFFENDER REGISTRATION REQUIREMENT. (S.L. 2011-61)

H.B. 270, AN ACT TO AMEND THE LAW ESTABLISHING THE REGULAR AND SPECIAL CONDITIONS OF PROBATION AND TO REPEAL THE LAW TOLLING THE PROBATION PERIOD WHILE CRIMINAL CHARGES ARE PENDING THAT MIGHT RESULT IN REVOCATION PROCEEDINGS. (S.L. 2011-62)

H.B. 316, AN ACT TO PROVIDE THE NORTH CAROLINA GENERAL ASSEMBLY SPECIAL POLICE WITH STATEWIDE LAW ENFORCEMENT JURISDICTION. (S.L. 2011-63)

S.B. 49, AN ACT TO INCREASE THE FINE FOR SPEEDING IN A SCHOOL ZONE. (S.L. 2011-64)

H.B. 173, AN ACT TO MAKE THE SNEADS FERRY SHRIMP FESTIVAL THE OFFICIAL STATE SHRIMP FESTIVAL. (S.L. 2011-65)

S.B. 464, AN ACT TO ENACT THE DEBT REDUCTION ACT OF 2011. (S.L. 2011-66)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following report from standing committee is presented:

By Representatives Howard, Folwell, Setzer, and Starnes, Chairs, for the Committee on Finance:

H.B. 318, A BILL TO BE ENTITLED AN ACT TO MODIFY THE STATE TREASURER INVESTMENT STATUTE, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of May 5. The original bill is placed on the Unfavorable Calendar.

May 4, 2011

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representatives Wainwright, Lucas, Parfitt, and Pierce:

H.B. 878, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE RADIOLOGIST ASSISTANT LICENSURE STUDY COMMISSION AND TO APPROPRIATE FUNDS FOR THAT PURPOSE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Luebke, Hall, Harrison, and McGuirt (Primary Sponsors); Gill, Insko, and Mobley:

H.B. 879, A BILL TO BE ENTITLED AN ACT TO RAISE THE INCOME TAX RATE PAID ON HIGHLY COMPENSATED TAXPAYERS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Brandon:

H.B. 880, A BILL TO BE ENTITLED AN ACT TO REQUIRE ALL DRIVERS WHO ARE ISSUED LIMITED PERMITS OR LIMITED PROVISIONAL LICENSES HAVE A DECAL PLACED ON BOTH THE FRONT AND REAR OF THE VEHICLE BEING OPERATED TO SHOW THE DRIVER TO BE A NEW DRIVER PROVIDING SAFETY FOR THE NEW DRIVER AND THE MOTORING PUBLIC, is referred to the Committee on Transportation and, if favorable, to the Committee on Finance.

By Representatives Horn, R. Brown, Brubaker, and Guice (Primary Sponsors); Bradley, Faircloth, Hurley, Jordan, and Moffitt:

H.B. 881, A BILL TO BE ENTITLED AN ACT TO STIMULATE THE ECONOMY BY EXEMPTING FROM INCOME TAX INCOME DERIVED FROM MANUFACTURING AND BY EXEMPTING MANUFACTURING CORPORATIONS FROM THE FRANCHISE TAX, is referred to the Committee on Finance.

By Representative Crawford:

H.B. 882, A BILL TO BE ENTITLED AN ACT TO REQUIRE ALL-TERRAIN VEHICLES AND MOTORCYCLES MEETING CERTAIN CRITERIA TO BE REGISTERED WITH THE WILDLIFE RESOURCES COMMISSION, TO CHARGE A REGISTRATION FEE FOR ALL-TERRAIN VEHICLES OR MOTORCYCLES REGISTERED FOR OFF-

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ROAD USE, TO CREATE A SPECIAL REVENUE FUND IN THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES DESIGNATED AS THE ALL-TERRAIN VEHICLE AND MOTORCYCLE OFF-ROAD FUND TO BE USED FOR ACQUISITION, CONSTRUCTION, MAINTENANCE, AND OPERATION OF ALL-TERRAIN VEHICLE AND MOTORCYCLE RECREATION TRAILS, AND TO PROVIDE SAFETY TRAINING FOR OPERATORS OF ALL-TERRAIN VEHICLES AND MOTORCYCLES REGISTERED FOR OFF-ROAD USE, is referred to the Committee on Transportation and, if favorable, to the Committee on Agriculture and, if favorable, to the Committee on Finance.

By Representatives Pierce and Hall (Primary Sponsors); and Harrison:

H.B. 883, A BILL TO BE ENTITLED AN ACT TO CREATE A TAX AMNESTY PERIOD FOR TAXPAYERS WITH OVERDUE TAX DEBTS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Pierce and Hall (Primary Sponsors); Gill, Harrison, Insko, Lucas, and Mobley:

H.B. 884, A BILL TO BE ENTITLED AN ACT TO TEMPORARILY EXTEND THE TEMPORARY SALES TAX RATE INCREASE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Pierce and Hall (Primary Sponsors); Harrison and Luebke:

H.B. 885, A BILL TO BE ENTITLED AN ACT TO REQUIRE CERTAIN TAX INCIDENCE REPORTS BY THE DEPARTMENT OF REVENUE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Moffitt, Brawley, Stam, and Setzer (Primary Sponsors); Faircloth, Jordan, and McGrady:

H.B. 886, A BILL TO BE ENTITLED AN ACT TO INCREASE THE LIMITS ON CORPORATE INCOME TAX DEDUCTIONS FOR CHARITABLE CONTRIBUTIONS IN CONFORMANCE WITH THE INTERNAL REVENUE CODE, is referred to the Committee on Finance.

By Representatives Moffitt, Howard, and Setzer (Primary Sponsors):

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H.B. 887, A BILL TO BE ENTITLED AN ACT RELATING TO ZONING PROVISIONS FOR TEMPORARY HEALTH CARE STRUCTURES, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 144 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE CASH CONVERTER BUSINESSES TO KEEP RECORDS OF PURCHASES AND TO MAKE THOSE RECORDS AVAILABLE TO LOCAL LAW ENFORCEMENT AGENCIES, is read the first time and referred to the Committee on Commerce and Job Development and, if favorable, to the Committee on Finance.

S.B. 311 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW WARRANTLESS ARREST FOR VIOLATION OF PRETRIAL RELEASE CONDITIONS, is read the first time and referred to Judiciary Subcommittee B.

S.B. 414 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT RECIPROCAL ATTORNEYS' FEES PROVISIONS IN BUSINESS CONTRACTS ARE VALID AND ENFORCEABLE UNDER THE LAWS OF THIS STATE, is read the first time and referred to Judiciary Subcommittee A.

S.B. 519, A BILL TO BE ENTITLED AN ACT TO ALLOW THAT A CONTRACT TO CONVEY REAL ESTATE MAY BE REGISTERED BY REGISTERING A MEMORANDUM OF CONTRACT AND TO REQUIRE THAT DEEDS AND DEEDS OF TRUST PREPARED IN OTHER STATES AND PRESENTED FOR REGISTRATION TO THE REGISTER OF DEEDS OF ANY COUNTY IN THIS STATE SHALL BEAR AN ENTRY SHOWING THE NAME OF EITHER THE PERSON OR LAW FIRM WHO DRAFTED THE INSTRUMENT, is read the first time and referred to Judiciary Subcommittee A.

S.B. 750, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT BIDS AND DOCUMENTS RELATED TO BIDS AND CONTRACTS FOR PROJECTS OFFERED FOR BID BY THE DEPARTMENT OF TRANSPORTATION ARE NOT PUBLIC RECORDS UNTIL THE CONTRACT FOR THE PROJECT IS AWARDED, is read the first time and referred to the Committee on Transportation.

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RE-REFERRAL

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 512**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS GOVERNING RENDERING PLANTS AND OPERATIONS AND TO BRING THE COLLECTION AND PROCESSING OF WASTE KITCHEN GREASE WITHIN THE PURVIEW OF THE ACT, is withdrawn from the Committee on Agriculture and re-referred to Judiciary Subcommittee B.

BILL PLACED ON CALENDAR

H.B. 310 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO GIVE A VETO OF KINSTON CITY COUNCIL ACTIONS TO THE MAYOR, CONTINGENT ON THE APPROVAL OF THIS ACT BY THE VOTERS OF THE CITY OF KINSTON.

On motion of Representative LaRoque and without objection, the bill is withdrawn from the Calendar of May 5 and placed on today's Calendar for immediate consideration.

On motion of Representative LaRoque, the House concurs in the Senate committee substitute bill, and the bill is ordered enrolled.

CALENDAR

Action is taken on the following:

H.B. 200 (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 ENACT BUDGET RELATED AMENDMENTS; AND TO REORGANIZE STATE GOVERNMENT.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Speaker Tillis; Representatives Avila, Barnhart, Blackwell, Blust, Boles, Bradley, Brawley, Brisson, L. Brown, R. Brown, Brubaker, Burr, Cleveland, Collins, Cook, Crawford, Current, Daughtry, Dixon, Dockham, Dollar, Faircloth, Folwell, Frye, Gillespie, Guice, Hager, Hastings, Hill, Hilton, Hollo, Holloway, Horn, Howard, Hurley, Iler, Ingle, Johnson, Jones, Jordan, Justice, Langdon, LaRoque, Lewis, McComas, McCormick, McElraft, McGee, McGrady, Mills, Moffitt, T. Moore, Murry, Owens, Pridgen, Randleman, Rhyne, Sager, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Torbett, H. Warren, and West - 72.

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Voting in the negative: Representatives Adams, K. Alexander, M. Alexander, Bell, Bordsen, Brandon, Bryant, Carney, Cotham, Earle, Faison, Farmer-Butterfield, Fisher, Floyd, Gill, Glazier, Goodman, Graham, Hackney, Haire, Hall, Hamilton, Harrison, Insko, Jackson, Jeffus, Keever, Lucas, Luebke, Martin, McGuirt, McLawhorn, Michaux, Mobley, R. Moore, Parfitt, Parmon, Pierce, Rapp, Ross, Tolson, Wainwright, E. Warren, Weiss, Wilkins, Womble, and Wray - 47.

Excused absence: Representative Killian.

SPECIAL MESSAGE FROM THE SENATE

**2011 GENERAL ASSEMBLY
FIRST SESSION 2011**

Senate Chamber
May 4, 2011

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. 105**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTY FOR SECOND DEGREE MURDER TO A B1 FELONY, and requests conferees. The President *Pro Tempore* appoints:

Senator Newton, Chair
Senator Rouzer
Senator Jones
Senator Daniel
Senator Goolsby

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/ Sarah Clapp
Principal Clerk

The Speaker appoints Representative Stam, Chair; Representatives Guice, Faircloth, and Glazier as conferees on the part of the House and the Senate is so notified by Special Message.

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**REPORTS OF STANDING COMMITTEES AND PERMANENT
SUBCOMMITTEES**

The following report from permanent subcommittee is presented:

By Representatives Stam and Stevens, Chairs, for Judiciary Subcommittee B, with approval of standing committee Chair for report to be made directly to the floor of the House:

H.B. 589, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE PROVISION OF LAW THAT STATES ALLEGATIONS IN A DIVORCE COMPLAINT ARE DEEMED DENIED REGARDLESS OF WHETHER THE DEFENDANT FILES A PLEADING DENYING THE ALLEGATIONS, AND TO AMEND THE LAWS RELATING TO DOMESTIC VIOLENCE PROTECTIVE ORDERS, AS RECOMMENDED BY THE NORTH CAROLINA BAR ASSOCIATION; AND TO PROVIDE FOR TERMINATION OF CHILD SUPPORT WHEN A CHILD IS ENROLLED IN AN EARLY COLLEGE PROGRAM, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of May 5. The original bill is placed on the Unfavorable Calendar.

MESSAGE FROM THE SENATE

The following is received from the Senate:

H.B. 129 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROTECT JOBS AND INVESTMENT BY REGULATING LOCAL GOVERNMENT COMPETITION WITH PRIVATE BUSINESS, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of May 5.

RE-REFERRALS

On motion of Representative LaRoque, pursuant to Rule 39.2 and without objection, **H.B. 687**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT WHEN CITIES AND COUNTIES ENACT ORDINANCES OR TAKE ADMINISTRATIVE ACTIONS FOR WHICH THERE IS NO STATUTORY AUTHORITY, AND THE ORDINANCE OR ACTION IS AN ABUSE OF AUTHORITY, THE PLAINTIFF MAY RECOVER ATTORNEY FEES, is withdrawn from the Committee on Government and re-referred to Judiciary Subcommittee A.

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On motion of Representative LaRoque, pursuant to Rule 39.2 and without objection, **H.B. 9**, A BILL TO BE ENTITLED AN ACT TO ADOPT A MORATORIUM ON INVOLUNTARY ANNEXATIONS, is withdrawn from the Committee on Judiciary and re-referred to the Committee on Transportation.

On motion of Representative LaRoque, the serial referral for **H.B. 698**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT DENTIST AGREEMENTS WITH MANAGEMENT COMPANIES DO NOT SHIFT CONTROL OF CLINICAL PATIENT SERVICES AWAY FROM LICENSED DENTISTS, to the Committee on Finance is stricken, and a serial referral to the Committee on Commerce and Job Development is added.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative T. Moore and without objection, **H.B. 806** (Committee Substitute), A BILL TO BE ENTITLED AN ACT CHANGING THE STATUTE OF LIMITATIONS AND REPOSE FOR CHALLENGING ZONING ORDINANCES, CLARIFYING THE APPLICABILITY OF THE STATUTE OF LIMITATIONS TO ENFORCEMENT ACTIONS OR ADMINISTRATIVE APPEALS AND TO PROHIBIT SPECIFIED ZONING ORDINANCES AFFECTING SINGLE-FAMILY DETACHED RESIDENTIAL USES ON LOTS GREATER THAN TEN ACRES IN AGRICULTURAL ZONING DISTRICTS, is withdrawn from the Calendar of May 5 and placed on the Calendar of May 9.

Representative LaRoque moves, seconded by Representative Current, that the House adjourn, subject to the receipt of Committee Reports and the receipt of Messages from the Senate, to reconvene May 5 at 11:30 a.m.

The motion carries.

No Committee Reports or Messages from the Senate having been received, the House stands adjourned at 5:30 p.m.

FIFTY-NINTH DAY

HOUSE OF REPRESENTATIVES
Thursday, May 5, 2011

The House meets at 11:30 a.m. pursuant to adjournment and is called to order by the Speaker.

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The following remarks and prayer are offered by Representative H. M. Michaux, Jr.

"Thank you, Mr. Speaker:

"Ladies and gentlemen, having been cast into a rather unusual role I am going to pray for all of us; but before I do I would like to quote for you a little something that I learned a long time ago that was written by the great black poet, Paul Laurence Dunbar, during the depths of the depression. It is just a four line poem that he wrote that can be applicable today to what is happening in our society. It goes like this:

'A crust of bread and a corner to sleep in,
A minute to smile and an hour to weep in,
A pint of joy to a peck of trouble,
and never a laugh, but the moans come double;
And that is Life.'

"Let us pray:

"O God, our help in ages past, our hope for years to come, we seek Thy divine guidance as we embark upon another day of work for the benefit of Your people.

"We ask that You help us as You helped Moses when You parted the Red Sea so that he could lead Your people to the bright lights of freedom - that You part the sea of enmity, divisiveness, partisanship, self-righteousness and hatred so that we may be led toward understanding, unity, the joy of working together, love, peace, brotherhood and sisterhood that You and Your people demand of us.

"Teach us to understand those words written by Your servant, Martin Luther King, Jr., when he wrote to his brethren from a jail cell in Birmingham, Alabama, that 'we are caught in an inescapable network of mutuality tied in a single garment of destiny - whatever affects one directly affects all indirectly'

"We ask, O Lord, that You extend Your hand to those unfortunate ones among us who suffer through no cause of their own.

"And finally, Lord, we beseech Thy divine blessings on those who have assumed the roles of leadership both in our State and our Nation and for those who offer up their lives to protect us from tyranny and terrorism. For those who lead, give them wisdom and foresight. For those who protect us, Your loving arms of safety.

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"And now, 'may the words of our mouths and the meditation of our hearts be acceptable in thy sight, O Lord, our Strength and our Redeemer.' Amen."

Representative T. Moore, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 4 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Bell, Current, and Killian for today.

ENROLLED BILLS

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

H.B. 310, AN ACT TO GIVE A VETO OF KINSTON CITY COUNCIL ACTIONS TO THE MAYOR, CONTINGENT ON THE APPROVAL OF THIS ACT BY THE VOTERS OF THE CITY OF KINSTON.

WITHDRAWAL OF BILLS FROM CALENDAR

On motion of Representative T. Moore and without objection, **S.B. 323** (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE APPROPRIATIONS AND ADJUSTMENTS FOR THE 2011-2013 FISCAL BIENNIUM TO THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES; AND TO TRANSFER THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES TO THE OFFICE OF STATE TREASURER, is withdrawn from the Calendar and placed on the Calendar of May 10.

On motion of Representative T. Moore and without objection, **H.B. 318** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE STATE TREASURER INVESTMENT STATUTE, is withdrawn from the Calendar and placed on the Calendar of May 10.

On motion of Representative T. Moore and without objection, **H.B. 497**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DEFINITION OF A GENERAL CONTRACTOR, is withdrawn from the Calendar and placed on the Calendar of May 11.

On motion of Representative T. Moore and without objection, **H.B. 333**, A BILL TO BE ENTITLED AN ACT TO ADOPT STOCK CAR RACING AS THE OFFICIAL SPORT OF NORTH CAROLINA, is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

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On motion of Representative T. Moore and without objection, **S.B. 322** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADOPT STOCK CAR RACING AS THE OFFICIAL SPORT OF NORTH CAROLINA, is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

CALENDAR

Action is taken on the following:

H.B. 483, A BILL TO BE ENTITLED AN ACT TO EXPAND THE LIST OF FELONIES FOR WHICH A DNA SAMPLE SHALL BE TAKEN UPON ARREST.

Representative Glazier offers Amendment No. 1 which is adopted by electronic vote (111-3). This amendment changes the title.

Representatives Brandon and Folwell request and are granted leave of the House to be recorded as voting "aye". The adjusted vote total is (113-3).

The caption having been amended, the bill remains on the Calendar.

H.B. 129 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROTECT JOBS AND INVESTMENT BY REGULATING LOCAL GOVERNMENT COMPETITION WITH PRIVATE BUSINESS.

On motion of Representative Avila, the House concurs in the Senate committee substitute bill, by electronic vote (84-32), 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. 311, A BILL TO BE ENTITLED AN ACT REQUIRING THAT MOTOR CARRIERS OF HOUSEHOLD GOODS MARK OR IDENTIFY THEIR VEHICLES AND MAKING IT UNLAWFUL FOR A PERSON NOT CERTIFIED BY THE UTILITIES COMMISSION AS A MOTOR CARRIER OF HOUSEHOLD GOODS TO ADVERTISE OR OTHERWISE REPRESENT THAT THE PERSON IS AUTHORIZED TO ENGAGE IN THE TRANSPORTATION OF HOUSEHOLD GOODS FOR COMPENSATION IN THIS STATE, passes its second reading by electronic vote (111-5).

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

May 5, 2011

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

H.B. 397 (Committee Substitute), A BILL TO BE ENTITLED AN ACT REVISING PENALTIES AND REMEDIES CONCERNING HEALTH FACILITIES, 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.

WITHDRAWAL OF OBJECTION TO THIRD READING

Representative Stam withdraws his objection to the third reading of **H.B. 311**, A BILL TO BE ENTITLED AN ACT REQUIRING THAT MOTOR CARRIERS OF HOUSEHOLD GOODS MARK OR IDENTIFY THEIR VEHICLES AND MAKING IT UNLAWFUL FOR A PERSON NOT CERTIFIED BY THE UTILITIES COMMISSION AS A MOTOR CARRIER OF HOUSEHOLD GOODS TO ADVERTISE OR OTHERWISE REPRESENT THAT THE PERSON IS AUTHORIZED TO ENGAGE IN THE TRANSPORTATION OF HOUSEHOLD GOODS FOR COMPENSATION IN THIS STATE, and the bill is before the Body.

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

Representative Hamilton requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (114-1).

The bill, as amended, passes its third reading, by electronic vote (110-5), and is ordered engrossed and sent to the Senate.

H.B. 589 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE PROVISION OF LAW THAT STATES ALLEGATIONS IN A DIVORCE COMPLAINT ARE DEEMED DENIED REGARDLESS OF WHETHER THE DEFENDANT FILES A PLEADING DENYING THE ALLEGATIONS, AND TO AMEND THE LAWS RELATING TO DOMESTIC VIOLENCE PROTECTIVE ORDERS, AS RECOMMENDED BY THE NORTH CAROLINA BAR ASSOCIATION; AND TO PROVIDE FOR TERMINATION OF CHILD SUPPORT WHEN A CHILD IS ENROLLED IN AN EARLY COLLEGE PROGRAM.

On motion of Representative Stevens and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of May 10.

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RE-REFERRAL

On motion of Representative LaRoque, pursuant to Rule 39.2 and without objection, **S.B. 245** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE LOCAL PUBLIC HEALTH DEPARTMENTS, DISTRICT HEALTH DEPARTMENTS, AND CONSOLIDATED HUMAN SERVICES AGENCIES TO BILL MEDICAID THROUGH AN APPROVED MEDICAID CLEARINGHOUSE OR THROUGH THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF PUBLIC HEALTH, is withdrawn from the Committee on Appropriations and re-referred to the Committee on Health and Human Services.

Representative LaRoque moves, seconded by Representative M. Alexander, that the House adjourn, subject to the introduction of bills and resolutions, the receipt of Committee Reports, and the receipt of Messages from the Senate, to reconvene Monday, May 9, 2011 at 7:00 p.m.

The motion carries.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Howard, Folwell, Setzer, and Starnes, Chairs, for the Committee on Finance:

H.B. 352, A BILL TO BE ENTITLED AN ACT AT THE REQUEST OF THE CITY OF KANNAPOLIS TO DELAY FOR TWO YEARS THE LEGISLATIVE ANNEXATION OF THE SOUTHLAND DEVELOPMENT TRACTS IN SOUTHERN ROWAN COUNTY, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 9.

H.B. 532, A BILL TO BE ENTITLED AN ACT PROVIDING FOR THE MAINTENANCE OF CEMETERIES IN GRAHAM COUNTY FROM AD VALOREM TAXES UNDER GENERAL LAW, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 9.

S.B. 269, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF HILLSBOROUGH TO LEVY A ROOM OCCUPANCY TAX, with a favorable report.

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Pursuant to Rule 36(b), the bill is placed on the Calendar of May 9.

S.B. 295, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF MARSHVILLE, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 9.

SUBCOMMITTEE REFERRAL

Representatives Current, Dollar, and Hollo, Chairs, for the Standing Committee on Health and Human Services, refer **H.B. 423** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE SECRETARY OF HEALTH AND HUMAN SERVICES TO ALLOW CERTAIN CERTIFIED PROVIDERS TO CONDUCT INITIAL (FIRST-LEVEL) EXAMINATIONS FOR INVOLUNTARY COMMITMENT OF INDIVIDUALS WITH MENTAL ILLNESS, IN A MANNER CONSISTENT WITH THE FIRST EVALUATION PILOT PROGRAM, to the Health and Human Services Subcommittee on Mental Health.

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representatives Folwell and Current (Primary Sponsors); Bradley, Cleveland, and H. Warren:

H.B. 888, A BILL TO BE ENTITLED AN ACT TO CAP THE SALES TAX REFUNDS ALLOWED TO NONPROFIT ENTITIES AND TO RE-INSTATE THE SALES AND USE TAX REFUND FOR LOCAL SCHOOL ADMINISTRATIVE UNITS, is referred to the Committee on Finance.

By Representatives Collins, Burr, Lewis, and Steen (Primary Sponsors):

H.B. 889, A BILL TO BE ENTITLED AN ACT AMENDING THE LOCKSMITH LICENSING ACT AND AUTHORIZING THE NORTH CAROLINA LOCKSMITH LICENSING BOARD TO INCREASE CERTAIN FEES, is referred to the Committee on Finance.

By Representatives Luebke, Bryant, Wainwright, and Weiss (Primary Sponsors); Carney, Gill, Glazier, Harrison, Insko, Pierce, and Wray:

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H.B. 890, A BILL TO BE ENTITLED AN ACT TO EXTEND THE TEMPORARY INCOME TAX MODIFICATIONS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Luebke, Bryant, Wainwright, and Weiss (Primary Sponsors); Carney, Cotham, Gill, Glazier, Graham, Hamilton, Harrison, Insko, Lucas, R. Moore, Parfitt, Pierce, and Wray:

H.B. 891, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR TEACHER ASSISTANTS, is referred to the Committee on Appropriations.

By Representatives Mobley, Parmon, Michaux, and Adams (Primary Sponsors); Carney, Gill, Glazier, Hall, Hamilton, Harrison, Parfitt, Pierce, and Ross:

H.R. 892, A HOUSE RESOLUTION HONORING THE LIVES AND MEMORIES OF WILLIAM DAVID NEWSOME AND PARKER D. ROBBINS, FORMER MEMBERS OF THE GENERAL ASSEMBLY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Holloway, McComas, Folwell, and Jones (Primary Sponsors); Bradley, Faircloth, Jordan, Moffitt, and H. Warren:

H.B. 893, A BILL TO BE ENTITLED AN ACT TO PROVIDE A SMALL BUSINESS INCOME TAX EXEMPTION, is referred to the Committee on Finance.

By Representatives Pierce and Graham (Primary Sponsors); and Parfitt:

H.B. 894, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO BORDERBELT AIDS RESOURCES TEAM (BART), is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Crawford:

H.B. 895, A BILL TO BE ENTITLED AN ACT TO MAKE MODIFICATIONS TO THE BUTNER PUBLIC SAFETY DIVISION, is referred to the Committee on Finance.

By Representatives Brubaker, Faircloth, and LaRoque:

H.B. 896, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE COUNTIES TO ACCEPT ELECTRONIC LISTING OF PROPERTY FOR PROPERTY TAX PURPOSES, is referred to the Committee on Finance.

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By Representatives Rapp, Glazier, Insko, and Parfitt:

H.B. 897, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE NORTH CAROLINA FAMILIES ACCESSING SERVICES THROUGH TECHNOLOGY PROJECT, is referred to the Committee on Appropriations.

By Representative Torbett:

H.B. 898, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE EAST CAMPUS TEXTILE TECHNOLOGY CENTER ON THE CAMPUS OF GASTON COLLEGE, is referred to the Committee on Appropriations.

By Representatives Torbett, Bradley, Jordan, Moffitt, Shepard, and H. Warren:

H.B. 899, A BILL TO BE ENTITLED AN ACT TO ENSURE THAT SMALL BUSINESSES ARE NOT PLACED AT A COMPETITIVE DISADVANTAGE AS COMPARED TO LARGE CORPORATIONS BY VIRTUE OF A HIGHER INCOME TAX RATE, is referred to the Committee on Finance.

By Representatives Haire, Lucas, and Ross:

H.B. 900, A BILL TO BE ENTITLED AN ACT TO DIRECT THE NORTH CAROLINA COURTS COMMISSION TO STUDY THE ORGANIZATION OF THE GENERAL COURT OF JUSTICE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives McComas, Carney, Hamilton, and Harrison:

H.B. 901, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE PROTECTION OF MASONBORO ISLAND IN ORDER TO ASSURE THAT THE ECOLOGICAL SYSTEMS OF THE ISLAND ARE MAINTAINED AND PRESERVED AND TO ASSURE THAT THE PUBLIC RETAINS ACCESS TO THE ISLAND, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Jones, Collins, Murry, and Folwell (Primary Sponsors); Bradley, Cleveland, Faircloth, Frye, Jordan, Moffitt, Sanderson, Shepard, Starnes, and H. Warren:

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H.B. 902, A BILL TO BE ENTITLED AN ACT TO STUDY THE STATE TAX SYSTEM IN ORDER TO POSSIBLY ELIMINATE AND REPLACE THE INCOME TAX, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Justice and McComas (Primary Sponsors); and Hamilton:

H.B. 903, A BILL TO BE ENTITLED AN ACT TO PROVIDE TIER ONE TREATMENT FOR PORT ENHANCEMENT ZONES, is referred to the Committee on Commerce and Job Development and, if favorable, to the Committee on Finance.

By Representatives Carney, McComas, Samuelson, and Ross (Primary Sponsors); Glazier, Michaux, and Parfitt:

H.B. 904, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE PLANNING, 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, is referred to the Committee on Appropriations and, if favorable, to the Committee on Finance.

By Representatives Stevens and Ingle (Primary Sponsors); Faircloth, Jordan, and H. Warren:

H.B. 905, A BILL TO BE ENTITLED AN ACT TO IMPOSE A FEE FOR THE VOLUNTARY DISMISSAL OF A DOMESTIC VIOLENCE PROTECTIVE ORDER, is referred to Judiciary Subcommittee B and, if favorable, to the Committee on Finance.

By Representatives Samuelson and Avila (Primary Sponsors); Carney, Glazier, and Harrison:

H.B. 906, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE FEASIBILITY AND THE DESIRABILITY OF AUTHORIZING SALES OF ELECTRICITY BY ANY THIRD PARTY THAT OWNS OR OPERATES THE EQUIPMENT OF A RENEWABLE ENERGY FACILITY WITH TWO MEGAWATTS OR LESS CAPACITY WHEN THE RENEWABLE ENERGY FACILITY IS LOCATED ON A CUSTOMER'S PROPERTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

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By Representatives Bryant, Hall, and Luebke (Primary Sponsors); Gill, Hamilton, Harrison, Lucas, and R. Moore:

H.B. 907, A BILL TO BE ENTITLED AN ACT TO REFORM THE ANNEXATION PROCESS BY DEALING WITH THE UNIQUE CHALLENGES OF LOW-INCOME MINORITY COMMUNITIES, is referred to the Committee on Judiciary and, if favorable, to the Committee on Government and, if favorable, to the Committee on Finance.

By Representative Bryant:

H.B. 908, A BILL TO BE ENTITLED AN ACT TO ALLOW THE BEACON CENTER LOCAL MANAGEMENT ENTITY TO JOIN THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES, is referred to the Committee on State Personnel and, if favorable, to the Committee on Finance.

By Representatives Luebke, Weiss, and Harrison (Primary Sponsors); and Glazier:

H.B. 909, A BILL TO BE ENTITLED AN ACT TO REQUIRE CORPORATIONS TO FILE A COMBINED INCOME TAX REPORT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives LaRoque, Cleveland, Jones, Jordan, Stam, Starnes, and H. Warren:

H.B. 910, A BILL TO BE ENTITLED AN ACT TO LIMIT ABORTION COVERAGE UNDER THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES AS WELL AS UNDER ANY HEALTH INSURANCE PLAN OFFERED BY A COUNTY OR MUNICIPALITY, is referred to the Committee on State Personnel.

By Representatives LaRoque and H. Warren:

H.B. 911, A BILL TO BE ENTITLED AN ACT TO INCREASE CRIMINAL COURT COSTS IN DISTRICT AND SUPERIOR COURT TO PROVIDE ADDITIONAL FUNDING FOR THE VICTIMS COMPENSATION FUND, is referred to the Committee on Finance.

May 5, 2011

By Representative Brandon:

H.B. 912, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITIES OF GREENSBORO AND HIGH POINT TO PETITION THE COURT TO APPOINT A RECEIVER TO REHABILITATE, DEMOLISH, OR SELL A VACANT BUILDING, STRUCTURE, OR DWELLING WHERE THE OWNER OF THE PROPERTY HAS FAILED TO COMPLY WITH AN ORDER TO DO SO AND TO CHARGE THE OWNER OF THE PROPERTY AN ADMINISTRATIVE FEE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Dollar, Daughtry, Folwell, and Rhyne (Primary Sponsors); Faircloth, Jordan, and H. Warren:

H.B. 913, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO REQUIRE THE ESTABLISHMENT OF A STATE SAVINGS ACCOUNT, is referred to the Committee on Judiciary.

By Representatives Carney, E. Warren, Hackney, and Brubaker (Primary Sponsors); Faircloth, Gill, Glazier, Harrison, Hollo, Jordan, Lucas, Pierce, and Stam:

H.B. 914, A BILL TO BE ENTITLED AN ACT TO PLACE AUTOMATIC EXTERNAL DEFIBRILLATORS (AEDS) IN ALL BUILDINGS AND FACILITIES THAT HOUSE STATE SERVICES, AGENCIES, AND INSTITUTIONS AND PROVIDE TRAINING FOR STATE EMPLOYEES IN THOSE FACILITIES, is referred to the Committee on Health and Human Services and, if favorable, to the Committee on Appropriations.

By Representatives Brawley and Horn (Primary Sponsors):

H.B. 915, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO STUDY CERTAIN ENVIRONMENTAL IMPACTS IN THE GOOSE CREEK WATERSHED OF THE ROCKY RIVER BASIN, is referred to the Committee on Appropriations.

By Representatives Barnhart, Dollar, Burr, and Insko (Primary Sponsors); Ingle, Moffitt, and H. Warren:

H.B. 916, A BILL TO BE ENTITLED AN ACT TO ESTABLISH REQUIREMENTS FOR THE DEPARTMENT OF HEALTH AND HUMAN SERVICES AND LOCAL MANAGEMENT ENTITIES WITH RESPECT TO STATEWIDE EXPANSION OF THE 1915(B)/(C) MEDICAID WAIVER, is referred to the Committee on Health and Human Services and, if favorable, to the Committee on Finance.

May 5, 2011

By Representative Hamilton:

H.B. 917, A BILL TO BE ENTITLED AN ACT TO MODIFY THE DISTRIBUTION BETWEEN COUNTIES AND CITIES OF THE LOCAL GOVERNMENT SALES AND USE TAXES, is referred to the Committee on Finance.

By Representatives Wray, Crawford, Owens, and Wainwright (Primary Sponsors); Carney, Glazier, Graham, Hamilton, Harrison, Lucas, R. Moore, Parfitt, and Pierce:

H.B. 918, A BILL TO BE ENTITLED AN ACT TO CREATE AN INCENTIVE FOR HOME RENOVATIONS AND PURCHASING NEW ENERGY-EFFICIENT HOMES, is referred to the Committee on Commerce and Job Development and, if favorable, to the Committee on Finance.

By Representatives Wray, Crawford, Owens, and Wainwright (Primary Sponsors); Carney, Glazier, Graham, Hamilton, Harrison, Lucas, R. Moore, Pierce, and Ross:

H.B. 919, A BILL TO BE ENTITLED AN ACT TO PROVIDE TAX AND OTHER ECONOMIC INCENTIVES AND RELIEF TO SMALL BUSINESSES, is referred to the Committee on Commerce and Job Development and, if favorable, to the Committee on Finance.

By Representatives Wray, Crawford, Owens, and Wainwright (Primary Sponsors); Carney, Glazier, Graham, Hamilton, and Pierce:

H.B. 920, A BILL TO BE ENTITLED AN ACT TO INCREASE THE ABILITY TO COMPETE WITH SURROUNDING STATES FOR EXPANDING AND EXISTING BUSINESSES BY REDUCING THE CORPORATE INCOME TAX BURDEN, is referred to the Committee on Commerce and Job Development and, if favorable, to the Committee on Finance.

By Representatives McComas, Iler, T. Moore, and Bryant (Primary Sponsors); Hamilton and R. Moore:

H.B. 921, A BILL TO BE ENTITLED AN ACT TO CREATE THE PRECONSTRUCTION GRANT DEVELOPMENT FUND, is referred to the Committee on Finance.

May 5, 2011

By Representative Hamilton:

H.B. 922, A BILL TO BE ENTITLED AN ACT TO RESTRICT INVOLUNTARY ANNEXATION TO COMMERCIAL, INDUSTRIAL, GOVERNMENTAL, OR INSTITUTIONAL PROPERTY ONLY AND REQUIRE A PETITION OF THE MAJORITY OF THE OWNERS OF THE PROPERTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Insko, Gill, Harrison, Lucas, McGuirt, and Parfitt:

H.B. 923, A BILL TO BE ENTITLED AN ACT TO INCREASE THE ASSESSMENT ON HOSPITALS TO PROVIDE ADDITIONAL FUNDING FOR LOCAL INPATIENT PSYCHIATRIC BEDS, is referred to the Committee on Health and Human Services and, if favorable, to the Committee on Finance and, if favorable, to the Committee on Appropriations.

By Representatives Martin, Graham, Harrison, Parfitt, and Pierce:

H.B. 924, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN ENHANCED INCENTIVE FOR CREATING NEW JOBS WHERE A BUSINESS EARNING AN ARTICLE 3J CREDIT FILLS THE JOB WITH A VETERAN OF THE ARMED FORCES, is referred to the Committee on Homeland Security, Military, and Veterans Affairs and, if favorable, to the Committee on Finance.

By Representative Moffitt:

H.B. 925, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CONVEYANCE OF A CITY WATER SYSTEM TO A METROPOLITAN SEWERAGE DISTRICT, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

By Representatives Murry and Barnhart (Primary Sponsors):

H.B. 926, A BILL TO BE ENTITLED AN ACT TO CREATE A PATIENT-CENTERED MEDICAL HOME PILOT PROGRAM FOR THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES, is referred to the Committee on State Personnel and, if favorable, to the Committee on Finance.

By Representatives Folwell, McGee, Dixon, and Starnes (Primary Sponsors); Cleveland and H. Warren:

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H.B. 927, A BILL TO BE ENTITLED AN ACT TO ADJUST THE RETIREMENT AGE FOR MEMBERS OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM WHO BECOME MEMBERS ON OR AFTER AUGUST 1, 2011, TO LIMIT THE AMOUNT OF SICK LEAVE THAT CAN BE CONVERTED TO RETIREMENT CREDIT, TO LIMIT COMPENSATION FOR PURPOSES OF CONTRIBUTIONS AND CALCULATION OF BENEFITS FOR MEMBERS WHO BECOME MEMBERS ON OR AFTER AUGUST 1, 2011, TO THE SALARY SET FOR THE GOVERNOR, TO PROVIDE THAT COMPENSATION TO BE USED IN CALCULATING AVERAGE FINAL COMPENSATION FOR MEMBERS WHO BECOME MEMBERS ON OR AFTER AUGUST 1, 2011, CAN INCREASE BY NO MORE THAN TEN PERCENT FROM ONE YEAR TO THE NEXT, TO AMEND THE PROVISIONS SPECIAL SEPARATION ALLOWANCE FOR LAW ENFORCEMENT OFFICERS HIRED ON OR AFTER AUGUST 1, 2011, AND TO MAKE IT A CLASS 1 MISDEMEANOR TO FRAUDULENTLY RECEIVE THE RETIREMENT BENEFIT OF A DECEASED RETIREE AT LEAST TWO MONTHS AFTER THE RETIREE'S DEATH, is referred to the Committee on State Personnel and, if favorable, to the Committee on Finance.

By Representatives Folwell, Murry, Dollar, and Jordan (Primary Sponsors); Cleveland and H. Warren:

H.B. 928, A BILL TO BE ENTITLED AN ACT TO REFORM THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES, is referred to the Committee on State Personnel and, if favorable, to the Committee on Finance.

MESSAGE FROM THE SENATE

The following is received from the Senate:

S.B. 488 (Committee Substitute), A BILL TO BE ENTITLED AN ACT REQUIRING LANDLORDS TO GIVE NOTICE TO THE NORTH CAROLINA STATE BAR OF AN ATTORNEY'S DEFAULT ON A LEASE IN ORDER TO PROTECT THE CONFIDENTIALITY OF THE ATTORNEY'S FILES, is read the first time and referred to Judiciary Subcommittee A.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

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By Representatives L. Brown and Ingle, Chairs, for the Committee on Government:

H.B. 207, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN CHANGES TO LOCAL DEVELOPMENT FOR THE CITY OF WINSTON-SALEM, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of May 9. The original bill is placed on the Unfavorable Calendar.

H.B. 208, A BILL TO BE ENTITLED AN ACT TO PROVIDE THE CITY OF WINSTON-SALEM THE RIGHT TO ACQUIRE POSSESSION AND TITLE OF LAND CONDEMNED FOR PUBLIC TRANSPORTATION PROJECTS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 9.

H.B. 213, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ALAMANCE COUNTY AND ORANGE COUNTY TO RECOMMEND THE LOCATION OF NINE PERCENT OF THE COMMON BOUNDARY BETWEEN ALAMANCE COUNTY AND ORANGE COUNTY SUBSEQUENT TO THE 2010/2011 RESURVEY OF THE HISTORIC ORANGE COUNTY/ALAMANCE COUNTY BOUNDARY LINE AS DESCRIBED IN THE 1849 SURVEY ESTABLISHING ALAMANCE COUNTY, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

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

H.B. 371, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF WINSTON-SALEM TO RECEIVE BIDS ELECTRONICALLY IN ADDITION TO OR INSTEAD OF PAPER BIDS WHEN LETTING CONTRACTS ON INFORMAL BIDS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 9.

H.B. 510, A BILL TO BE ENTITLED AN ACT TO RESTORE ELECTIONS IN THE CITY OF REIDSVILLE TO NOVEMBER, SUBJECT TO A REFERENDUM, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 9.

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H.B. 558, A BILL TO BE ENTITLED AN ACT TO AMEND THE ENABLING LAWS RELATING TO CITY-COUNTY PLANNING AND ZONING IN FORSYTH COUNTY AND THE CITY OF WINSTON-SALEM, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 9.

H.B. 692, A BILL TO BE ENTITLED AN ACT TO MODIFY THE STATUTES GOVERNING UNCLAIMED PROPERTY IN ORDER TO INCREASE CLAIMS PAID TO RIGHTFUL OWNERS AND REDUCE REPORTING BURDENS ON BUSINESS HOLDERS OF UNCLAIMED PROPERTY, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of May 9. The original bill is placed on the Unfavorable Calendar.

H.B. 804, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT JOHNSTON MEMORIAL HOSPITAL AUTHORITY IS NOT AN EMPLOYER UNDER THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, 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 State Personnel.

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

S.B. 118, A BILL TO BE ENTITLED AN ACT TO EXPAND THE DEFINITION OF DOWNTOWN REVITALIZATION IN THE MUNICIPAL SERVICE DISTRICT LAW, 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. 212, A BILL TO BE ENTITLED AN ACT ALLOWING THE REGISTER OF DEEDS TO REGISTER A MAP OF A CEMETERY THAT LACKS A SURVEYOR'S STAMP OR SEAL AND THE ORIGINAL SIGNATURE OF THE SURVEYOR UNDER CERTAIN CIRCUMSTANCES, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 9.

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S.B. 244 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE SURVIVOR'S ALTERNATE BENEFIT TO SURVIVORS OF FIREFIGHTERS AND RESCUE SQUAD WORKERS WHO ARE MEMBERS OF THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM AND ARE KILLED IN THE LINE OF DUTY, with a favorable report and recommendation that the bill be re-referred to the Committee on State Personnel.

The bill is re-referred to the Committee on State Personnel.

The House stands adjourned at 12:33 p.m.

SIXTIETH DAY

HOUSE OF REPRESENTATIVES
Monday, May 9, 2011

The House meets at 7:00 p.m. pursuant to adjournment and is called to order by Representative Folwell, Speaker Pro Tempore.

Prayer is offered by Representative John Faircloth.

The Chair leads the Body in the Pledge of Allegiance.

Representative T. Moore, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 5 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Killian and Parmon for today.

ENROLLED BILLS

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

H.B. 129, AN ACT TO PROTECT JOBS AND INVESTMENT BY REGULATING LOCAL GOVERNMENT COMPETITION WITH PRIVATE BUSINESS.

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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. 310, AN ACT TO GIVE A VETO OF KINSTON CITY COUNCIL ACTIONS TO THE MAYOR, CONTINGENT ON THE APPROVAL OF THIS ACT BY THE VOTERS OF THE CITY OF KINSTON. (S.L. 2011-67)

H.B. 407, AN ACT TO MODIFY THE REQUIREMENT THAT A PERSON WHO IS EIGHTEEN YEARS OLD OR OLDER WEAR A HELMET WHILE OPERATING AN ALL-TERRAIN VEHICLE. (S.L. 2011-68)
[Became law without the approval of the Governor.]

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

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

By Representatives L. Brown and Ingle, Chairs, for the Committee on Government:

H.B. 150, A BILL TO BE ENTITLED AN ACT TO UPDATE THE STATE AUDITOR'S STATUTE IN ORDER TO STANDARDIZE AUDITEE RESPONSE TIMES, CLARIFY THE TIMING OF WHEN THE STATE AUDITOR CAN REFER INFORMATION TO APPROPRIATE AUTHORITIES, CLARIFY THE FACT THAT NO UPDATES ARE REQUIRED TO BE GIVEN ON FRAUD INVESTIGATIONS, UPDATE DESCRIPTION OF AUDITOR ACCESS PER CHANGES IN TECHNOLOGY, AND REMOVING THE STATE AUDITOR FROM AN EX OFFICIO DUTY, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

The committee substitute changes the bill from public to local.

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

H.B. 214, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE COMMON BOUNDARY BETWEEN ALAMANCE COUNTY AND ORANGE COUNTY SUBSEQUENT TO THE 2010/2011 RESURVEYS OF THE TRANSITIONED PROPERTIES AS AUTHORIZED BY THE NORTH CAROLINA GENERAL ASSEMBLY BY SESSION LAW 2010-61

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ENABLING THE CHANGES IN THE HISTORIC ORANGE COUNTY/ALAMANCE COUNTY BOUNDARY LINE AS DESCRIBED IN THE 1849 SURVEY ESTABLISHING ALAMANCE COUNTY, AND TO AMEND SOME SECTIONS OF SESSION LAW 2010-61, 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. 411, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE IREDELL COUNTY SHERIFF MAY LEASE THE FORMER IREDELL CORRECTIONAL FACILITY FROM THE DEPARTMENT OF TRANSPORTATION FOR ONE DOLLAR UPON THE PAYMENT OF SEVENTY-FIVE THOUSAND DOLLARS BY THE IREDELL COUNTY SHERIFF TO THE DEPARTMENT OF TRANSPORTATION FOR THE RENOVATION OF THE NEWTON STORAGE FACILITY FOR THE DEPARTMENT OF TRANSPORTATION, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

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

By Representatives McElraft, Samuelson, and West, Chairs, for the Committee on Environment:

H.B. 388, A BILL TO BE ENTITLED AN ACT TO PREVENT THE RECLAIMED WATER RULES ADOPTED BY THE ENVIRONMENTAL MANAGEMENT COMMISSION FROM BECOMING EFFECTIVE, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

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

H.B. 435, A BILL TO BE ENTITLED AN ACT TO ALLOW MECKLENBURG COUNTY TO USE THE PROCUREMENT PROCESS PROVIDED IN THIS ACT WHEN LETTING CONTRACTS AUTHORIZED BY ITS BOARD OF COMMISSIONERS TO INCREASE ENERGY EFFICIENCY, AND TO AUTHORIZE THAT COUNTY TO ENTER INTO LEASES FOR THE SITING AND OPERATION OF RENEWABLE

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ENERGY FACILITIES FOR TWENTY YEARS WITHOUT TREATING IT AS A SALE AND WITHOUT GIVING NOTICE BY PUBLICATION, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

The serial referral to the Committee on Finance is stricken.

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

H.B. 643, A BILL TO BE ENTITLED AN ACT TO EXEMPT TRANSFERS OF WATER IN THE CENTRAL COASTAL PLAIN CAPACITY USE AREA FROM INTERBASIN TRANSFER CERTIFICATION REQUIREMENTS, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

On motion of the Chair, the committee substitute bill is re-referred to the Committee on Government. The original bill is placed on the Unfavorable Calendar.

By Representative Blust, Chair, for Judiciary Subcommittee A, with approval of standing committee Chair for reports to be made directly to the floor of the House:

H.B. 348, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT OFFENDERS ARE PROHIBITED FROM OBTAINING PUBLIC EMPLOYEES' PERSONNEL RECORDS, TO PROVIDE CRIMINAL PENALTIES FOR PROVIDING SUCH PROHIBITED INFORMATION TO OFFENDERS, AND TO MAKE IT A MISDEMEANOR FOR OFFENDERS TO POSSESS SUCH INFORMATION, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

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

H.B. 379, A BILL TO BE ENTITLED AN ACT TO ENACT THE NORTH CAROLINA INTERSTATE DEPOSITIONS AND DISCOVERY ACT AND TO MAKE CONFORMING AMENDMENTS TO THE NORTH CAROLINA RULES OF CIVIL PROCEDURE, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

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

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H.B. 380, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PROCEDURE FOR DISCOVERY OF ELECTRONICALLY STORED INFORMATION AND TO MAKE CONFORMING CHANGES TO THE NORTH CAROLINA RULES OF CIVIL PROCEDURE, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

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

H.B. 493, A BILL TO BE ENTITLED AN ACT AMENDING THE LAWS RELATED TO LANDLORD TENANT RELATIONSHIPS, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

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

H.B. 737, A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE LAWS REGARDING THE SAFETY OF CHILDREN IN CHILD CARE FACILITIES, with a favorable report.

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

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 135, A BILL TO BE ENTITLED AN ACT TO ALLOW A JUVENILE RECORD TO BE CONSIDERED IN MAKING THE RISK DETERMINATION FOR ESTABLISHING A BOND UNDER THE LAWS PERTAINING TO THE JUVENILE CODE, is read the first time and referred to Judiciary Subcommittee B.

S.B. 215 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MODIFY THE STATE TREASURER'S INVESTMENT STATUTE, is read the first time and referred to the Committee on State Personnel.

S.B. 229 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO TRANSFER THE DIVISION OF SOIL AND WATER CONSERVATION AND THE SOIL AND WATER CONSERVATION COMMISSION OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES AND TO MAKE CONFORMING CHANGES, is read the first time and referred to the Committee on Appropriations.

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S.B. 247, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE INCOME THRESHOLD FOR CONTRIBUTIONS TO AN ACCOUNT IN THE PARENTAL SAVINGS TRUST FUND OF THE STATE EDUCATION ASSISTANCE AUTHORITY, is read the first time and referred to the Committee on Finance.

S.B. 297, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF DURHAM TO AUTHORIZE THE CITY TO ESTABLISH A SMALL BUSINESS ENTERPRISE PROGRAM TO PROMOTE THE DEVELOPMENT OF SMALL BUSINESSES IN THE CITY AND TO ENHANCE THE OPPORTUNITIES FOR SMALL BUSINESSES TO PARTICIPATE IN CITY CONTRACTS, is read the first time and referred to the Committee on Government and, if favorable, to the Committee on Finance.

S.B. 321 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO CONFORM PROVISIONS OF NORTH CAROLINA SURPLUS LINES INSURANCE LAWS TO THE FEDERAL NONADMITTED AND REINSURANCE REFORM ACT OF 2010, TO STREAMLINE APPLICATIONS FOR COMMERCIAL PURCHASERS, TO PREVENT ANY LOSS OF PREMIUM TAX REVENUE TO THE STATE, AND TO CONFORM THE DEFINITION OF RISK RETENTION GROUP TO FEDERAL LAW, is read the first time and referred to the Committee on Insurance.

S.B. 407 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS GOVERNING TRUSTS, ESTATE PLANNING, AND TRUST COMPANIES, is read the first time and referred to Judiciary Subcommittee A.

S.B. 521 (Committee Substitute), A BILL TO BE ENTITLED AN ACT ABOLISHING THE RULE IN DUMPOR'S CASE, is read the first time and referred to Judiciary Subcommittee A.

S.B. 586, A BILL TO BE ENTITLED AN ACT AMENDING RULE 7 OF THE RULES OF CIVIL PROCEDURE TO PROVIDE THAT, WITH THE PERMISSION OF THE SENIOR RESIDENT SUPERIOR COURT JUDGE, A MOTION IN A CIVIL ACTION IN A COUNTY THAT IS PART OF A MULTICOUNTY JUDICIAL DISTRICT MAY BE HEARD DURING CIVIL SESSION IN AN INCLUDED COUNTY DIFFERENT FROM WHERE THE CASE WAS FILED, is read the first time and referred to Judiciary Subcommittee A.

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S.B. 620 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT A LEGISLATOR'S OR PUBLIC SERVANT'S PUBLIC POSITION MAY BE DISCLOSED IN AN AGENDA OR OTHER DOCUMENT RELATED TO A MEETING, CONFERENCE, OR SIMILAR EVENT, is read the first time and referred to the Committee on Government.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative T. Moore and without objection, **H.B. 806** (Committee Substitute), A BILL TO BE ENTITLED AN ACT CHANGING THE STATUTE OF LIMITATIONS AND REPOSE FOR CHALLENGING ZONING ORDINANCES, CLARIFYING THE APPLICABILITY OF THE STATUTE OF LIMITATIONS TO ENFORCEMENT ACTIONS OR ADMINISTRATIVE APPEALS AND TO PROHIBIT SPECIFIED ZONING ORDINANCES AFFECTING SINGLE-FAMILY DETACHED RESIDENTIAL USES ON LOTS GREATER THAN TEN ACRES IN AGRICULTURAL ZONING DISTRICTS, is withdrawn from the Calendar and placed on the Calendar of May 11.

RE-REFERRAL

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 898**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE EAST CAMPUS TEXTILE TECHNOLOGY CENTER ON THE CAMPUS OF GASTON COLLEGE, is withdrawn from the Committee on Appropriations and re-referred to the Committee on Education and, if favorable, to the Committee on Appropriations.

CALENDAR

Action is taken on the following:

H.B. 208, A BILL TO BE ENTITLED AN ACT TO PROVIDE THE CITY OF WINSTON-SALEM THE RIGHT TO ACQUIRE POSSESSION AND TITLE OF LAND CONDEMNED FOR PUBLIC TRANSPORTATION PROJECTS, 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, Barnhart, Bell, Blackwell, Blust, Boles, Bordsen, Bradley, Brandon, Brawley, Brisson, L. Brown, Brubaker, Bryant, Burr, Carney, Cleveland, Collins, Cook, Cotham, Crawford, Current, Daughtry, Dixon, Dockham, Dollar, Earle, Faircloth, Faison, Farmer-Butterfield, Fisher, Floyd, Folwell, Frye, Gill, Gillespie, Glazier, Goodman, Graham,

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Guice, Hackney, Hager, Haire, Hall, Hamilton, Harrison, Hastings, Hill, Hilton, Hollo, Holloway, Horn, Howard, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Jordan, Justice, Keever, Langdon, LaRoque, Lewis, Lucas, Luebke, Martin, McComas, McElraft, McGee, McGrady, McGuirt, McLawhorn, Michaux, Mills, Mobley, Moffitt, R. Moore, T. Moore, Murry, Owens, Parfitt, Pierce, Pridgen, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Tolson, Torbett, Wainwright, E. Warren, Weiss, West, Wilkins, Womble, and Wray - 113.

Voting in the negative: Representative Stone.

Excused absences: Representatives Killian and Parmon - 2.

Representatives R. Brown, McCormick, and H. Warren request and are granted leave of the House to be recorded as voting "aye". The adjusted vote total is (116-1).

H.B. 532, A BILL TO BE ENTITLED AN ACT PROVIDING FOR THE MAINTENANCE OF CEMETERIES IN GRAHAM COUNTY FROM AD VALOREM TAXES UNDER GENERAL LAW, 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, Barnhart, Bell, Blust, Boles, Bordsen, Bradley, Brandon, Brawley, Brisson, R. Brown, Brubaker, Bryant, Burr, Carney, Collins, Cook, Cotham, Crawford, Current, Daughtry, Dixon, Dockham, Dollar, Earle, Faircloth, Faison, Farmer-Butterfield, Fisher, Floyd, Folwell, Frye, Gill, Gillespie, Glazier, Goodman, Graham, Guice, Hackney, Hager, Haire, Hall, Hamilton, Harrison, Hastings, Hill, Hilton, Hollo, Holloway, Horn, Howard, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Jordan, Justice, Keever, Langdon, LaRoque, Lewis, Lucas, Luebke, Martin, McComas, McCormick, McElraft, McGee, McGrady, McGuirt, McLawhorn, Michaux, Mills, Mobley, Moffitt, R. Moore, T. Moore, Murry, Owens, Parfitt, Pierce, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Wainwright, E. Warren, H. Warren, Weiss, West, Wilkins, Womble, and Wray - 113.

Voting in the negative: Representatives L. Brown and Cleveland - 2.

Excused absences: Representatives Killian and Parmon - 2.

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Representatives Blackwell and Pridgen request and are granted leave of the House to be recorded as voting "aye". The adjusted vote total is (115-2).

S.B. 269, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF HILLSBOROUGH TO LEVY A ROOM OCCUPANCY TAX, 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, Barnhart, Bell, Blackwell, Bordsen, Bradley, Brandon, Brisson, Bryant, Carney, Cotham, Crawford, Current, Daughtry, Dixon, Earle, Faison, Farmer-Butterfield, Fisher, Floyd, Frye, Gill, Glazier, Goodman, Graham, Guice, Hackney, Haire, Hall, Hamilton, Harrison, Hill, Iler, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Keever, Langdon, LaRoque, Lewis, Lucas, Luebke, Martin, McComas, McElraft, McGee, McGrady, McGuirt, McLawhorn, Michaux, Mobley, R. Moore, Owens, Parfitt, Pierce, Pridgen, Randleman, Rapp, Rhyne, Ross, Samuelson, Sanderson, Spear, Stam, Starnes, Steen, Stevens, Tolson, Wainwright, E. Warren, Weiss, West, Wilkins, Womble, and Wray - 81.

Voting in the negative: Representatives Blust, Boles, L. Brown, R. Brown, Brubaker, Burr, Cleveland, Collins, Cook, Dockham, Dollar, Faircloth, Gillespie, Hager, Hastings, Hilton, Hollo, Holloway, Horn, Howard, Hurley, Ingle, Jordan, McCormick, Mills, Moffitt, T. Moore, Murry, Sager, Setzer, Shepard, Stone, Torbett, and H. Warren - 34.

Excused absences: Representatives Killian and Parmon - 2.

Representative Randleman requests and is granted leave of the House to change her vote from "aye" to "no". The adjusted vote total is (80-35).

S.B. 295, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF MARSHVILLE, 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, Barnhart, Bell, Blackwell, Blust, Boles, Bordsen, Bradley, Brandon, Brisson, L. Brown, R. Brown, Brubaker, Bryant, Burr, Carney, Cleveland, Collins, Cook, Cotham, Crawford, Current, Daughtry, Dixon, Dockham, Dollar, Earle, Faircloth, Faison, Farmer-Butterfield, Fisher, Floyd, Folwell, Frye, Gill, Gillespie, Glazier, Goodman, Graham, Guice, Hackney, Hager, Haire, Hall, Hamilton, Harrison, Hastings, Hill, Hilton, Hollo, Holloway, Horn, Howard, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Jordan, Justice, Keever, Langdon, LaRoque, Lewis,

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Lucas, Luebke, Martin, McComas, McCormick, McElraft, McGee, McGrady, McGuiert, McLawhorn, Michaux, Mills, Mobley, Moffitt, R. Moore, T. Moore, Murry, Owens, Parfitt, Pierce, Pridgen, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Sanderson, Setzer, Shepard, Spear, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Wainwright, E. Warren, H. Warren, Weiss, West, Wilkins, Womble, and Wray - 115.

Voting in the negative: None.

Excused absences: Representatives Killian and Parmon - 2.

H.B. 207 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN CHANGES TO LOCAL DEVELOPMENT FOR THE CITY OF WINSTON-SALEM, passes its second reading and there being no objection is read a third time.

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

H.B. 352, A BILL TO BE ENTITLED AN ACT AT THE REQUEST OF THE CITY OF KANNAPOLIS TO DELAY FOR TWO YEARS THE LEGISLATIVE ANNEXATION OF THE SOUTHLAND DEVELOPMENT TRACTS IN SOUTHERN ROWAN COUNTY, passes its second reading and there being no objection is read a third time.

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

H.B. 371, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF WINSTON-SALEM TO RECEIVE BIDS ELECTRONICALLY IN ADDITION TO OR INSTEAD OF PAPER BIDS WHEN LETTING CONTRACTS ON INFORMAL BIDS, passes its second reading and there being no objection is read a third time.

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

H.B. 510, A BILL TO BE ENTITLED AN ACT TO RESTORE ELECTIONS IN THE CITY OF REIDSVILLE TO NOVEMBER, SUBJECT TO A REFERENDUM, passes its second reading and there being no objection is read a third time.

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

H.B. 558, A BILL TO BE ENTITLED AN ACT TO AMEND THE ENABLING LAWS RELATING TO CITY-COUNTY PLANNING AND ZONING IN FORSYTH COUNTY AND THE CITY OF WINSTON-SALEM, passes its second reading and there being no objection is read a third time.

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

H.B. 483, A BILL TO BE ENTITLED AN ACT TO EXPAND THE LIST OF FELONIES FOR WHICH A DNA SAMPLE SHALL BE TAKEN UPON ARREST AND TO APPROPRIATE FUNDS TO FACILITATE THE EXPANSION.

Representative Luebke raises a point of order, and questions if, pursuant to Rule 38(a), the bill should go to the Committee on Appropriations before being heard on the floor. The Chair rules that the bill is properly before the Body.

The bill, as amended, passes its third reading, by electronic vote (83-34), and is ordered engrossed and sent to the Senate.

H.B. 692 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE STATUTES GOVERNING UNCLAIMED PROPERTY IN ORDER TO INCREASE CLAIMS PAID TO RIGHTFUL OWNERS AND REDUCE REPORTING BURDENS ON BUSINESS HOLDERS OF UNCLAIMED PROPERTY, passes its second reading, by electronic vote (116-0), and there being no objection is read a third time.

Representative Hamilton requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (117-0).

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

S.B. 212, A BILL TO BE ENTITLED AN ACT ALLOWING THE REGISTER OF DEEDS TO REGISTER A MAP OF A CEMETERY THAT LACKS A SURVEYOR'S STAMP OR SEAL AND THE ORIGINAL SIGNATURE OF THE SURVEYOR UNDER CERTAIN CIRCUMSTANCES, passes its second reading by electronic vote (114-0).

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

APPOINTMENTS BY THE SPEAKER

Pursuant to Rule 26, the Speaker makes the following appointments to the Joint Select Tornado Damage Response Committee: Representative Stone, Chair; Representatives Lewis, Murry, Daughtry, Langdon, Brisson, Pridgen, Pierce, Farmer-Butterfield, LaRoque, Cook, Bradley, Mobley, Dixon, Cleveland, Shepard, and Sanderson.

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INTRODUCTION OF PAGES

Pages for the week of May 9 are introduced to the membership. They are: Cortez Atwater, Victoria Bishop, Sha'Quan Dickerson, Reginald Everette, Jaleel Graham, Daniel Hood, Darris Hopkins, Ryan Marsh, Anthony Moore, Jr., Kenneth Morales, Tiawana Munnerlyn, Tyler Olomon, Robert Parker, II, Jared Rauscher, Alesha Satterwhite, Ali Smith, Angel Thavone, and Cortez Thompson.

All of the pages are cadets at the Tarheel ChalleNGe Academy in Salemburg, North Carolina and are sponsored by Speaker Tillis.

On motion of Representative LaRoque, seconded by Representative Cleveland, the House adjourns at 7:53 p.m. to reconvene May 10 at 2:00 p.m.

SIXTY-FIRST DAY

HOUSE OF REPRESENTATIVES
Tuesday, May 10, 2011

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 Representative Pat Hurley:

"Our Heavenly Father:

"As we come into this Chamber today, help us to be mindful of the great opportunity we have been granted, and the tremendous responsibility we have, to serve the citizens of our districts and our State. Help us to center down and remain attuned to the magnitude of the consequences of our decisions as we vote on legislation that will affect all North Carolinians. Please guide us with Your powerful hand and grant us wisdom to do what is right for the good of our people. Thank You for the many blessings You bestow on us each day including the air we breathe, the water we drink, the food we eat, and the world we live in. Please be with President Obama and our national leaders as well as the leaders of other countries around the world. Please also be with Governor Perdue and everyone in leadership roles in North Carolina. Please grant them knowledge and wisdom in their daily decisions. Please guide and protect those who are serving in our

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military. They and their families are sacrificing daily for their willingness to answer the call for our Nation. Please heal our land and be with those who have suffered through weather-related devastations here and abroad.

"All glory, honor, and praise be unto Thee.

"In Jesus precious name I pray. Amen."

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

A leave of absence is granted Representative Killian for today.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Dockham, Chair, for the Committee on Insurance:

H.B. 453, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE PLACEMENT AND ISSUANCE OF SALARY PROTECTION INSURANCE UNDER THE SURPLUS LINES 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 Langdon and Sager, Chairs, for the Committee on Agriculture:

H.B. 406, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT LAND THAT IS ENGAGED IN AGRICULTURE MAY QUALIFY FOR ENROLLMENT IN A VOLUNTARY AGRICULTURAL DISTRICT EVEN THOUGH IT DOES NOT QUALIFY FOR TAXATION AT ITS PRESENT-USE VALUE, AND TO PROVIDE THAT RESIDENTIAL LOTS CREATED ON LAND THAT IS THE SUBJECT OF A CONSERVATION AGREEMENT MUST MEET MUNICIPAL ZONING AND SUBDIVISION REGULATIONS, AND TO PROVIDE THAT REVOCABLE VOLUNTARY AGRICULTURAL DISTRICT CONSERVATION AGREEMENTS ARE NOT REQUIRED TO BE RECORDED, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

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

By Representatives McComas and Rhyne, Chairs, for the Select Committee on Tort Reform:

H.B. 542, A BILL TO BE ENTITLED AN ACT TO PROVIDE TORT REFORM FOR NORTH CAROLINA CITIZENS AND BUSINESSES, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of May 11. The original bill is placed on the Unfavorable Calendar.

RE-REFERRALS

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 917**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE DISTRIBUTION BETWEEN COUNTIES AND CITIES OF THE LOCAL GOVERNMENT SALES AND USE TAXES, 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 T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 814**, A BILL TO BE ENTITLED AN ACT TO MAKE HOME MORTGAGE LENDING MORE COMPETITIVE IN NORTH CAROLINA, is withdrawn from the Committee on Banking and re-referred to the Committee on Rules, Calendar, and Operations of the House.

WITHDRAWAL OF BILL FROM COMMITTEE

On motion of Representative T. Moore and without objection, **H.B. 406**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT LAND THAT IS ENGAGED IN AGRICULTURE MAY QUALIFY FOR ENROLLMENT IN A VOLUNTARY AGRICULTURAL DISTRICT EVEN THOUGH IT DOES NOT QUALIFY FOR TAXATION AT ITS PRESENT-USE VALUE, AND TO PROVIDE THAT RESIDENTIAL LOTS CREATED ON LAND THAT IS THE SUBJECT OF A CONSERVATION AGREEMENT MUST MEET MUNICIPAL ZONING AND SUBDIVISION REGULATIONS, AND TO PROVIDE THAT REVOCABLE VOLUNTARY AGRICULTURAL DISTRICT CONSERVATION AGREEMENTS ARE NOT REQUIRED TO BE RECORDED, is withdrawn from the Committee on Finance and pursuant to Rule 36(b), is placed on the Calendar of May 11.

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WITHDRAWAL OF BILLS FROM CALENDAR

On motion of Representative T. Moore and without objection, **H.B. 150** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF GREENSBORO, is withdrawn from the Calendar and placed on the Calendar of May 11.

On motion of Representative T. Moore and without objection, **H.B. 348** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT OFFENDERS ARE PROHIBITED FROM OBTAINING PUBLIC EMPLOYEES' PERSONNEL RECORDS, TO PROVIDE CRIMINAL PENALTIES FOR PROVIDING SUCH PROHIBITED INFORMATION TO OFFENDERS, AND TO MAKE IT A MISDEMEANOR FOR OFFENDERS TO POSSESS SUCH INFORMATION, is withdrawn from the Calendar and placed on the Calendar of May 17.

MESSAGE FROM THE SENATE

The following is received from the Senate:

S.B. 607 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CONFORM MEDICAL RECORD CONFIDENTIALITY LAWS, is read the first time and referred to the Committee on Health and Human Services.

CONFERENCE REPORT

Representative Dockham moves the adoption of the following Conference Report.

House Committee Substitute for S.B. 323

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 323, A BILL TO BE ENTITLED AN ACT TO MAKE APPROPRIATIONS AND ADJUSTMENTS FOR THE 2011-2013 FISCAL BIENNIUM TO THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES; AND TO TRANSFER THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES TO THE OFFICE OF STATE TREASURER, House Committee Substitute Favorable 4/19/11, Fourth Edition Engrossed 4/20/11, submit the following report:

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The House and Senate agree to the following amendment to the House Committee Substitute Adopted 4/19/11, Fourth Edition Engrossed 4/20/11, 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 S323-PCCS55289-ME-1.

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

Date conferees approved report: April 27, 2011.

*Conferees for the
Senate*

S/ Tom Apodaca, Chair
S/ Bob Rucho
S/ Ralph E. Hise, Jr.
S/ Peter S. Brunstetter
S/ Neal Hunt
S/ Tommy Tucker

*Conferees for the
House of Representatives*

S/ Jerry C. Dockham, Chair
S/ Nelson Dollar
S/ Tom Murry

The Conference Report is adopted, by electronic vote (66-53) and the Senate is so notified by Special Message. (The text of the Conference Committee Substitute may be found in its entirety in the 2011 Session Laws, Chapter 2011-85.)

CALENDAR

Action is taken on the following:

H.B. 208, A BILL TO BE ENTITLED AN ACT TO PROVIDE THE CITY OF WINSTON-SALEM THE RIGHT TO ACQUIRE POSSESSION AND TITLE OF LAND CONDEMNED FOR PUBLIC TRANSPORTATION PROJECTS, 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, M. Alexander, Avila, Barnhart, Bell, Blackwell, Blust, Boles, Bordsen, Bradley, Brandon, Brawley, Brisson, L. Brown, R. Brown, Brubaker, Bryant, Burr, Carney, Cleveland, Collins, Cook, Cotham, Crawford, Current, Daughtry, Dixon, Dockham, Dollar, Earle, Faircloth, Faison, Farmer-Butterfield, Fisher, Floyd, Folwell, Frye, Gill, Gillespie, Glazier, Graham, Guice, Hackney, Hager, Haire, Hall, Hamilton, Harrison, Hastings,

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Hill, Hilton, Hollo, Holloway, Horn, Howard, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Jordan, Justice, Keever, Langdon, LaRoque, Lewis, Lucas, Luebke, Martin, McComas, McElraft, McGee, McGrady, McGuirt, McLawhorn, Michaux, Mills, Mobley, Moffitt, R. Moore, T. Moore, Murry, Owens, Parfitt, Parmon, Pierce, Pridgen, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Tolson, Torbett, Wainwright, E. Warren, H. Warren, Weiss, West, Wilkins, Womble, and Wray - 115.

Voting in the negative: Representatives McCormick and Stone - 2.

Excused absence: Representative Killian.

H.B. 532, A BILL TO BE ENTITLED AN ACT PROVIDING FOR THE MAINTENANCE OF CEMETERIES IN GRAHAM COUNTY FROM AD VALOREM TAXES UNDER GENERAL LAW, 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, M. Alexander, Avila, Barnhart, Bell, Blackwell, Blust, Boles, Bordsen, Bradley, Brandon, Brawley, Brisson, L. Brown, R. Brown, Brubaker, Bryant, Burr, Carney, Collins, Cook, Cotham, Crawford, Current, Daughtry, Dixon, Dockham, Dollar, Earle, Faircloth, Faison, Farmer-Butterfield, Fisher, Floyd, Folwell, Frye, Gill, Gillespie, Glazier, Goodman, Graham, Guice, Hackney, Hager, Haire, Hall, Hamilton, Harrison, Hastings, Hill, Hilton, Hollo, Holloway, Horn, Howard, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Jordan, Justice, Keever, Langdon, LaRoque, Lewis, Lucas, Luebke, Martin, McComas, McCormick, McElraft, McGee, McGrady, McGuirt, McLawhorn, Michaux, Mills, Mobley, Moffitt, R. Moore, T. Moore, Murry, Owens, Parfitt, Parmon, Pierce, Pridgen, Rapp, Rhyne, Ross, Sager, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Wainwright, E. Warren, H. Warren, Weiss, West, Wilkins, Womble, and Wray - 115.

Voting in the negative: Representatives Cleveland, Hurley, and Randleman - 3.

Excused absence: Representative Killian.

S.B. 269, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF HILLSBOROUGH TO LEVY A ROOM OCCUPANCY TAX, passes its third reading, by the following vote, and is ordered enrolled.

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Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Barnhart, Bell, Blackwell, Bordsen, Bradley, Brandon, Brisson, Bryant, Carney, Cook, Cotham, Crawford, Current, Daughtry, Dixon, Dockham, Earle, Faircloth, Faison, Farmer-Butterfield, Fisher, Floyd, Frye, Gill, Glazier, Goodman, Graham, Guice, Hackney, Haire, Hall, Hamilton, Harrison, Hill, Hilton, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Keever, Langdon, LaRoque, Lewis, Lucas, Luebke, Martin, McComas, McElraft, McGee, McGrady, McGuirt, McLawhorn, Michaux, Mobley, R. Moore, Owens, Parfitt, Parmon, Pierce, Pridgen, Rapp, Rhyne, Ross, Samuelson, Sanderson, Shepard, Spear, Stam, Starnes, Steen, Stevens, Tolson, Wainwright, E. Warren, H. Warren, Weiss, West, Wilkins, Womble, and Wray - 85.

Voting in the negative: Representatives Avila, Blust, Boles, Brawley, L. Brown, R. Brown, Brubaker, Burr, Cleveland, Collins, Dollar, Folwell, Gillespie, Hager, Hastings, Hollo, Holloway, Horn, Howard, Hurley, Iler, Ingle, Jordan, McCormick, Mills, Moffitt, T. Moore, Murry, Randleman, Sager, Setzer, Stone, and Torbett - 33.

Excused absence: Representative Killian.

Representative H. Warren requests and is granted leave of the House to change his vote from "aye" to "no". The adjusted vote total is (84-34).

S.B. 295, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF MARSHVILLE, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Avila, Barnhart, Bell, Blackwell, Blust, Boles, Bordsen, Bradley, Brandon, Brawley, Brisson, L. Brown, R. Brown, Brubaker, Bryant, Burr, Carney, Cleveland, Collins, Cook, Cotham, Crawford, Current, Daughtry, Dixon, Dockham, Dollar, Earle, Faircloth, Faison, Farmer-Butterfield, Fisher, Floyd, Folwell, Frye, Gill, Gillespie, Glazier, Goodman, Graham, Guice, Hackney, Hager, Haire, Hall, Hamilton, Harrison, Hastings, Hill, Hilton, Hollo, Holloway, Horn, Howard, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Jordan, Justice, Keever, Langdon, LaRoque, Lewis, Lucas, Luebke, Martin, McComas, McCormick, McElraft, McGee, McGrady, McGuirt, McLawhorn, Michaux, Mills, Mobley, Moffitt, R. Moore, T. Moore, Murry, Owens, Parfitt, Parmon, Pierce, Pridgen, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Wainwright, E. Warren, H. Warren, Weiss, West, Wilkins, Womble, and Wray - 118.

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Voting in the negative: None.

Excused absence: Representative Killian.

H.B. 435 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW MECKLENBURG COUNTY TO USE THE PROCUREMENT PROCESS PROVIDED IN THIS ACT WHEN LETTING CONTRACTS AUTHORIZED BY ITS BOARD OF COMMISSIONERS TO INCREASE ENERGY EFFICIENCY, AND TO AUTHORIZE THAT COUNTY TO ENTER INTO LEASES FOR THE SITING AND OPERATION OF RENEWABLE ENERGY FACILITIES FOR TWENTY YEARS WITHOUT TREATING IT AS A SALE AND WITHOUT GIVING NOTICE BY PUBLICATION, passes its second reading and there being no objection is read a third time.

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

S.B. 212, A BILL TO BE ENTITLED AN ACT ALLOWING THE REGISTER OF DEEDS TO REGISTER A MAP OF A CEMETERY THAT LACKS A SURVEYOR'S STAMP OR SEAL AND THE ORIGINAL SIGNATURE OF THE SURVEYOR UNDER CERTAIN CIRCUMSTANCES, passes its third reading, by electronic vote (118-0), and is ordered enrolled and presented to the Governor.

H.B. 318 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE STATE TREASURER INVESTMENT STATUTE, passes its second reading, by electronic vote (112-5), and there being no objection is read a third time.

Representative Blust requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (113-5).

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

H.B. 379 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE NORTH CAROLINA INTERSTATE DEPOSITIONS AND DISCOVERY ACT AND TO MAKE CONFORMING AMENDMENTS TO THE NORTH CAROLINA RULES OF CIVIL PROCEDURE, passes its second reading, by electronic vote (118-0), and there being no objection is read a third time.

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

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H.B. 380 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PROCEDURE FOR DISCOVERY OF ELECTRONICALLY STORED INFORMATION AND TO MAKE CONFORMING CHANGES TO THE NORTH CAROLINA RULES OF CIVIL PROCEDURE, passes its second reading, by electronic vote (118-0), and there being no objection is read a third time.

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

H.B. 388 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE USE OF DIRECT CROSS-CONNECTIONS BETWEEN RECLAIMED WATER AND POTABLE WATER SYSTEMS WHEN SUCH DIRECT CROSS-CONNECTIONS HAVE BEEN PREVIOUSLY APPROVED BY THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES, passes its second reading, by electronic vote (116-0), and there being no objection is read a third time.

Representative Blust requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (117-0).

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

H.B. 589 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE PROVISION OF LAW THAT STATES ALLEGATIONS IN A DIVORCE COMPLAINT ARE DEEMED DENIED REGARDLESS OF WHETHER THE DEFENDANT FILES A PLEADING DENYING THE ALLEGATIONS, AND TO AMEND THE LAWS RELATING TO DOMESTIC VIOLENCE PROTECTIVE ORDERS, AS RECOMMENDED BY THE NORTH CAROLINA BAR ASSOCIATION; AND TO PROVIDE FOR TERMINATION OF CHILD SUPPORT WHEN A CHILD IS ENROLLED IN AN EARLY COLLEGE PROGRAM.

Representative Haire offers Amendment No. 1 which fails of adoption by electronic vote (47-71).

Representative Hackney offers Amendment No. 2 which is adopted by electronic vote (116-1).

The bill, as amended, passes its second reading, by electronic vote (110-7), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

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RE-REFERRAL

On motion of Representative LaRoque and without objection, the serial referral for **H.B. 823**, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO MAKE THE SUPERINTENDENT OF PUBLIC INSTRUCTION THE HEAD OF THE DEPARTMENT OF PUBLIC INSTRUCTION, TO MAKE THE STATE BOARD OF EDUCATION AN ADVISORY BODY, TO MODIFY THE MEMBERSHIP OF THE STATE BOARD OF EDUCATION, AND TO MAKE CONFORMING CHANGES TO THE GENERAL STATUTES, to the Committee on Finance is stricken.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative LaRoque and without objection, **H.B. 497**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DEFINITION OF A GENERAL CONTRACTOR, is withdrawn from the Calendar of May 11 and re-referred to Judiciary Subcommittee A.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from permanent subcommittees are presented:

By Representative Hurley, Chair, for the Health and Human Services Subcommittee on Mental Health, with approval of standing committee Chair for report to be made directly to the floor of the House:

H.B. 423 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE SECRETARY OF HEALTH AND HUMAN SERVICES TO ALLOW CERTAIN CERTIFIED PROVIDERS TO CONDUCT INITIAL (FIRST-LEVEL) EXAMINATIONS FOR INVOLUNTARY COMMITMENT OF INDIVIDUALS WITH MENTAL ILLNESS, IN A MANNER CONSISTENT WITH THE FIRST EVALUATION PILOT PROGRAM, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

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

By Representative Frye, Chair, for the Appropriations Subcommittee on Transportation, with approval of standing committee Chairs for report to be made directly to the floor of the House:

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H.B. 490, A BILL TO BE ENTITLED AN ACT TO NAME THE YADKIN RIVER BRIDGE AT THE DAVIDSON AND ROWAN COUNTY LINES THE "YADKIN RIVER VETERANS MEMORIAL BRIDGE", with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 11.

CAUCUS ANNOUNCED

The Speaker announces the following caucus:

Joint Legislative American Indian Affairs: Representative Graham, Chair.

Representative LaRoque moves, seconded by Representative Ross, that the House adjourn, subject to the receipt of Committee Reports, to reconvene May 11 at 2:00 p.m.

The motion carries.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following report from standing committee is presented:

By Representative Dockham, Chair, for the Committee on Insurance:

H.B. 115 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PRESERVE STATE-BASED AUTHORITY TO REGULATE THE NORTH CAROLINA HEALTH INSURANCE MARKET AND TO PREVENT FEDERAL ENCROACHMENT ON STATE AUTHORITY BY ESTABLISHING THE NORTH CAROLINA BENEFIT EXCHANGE, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1 and recommendation that Committee Substitute Bill No. 2 be re-referred to the Committee on Appropriations.

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

The House stands adjourned at 4:59 p.m.

May 10, 2011

SIXTY-SECOND DAY

HOUSE OF REPRESENTATIVES
Wednesday, May 11, 2011

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

On motion of the Speaker, the House recesses at 2:00 p.m.

RECESS

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

The following prayer is offered by Representative Winkie Wilkins:

"For food in a world where many walk in hunger,
For joy in a world where many walk in fear,
For friends in a world where many walk alone,
We give You thanks, O God.

"For light in a world where many walk in darkness,
For peace in a world where many walk in fear,
For friends in a world where many walk alone,
We give You thanks, O God.

"For these and all Thy many things unspoken,
For gifts unknown or as of yet unseen,
For these and all Thy gifts of love,
We give Thee thanks, O Lord."

(Excerpts from the song, "For All Thy Gifts of Love", composed by David Brunner.)

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

A leave of absence is granted Representative Killian for today.

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ENROLLED BILLS

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

S.B. 212, AN ACT ALLOWING THE REGISTER OF DEEDS TO REGISTER A MAP OF A CEMETERY THAT LACKS A SURVEYOR'S STAMP OR SEAL AND THE ORIGINAL SIGNATURE OF THE SURVEYOR UNDER CERTAIN CIRCUMSTANCES.

S.B. 323, AN ACT TO MAKE APPROPRIATIONS AND ADJUSTMENTS FOR THE 2011-2013 FISCAL BIENNIUM TO THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES; AND TO TRANSFER THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES TO THE OFFICE OF STATE TREASURER.

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

S.B. 269, AN ACT TO AUTHORIZE THE TOWN OF HILLSBOROUGH TO LEVY A ROOM OCCUPANCY TAX.

S.B. 295, AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF MARSHVILLE.

CALENDAR

Action is taken on the following:

H.B. 150 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF GREENSBORO.

Representative Blust offers Amendment No. 1.

Representative T. Moore calls the previous question on the amendment and the call is sustained by electronic vote (68-48).

Amendment No. 1 is adopted by electronic vote (65-52).

Representative T. Moore calls the previous question on the passage of the bill and the call is sustained by electronic vote (67-51).

The bill, as amended, passes its second reading, by electronic vote (66-52), and there being no objection is read a third time.

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The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H.B. 406, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT LAND THAT IS ENGAGED IN AGRICULTURE MAY QUALIFY FOR ENROLLMENT IN A VOLUNTARY AGRICULTURAL DISTRICT EVEN THOUGH IT DOES NOT QUALIFY FOR TAXATION AT ITS PRESENT-USE VALUE, AND TO PROVIDE THAT RESIDENTIAL LOTS CREATED ON LAND THAT IS THE SUBJECT OF A CONSERVATION AGREEMENT MUST MEET MUNICIPAL ZONING AND SUBDIVISION REGULATIONS, AND TO PROVIDE THAT REVOCABLE VOLUNTARY AGRICULTURAL DISTRICT CONSERVATION AGREEMENTS ARE NOT REQUIRED TO BE RECORDED.

Pursuant to Rule 24.1A, Representative Hackney requests that he be excused from voting on this bill, because he is part-owner of land in a voluntary agricultural district. This request is granted.

The bill passes its second reading by electronic vote (116-1).

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

H.B. 423 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE SECRETARY OF HEALTH AND HUMAN SERVICES TO ALLOW CERTAIN CERTIFIED PROVIDERS TO CONDUCT INITIAL (FIRST-LEVEL) EXAMINATIONS FOR INVOLUNTARY COMMITMENT OF INDIVIDUALS WITH MENTAL ILLNESS, IN A MANNER CONSISTENT WITH THE FIRST EVALUATION PILOT PROGRAM, passes its second reading, by electronic vote (118-0), and there being no objection is read a third time.

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

H.B. 490, A BILL TO BE ENTITLED AN ACT TO NAME THE YADKIN RIVER BRIDGE AT THE DAVIDSON AND ROWAN COUNTY LINES THE "YADKIN RIVER VETERANS MEMORIAL BRIDGE", passes its second reading, by electronic vote (118-0), and there being no objection is read a third time.

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

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H.B. 493 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE LAWS RELATED TO LANDLORD TENANT RELATIONSHIPS.

Pursuant to Rule 24.1A, Representative Hackney requests that he be excused from voting on this bill because he owns rental property. This request is granted.

On motion of Representative T. Moore and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of May 12.

H.B. 542 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE TORT REFORM FOR NORTH CAROLINA CITIZENS AND BUSINESSES.

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

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

H.B. 737, A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE LAWS REGARDING THE SAFETY OF CHILDREN IN CHILD CARE FACILITIES, 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.

H.B. 806 (Committee Substitute), A BILL TO BE ENTITLED AN ACT CHANGING THE STATUTE OF LIMITATIONS AND REPOSE FOR CHALLENGING ZONING ORDINANCES, CLARIFYING THE APPLICABILITY OF THE STATUTE OF LIMITATIONS TO ENFORCEMENT ACTIONS OR ADMINISTRATIVE APPEALS AND TO PROHIBIT SPECIFIED ZONING ORDINANCES AFFECTING SINGLE-FAMILY DETACHED RESIDENTIAL USES ON LOTS GREATER THAN TEN ACRES IN AGRICULTURAL ZONING DISTRICTS.

Representative Glazier offers Amendment No. 1 which is adopted by electronic vote (114-4).

The bill, as amended, passes its second reading by electronic vote (109-7).

Representative Bryant requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (110-7).

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

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following report from standing committee is presented:

By Representatives Howard, Folwell, Setzer, and Starnes, Chairs, for the Committee on Finance:

H.B. 845 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REFORM THE INVOLUNTARY ANNEXATION LAWS OF NORTH CAROLINA, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

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

BILL PLACED ON CALENDAR

Representative T. Moore gives notice, pursuant to Rule 36(b) and without objection, and **H.B. 845** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REFORM THE INVOLUNTARY ANNEXATION LAWS OF NORTH CAROLINA, is placed on today's Calendar for immediate consideration.

The Speaker rules Committee Substitute No. 2 to be material, thus constituting its first reading. The bill remains on the Calendar.

Representative LaRoque moves, seconded by Representative L. Brown, that the House adjourn, subject to the receipt of Committee Reports, to reconvene May 12 at 1:00 p.m.

The motion carries.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

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

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By Representative McCormick, Chair, for the Commerce and Job Development Subcommittee on Business and Labor, with approval of standing committee Chair for report to be made directly to the floor of the House:

H.B. 484, A BILL TO BE ENTITLED AN ACT TO TRANSFER MANAGEMENT OF THE STATE HOME FORECLOSURE PREVENTION PROJECT AND FUND TO THE NORTH CAROLINA HOUSING FINANCE AGENCY, TO EXEMPT THE NORTH CAROLINA HOUSING FINANCE AGENCY FROM THE REQUIREMENTS OF ARTICLES 6 AND 7 OF CHAPTER 143 OF THE GENERAL STATUTES, AND TO AUTHORIZE THE COMMISSIONER OF BANKS TO ACQUIRE PROPERTY SUBJECT TO APPROVAL OF THE STATE BANKING COMMISSION, with a favorable report.

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

By Representative Lewis, Chair, for the Committee on Elections:

H.B. 658, A BILL TO BE ENTITLED AN ACT TO CHANGE THE EARLY VOTING PERIOD, with a favorable report.

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

By Representative McGee, Chair, for the Committee on State Personnel:

H.B. 804 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE JOHNSTON MEMORIAL HOSPITAL AUTHORITY TO FREEZE ITS PARTICIPATION AS AN EMPLOYER UNDER THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, with a favorable report.

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

S.B. 244 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE SURVIVOR'S ALTERNATE BENEFIT TO SURVIVORS OF FIREFIGHTERS AND RESCUE SQUAD WORKERS WHO ARE MEMBERS OF THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM AND ARE KILLED IN THE LINE OF DUTY, with a favorable report.

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

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By Representatives Iler and Mills, Chairs, for the Committee on Transportation:

H.B. 345, A BILL TO BE ENTITLED AN ACT TO MODIFY THE MOVE OVER LAW TO INCLUDE ALL HIGHWAY MAINTENANCE VEHICLES AND UTILITY VEHICLES, 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 Judiciary Subcommittee A.

The committee substitute bill is re-referred to Judiciary Subcommittee A. The original bill is placed on the Unfavorable Calendar.

By Representatives T. Moore and Rhyne, Chairs, for Judiciary Subcommittee C, with approval of standing committee Chair for report to be made directly to the floor of the House:

H.B. 271, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE PROHIBITION AGAINST CARRYING A CONCEALED WEAPON DOES NOT APPLY TO STATE PROBATION AND PAROLE CERTIFIED OFFICERS WHEN THEY ARE OFF-DUTY, with a favorable report.

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

By Representatives Howard, Folwell, Setzer, and Starnes, Chairs, for the Committee on Finance:

H.B. 414, A BILL TO BE ENTITLED AN ACT TO MODIFY THE RUTHERFORD COUNTY OCCUPANCY TAX, with a favorable report.

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

H.B. 565, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A BOUNDARY LINE AGREEMENT AND LIMIT THE EXTRA-TERRITORIAL JURISDICTION AND ANNEXATION AUTHORITY WHICH MAY BE EXERCISED BY THE TOWNS OF MOREHEAD CITY AND BEAUFORT, with a favorable report.

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

S.B. 288, A BILL TO BE ENTITLED AN ACT EXPANDING THE PURPOSES FOR WHICH THE TOWNS OF ATLANTIC BEACH AND BEAUFORT MAY USE THE PROCEEDS FROM ON-STREET PARKING METERS, PROVIDING THAT PARKING METERS IN THE TOWNS

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MAY BE ACTIVATED BY COMMERCIALY AVAILABLE MEANS OF PREPAYMENT CREDIT, AND AUTHORIZING THE TOWNS TO USE CERTAIN CIVIL PENALTIES COLLECTED FOR VIOLATING PARKING ORDINANCES IN THE SAME MANNER IN WHICH PROCEEDS FROM ON-STREET AND OFF-STREET PARKING FACILITIES ARE USED, 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 May 12. The original bill is placed on the Unfavorable Calendar.

By Representatives Brubaker, Barnhart, Gillespie, and Johnson, Chairs, for the Committee on Appropriations:

H.B. 54 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT IF A DEFENDANT HAS SEVEN OR MORE PRIOR LARCENY CONVICTIONS, A SUBSEQUENT LARCENY OFFENSE IS A FELONY, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(b), Committee Substitute Bill No. 2 is placed on the Calendar of May 12. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

H.B. 115 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PRESERVE STATE-BASED AUTHORITY TO REGULATE THE NORTH CAROLINA HEALTH INSURANCE MARKET AND TO PREVENT FEDERAL ENCROACHMENT ON STATE AUTHORITY BY ESTABLISHING THE NORTH CAROLINA BENEFIT EXCHANGE, with a favorable report.

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

H.B. 451 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTIES FOR DRIVING WHILE LICENSE REVOKED BY SETTING MINIMUM FINES FOR THE INITIAL AND SUBSEQUENT CONVICTIONS AND BY REQUIRING THE VEHICLE BEING OPERATED BY A DRIVER WHOSE LICENSE OR DRIVING PRIVILEGES ARE REVOKED AFTER TWO PRIOR CONVICTIONS FOR DRIVING WHILE LICENSE REVOKED TO BE SEIZED AND FORFEITED TO THE STATE, with a favorable report.

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

The House stands adjourned at 4:33 p.m.

SIXTY-THIRD DAY

HOUSE OF REPRESENTATIVES
Thursday, May 12, 2011

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

Prayer is offered by Representative Elmer Floyd.

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

Leaves of absence are granted Representatives Keever, Killian, and McElraft for today. Representatives Hastings, Samuelson, and Womble are excused for a portion of the Session.

CHAPTERED BILLS

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

S.B. 269, AN ACT TO AUTHORIZE THE TOWN OF HILLSBOROUGH TO LEVY A ROOM OCCUPANCY TAX. (S.L. 2011-69)

S.B. 295, AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF MARSHVILLE. (S.L. 2011-70)

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representative Frye:

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H.R. 929, A HOUSE RESOLUTION HONORING MITCHELL COUNTY'S ONE HUNDRED FIFTIETH ANNIVERSARY, is referred to the Committee on Rules, Calendar, and Operations of the House.

MESSAGES FROM THE SENATE

The following are received from the Senate:

H.B. 197 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO GIVE CERTAIN LOCAL BOARDS OF EDUCATION ADDITIONAL FLEXIBILITY WITH REGARD TO INSTRUCTIONAL TIME LOST DUE TO INCLEMENT WEATHER OR OTHER EMERGENCY SITUATIONS, is returned for concurrence in the Senate committee substitute bill.

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

H.B. 415 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT PRESERVING LITTORAL RIGHTS IN THE TOWNS OF TOPSAIL BEACH AND NAGS HEAD AFTER PUBLICLY FINANCED BEACH NOURISHMENT PROJECTS, is returned for concurrence in the Senate committee substitute bill.

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

Upon concurrence the Senate committee substitute bill changes the title.

S.B. 126, A BILL TO BE ENTITLED AN ACT TO PROVIDE ACTIVE DUTY MILITARY PERSONNEL WHO ARE NOT RESIDENTS OF NORTH CAROLINA AND WHO HAVE A VALID MILITARY IDENTIFICATION AN EXEMPTION FROM HAVING A VALID DRIVERS LICENSE SO LONG AS THE PERSON HAS BEEN PREVIOUSLY LICENSED AND THE LICENSE IS NOT IN A STATE OF SUSPENSION OR REVOCATION, is read the first time and referred to the Committee on Finance.

S.B. 345, A BILL TO BE ENTITLED AN ACT TO RETAIN AND ENCOURAGE INVESTMENT IN ECONOMICALLY DISTRESSED TIMES TO REMAIN ELIGIBLE TO TAKE AN INSTALLMENT OF A CREDIT EARNED UNDER THE BILL LEE ACT, is read the first time and referred to the Committee on Finance.

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S.B. 354 (Committee Substitute), A BILL TO BE ENTITLED AN ACT PROVIDING THAT AFTER DECEMBER 31, 2011, LANDLORDS SHALL, WHEN INSTALLING A NEW SMOKE ALARM OR REPLACING AN EXISTING SMOKE ALARM, INSTALL A TAMPER-RESISTANT, TEN-YEAR LITHIUM BATTERY SMOKE ALARM EXCEPT IN CERTAIN CASES, AND PROVIDING THAT LANDLORDS MAY DEDUCT FROM THE TENANT SECURITY DEPOSIT DAMAGE TO A SMOKE ALARM OR CARBON MONOXIDE ALARM, AS RECOMMENDED BY THE NORTH CAROLINA CHILD FATALITY TASK FORCE, is read the first time and referred to the Committee on Commerce and Job Development and, if favorable, to the Committee on Judiciary.

S.B. 380 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DEFINITION OF "BONA FIDE FARM PURPOSES" AND TO EXEMPT PROPERTY USED FOR BONA FIDE FARM PURPOSES FROM MUNICIPAL ZONING AND BUILDING CODE ENFORCEMENT, is read the first time and referred to the Committee on Agriculture.

S.B. 432 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE JURISDICTIONAL AND PROCEDURAL PROVISIONS OF THE PROBATE CODE AND RELATED STATUTES TO PROVIDE UNIFORMITY IN ESTATE MATTERS, TO DEFINE THE JURISDICTION OF THE CLERK OF SUPERIOR COURT CONSISTENT WITH THE PROVISIONS OF THE UNIFORM TRUST CODE, TO RECODIFY CERTAIN PROVISIONS RELATING TO THE PROBATE OF WILLS, AND TO UPDATE AND AMEND THE PROCEDURE FOR CLAIMING SPOUSAL AND CHILDREN'S ALLOWANCES, is read the first time and referred to Judiciary Subcommittee A.

S.B. 498 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE INVOLVEMENT OF A PARENT OR GUARDIAN BEFORE SCHOOL OFFICIALS MAY ADMINISTER CORPORAL PUNISHMENT ON A STUDENT, is read the first time and referred to the Committee on Education.

S.B. 669 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ALLOCATION OF THE PROCEEDS FROM ANY DISPOSITION OF THE DOROTHEA DIX HOSPITAL PROPERTY, is read the first time and referred to the Committee on Finance.

S.B. 709 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE ENERGY PRODUCTION IN NORTH CAROLINA TO DEVELOP A SECURE, STABLE, AND PREDICTABLE ENERGY SUPPLY TO FACILITATE ECONOMIC GROWTH, JOB CREATION,

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AND EXPANSION OF BUSINESS AND INDUSTRY OPPORTUNITIES AND TO ASSIGN FUTURE REVENUE FROM ENERGY EXPLORATION, DEVELOPMENT, AND PRODUCTION OF ENERGY RESOURCES IN ORDER TO PROTECT AND PRESERVE THE STATE'S NATURAL RESOURCES, CULTURAL HERITAGE, AND QUALITY OF LIFE, is read the first time and referred to the Committee on Public Utilities and, if favorable, to the Committee on Commerce and Job Development.

S.B. 724 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT VARIOUS EDUCATION REFORMS, is read the first time and referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

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

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

H.B. 585, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA ENERGY INDEPENDENCE SEARCH COMMITTEE TO CONTACT AND INVITE MAJOR ENERGY COMPANIES TO EXPLORE IN NORTH CAROLINA FOR NATURAL GAS, OIL, WIND, OR OTHER ENERGY SOURCES CAPABLE OF LARGE SCALE ENERGY PRODUCTION FOR THE PURPOSE OF NORTH CAROLINA BECOMING MORE ENERGY INDEPENDENT, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

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

By Representatives T. Moore and Rhyne, Chairs, for Judiciary Subcommittee C, with approval of standing committee Chair for reports to be made directly to the floor of the House:

H.B. 408, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING DISCOVERY IN CRIMINAL CASES, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

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

H.B. 795, A BILL TO BE ENTITLED AN ACT TO REQUIRE HEALTH CARE PROVIDERS AND HEALTH CARE FACILITIES TO RELEASE PATHOLOGICAL MATERIALS AND RECORDS TO PATIENTS OR THEIR DESIGNATED REPRESENTATIVES, UPON WRITTEN REQUEST, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

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

By Representatives L. Brown and Ingle, Chairs, for the Committee on Government:

H.B. 528, A BILL TO BE ENTITLED AN ACT TO ADD AN ADDITIONAL MEMBER TO THE DUPLIN COUNTY BOARD OF EDUCATION AND THE BOARD OF COMMISSIONERS OF DUPLIN COUNTY, AND TO CONFIRM THAT NORMAL REDISTRICTING REQUIREMENTS APPLY TO THOSE UNITS, with a favorable report.

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

By Representative Lewis, Chair, for the Committee on Elections:

H.B. 366, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT EXCEPT IN THE CASE OF AN EMERGENCY COUNTY SPECIAL ELECTIONS MAY BE HELD ONLY ON THE DATE OF THE GENERAL ELECTION AND MUNICIPAL SPECIAL ELECTIONS MAY BE HELD ONLY ON THE DATE OF THE GENERAL ELECTION OR THE DATE OF THE MUNICIPAL GENERAL ELECTION, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

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

H.B. 514, A BILL TO BE ENTITLED AN ACT TO ADOPT PROVISIONS OF THE UNIFORM MILITARY AND OVERSEAS VOTERS ACT PROMULGATED BY THE NATIONAL CONFERENCE OF COMMISSIONERS ON UNIFORM STATE LAW, WHILE RETAINING

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EXISTING NORTH CAROLINA LAW MORE BENEFICIAL TO THOSE VOTERS, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

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

By Representatives Samuelson and West, Chairs, for the Committee on Environment:

H.B. 594, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COMMISSION FOR PUBLIC HEALTH TO DESIGNATE AS AN ACCEPTED ON-SITE SUBSURFACE WASTEWATER SYSTEM ANY WASTEWATER SYSTEM THAT IS SHOWN BY THE CERTIFIED DOCUMENTATION OF AN INDEPENDENT, THIRD-PARTY ENGINEERING OR TESTING LABORATORY TO BE FUNCTIONALLY EQUIVALENT TO AN ACCEPTED ON-SITE SUBSURFACE WASTEWATER SYSTEM, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

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

H.B. 750, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO TRANSFER A PERMIT FOR A STORMWATER BEST MANAGEMENT PRACTICE FROM A DECLARANT OF A CONDOMINIUM OR PLANNED COMMUNITY TO AN OWNERS' ASSOCIATION UPON REQUEST OF THE DECLARANT AND SUBMISSION OF DOCUMENTATION THAT DECLARANT CONTROL FOR THE COMMUNITY HAS TERMINATED, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

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

RE-REFERRALS

On motion of Representative T. Moore and without objection, a serial referral for **H.B. 256**, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE VILLAGE OF LAKE JAMES, to the Committee on Finance is added.

May 12, 2011

On motion of Representative T. Moore and without objection, a serial referral for **S.B. 321** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO CONFORM PROVISIONS OF NORTH CAROLINA SURPLUS LINES INSURANCE LAWS TO THE FEDERAL NONADMITTED AND REINSURANCE REFORM ACT OF 2010, TO STREAMLINE APPLICATIONS FOR COMMERCIAL PURCHASERS, TO PREVENT ANY LOSS OF PREMIUM TAX REVENUE TO THE STATE, AND TO CONFORM THE DEFINITION OF RISK RETENTION GROUP TO FEDERAL LAW, to the Committee on Finance is added.

WITHDRAWAL OF BILLS FROM CALENDAR

On motion of Representative T. Moore and without objection, **H.B. 565**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A BOUNDARY LINE AGREEMENT AND LIMIT THE EXTRATERRITORIAL JURISDICTION AND ANNEXATION AUTHORITY WHICH MAY BE EXERCISED BY THE TOWNS OF MOREHEAD CITY AND BEAUFORT, is withdrawn from the Calendar and placed on the Calendar of May 16.

On motion of Representative T. Moore and without objection, **H.B. 115** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PRESERVE STATE-BASED AUTHORITY TO REGULATE THE NORTH CAROLINA HEALTH INSURANCE MARKET AND TO PREVENT FEDERAL ENCROACHMENT ON STATE AUTHORITY BY ESTABLISHING THE NORTH CAROLINA BENEFIT EXCHANGE, is withdrawn from the Calendar and placed on the Calendar of May 17.

On motion of Representative Moore, T. and without objection, **H.B. 493** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE LAWS RELATED TO LANDLORD TENANT RELATIONSHIPS, is withdrawn from the Calendar and placed on the Calendar of May 16.

WITHDRAWAL OF BILL FROM COMMITTEE

On motion of Representative T. Moore and without objection, **H.B. 516**, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF MOUNT AIRY, is withdrawn from the Committee on Finance and pursuant to Rule 36(b), is placed on the Calendar of May 16.

CALENDAR

Action is taken on the following:

May 12, 2011

H.B. 845 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REFORM THE INVOLUNTARY ANNEXATION LAWS OF NORTH CAROLINA, 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, Barnhart, Bell, Blust, Boles, Bradley, Brandon, Brawley, Brisson, R. Brown, Brubaker, Bryant, Burr, Carney, Collins, Cook, Cotham, Crawford, Current, Daughtry, Dixon, Dockham, Dollar, Faircloth, Faison, Farmer-Butterfield, Floyd, Folwell, Frye, Gillespie, Glazier, Graham, Guice, Hackney, Hager, Hall, Harrison, Hill, Hilton, Hollo, Holloway, Horn, Howard, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Jordan, Justice, Langdon, LaRoque, Lewis, Lucas, Luebke, McComas, McCormick, McGee, McGrady, McGuirt, McLawhorn, Michaux, Mills, Moffitt, R. Moore, T. Moore, Murry, Owens, Parfitt, Parmon, Pierce, Pridgen, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Wainwright, E. Warren, H. Warren, Weiss, West, Wilkins, and Wray - 102.

Voting in the negative: Representatives Blackwell, Bordsen, L. Brown, Cleveland, Earle, Fisher, Gill, Goodman, Haire, Hamilton, Martin, Mobley, and Womble - 13.

Excused absences: Representatives Hastings, Keever, Killian, and McElraft - 4.

H.B. 414, A BILL TO BE ENTITLED AN ACT TO MODIFY THE RUTHERFORD COUNTY OCCUPANCY TAX, 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, Barnhart, Bell, Blackwell, Blust, Boles, Bordsen, Bradley, Brandon, Brawley, Brisson, L. Brown, R. Brown, Brubaker, Bryant, Burr, Carney, Collins, Cook, Cotham, Crawford, Current, Daughtry, Dixon, Dockham, Dollar, Earle, Faircloth, Faison, Farmer-Butterfield, Fisher, Floyd, Frye, Gill, Gillespie, Glazier, Goodman, Graham, Guice, Hackney, Hager, Haire, Hall, Hamilton, Harrison, Hill, Hilton, Hollo, Horn, Howard, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Jordan, Justice, Langdon, LaRoque, Lewis, Lucas, Luebke, Martin, McComas, McCormick, McGee, McGrady, McGuirt, McLawhorn, Michaux, Mills, Mobley, Moffitt, R. Moore, T. Moore, Murry, Owens, Parfitt, Parmon, Pierce, Pridgen, Rapp, Rhyne, Ross, Sager, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Wainwright, E. Warren, H. Warren, Weiss, West, Wilkins, Womble, and Wray - 109.

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Voting in the negative: Representatives Avila, Cleveland, Folwell, Holloway, Hurley, and Randleman - 6.

Excused absences: Representatives Hastings, Keever, Killian, and McElraft - 4.

S.B. 288 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT EXPANDING THE PURPOSES FOR WHICH THE TOWNS OF ATLANTIC BEACH AND BEAUFORT MAY USE THE PROCEEDS FROM ON-STREET PARKING METERS, AND PROVIDING THAT PARKING METERS IN THE TOWNS MAY BE ACTIVATED BY COMMERCIALY AVAILABLE MEANS OF PREPAYMENT CREDIT, 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 the House committee substitute bill.

H.B. 406, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT LAND THAT IS ENGAGED IN AGRICULTURE MAY QUALIFY FOR ENROLLMENT IN A VOLUNTARY AGRICULTURAL DISTRICT EVEN THOUGH IT DOES NOT QUALIFY FOR TAXATION AT ITS PRESENT-USE VALUE, AND TO PROVIDE THAT RESIDENTIAL LOTS CREATED ON LAND THAT IS THE SUBJECT OF A CONSERVATION AGREEMENT MUST MEET MUNICIPAL ZONING AND SUBDIVISION REGULATIONS, AND TO PROVIDE THAT REVOCABLE VOLUNTARY AGRICULTURAL DISTRICT CONSERVATION AGREEMENTS ARE NOT REQUIRED TO BE RECORDED.

Pursuant to Rule 24.1A(c), the request that Representative Hackney be excused from voting on May 11 is continued.

The bill passes its third reading, by electronic vote (114-0), and is ordered sent to the Senate.

H.B. 806 (Committee Substitute), A BILL TO BE ENTITLED AN ACT CHANGING THE STATUTE OF LIMITATIONS AND REPOSE FOR CHALLENGING ZONING ORDINANCES, CLARIFYING THE APPLICABILITY OF THE STATUTE OF LIMITATIONS TO ENFORCEMENT ACTIONS OR ADMINISTRATIVE APPEALS AND TO PROHIBIT SPECIFIED ZONING ORDINANCES AFFECTING SINGLE-FAMILY DETACHED RESIDENTIAL USES ON LOTS GREATER THAN TEN ACRES IN AGRICULTURAL ZONING DISTRICTS, passes its third reading, by electronic vote (112-3), and is ordered engrossed and sent to the Senate.

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H.B. 54 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT IF A DEFENDANT HAS SEVEN OR MORE PRIOR LARCENY CONVICTIONS, A SUBSEQUENT LARCENY OFFENSE IS A FELONY, passes its second reading by electronic vote (108-7).

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

H.B. 271, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE PROHIBITION AGAINST CARRYING A CONCEALED WEAPON DOES NOT APPLY TO STATE PROBATION AND PAROLE CERTIFIED OFFICERS WHEN THEY ARE OFF-DUTY, passes its second reading, by electronic vote (105-9), and there being no objection is read a third time.

Representatives Brandon and Farmer-Butterfield request and are granted leave of the House to be recorded as voting "aye". The adjusted vote total is (107-9).

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

H.B. 451 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTIES FOR DRIVING WHILE LICENSE REVOKED BY SETTING MINIMUM FINES FOR THE INITIAL AND SUBSEQUENT CONVICTIONS AND BY REQUIRING THE VEHICLE BEING OPERATED BY A DRIVER WHOSE LICENSE OR DRIVING PRIVILEGES ARE REVOKED AFTER TWO PRIOR CONVICTIONS FOR DRIVING WHILE LICENSE REVOKED TO BE SEIZED AND FORFEITED TO THE STATE, passes its second reading, by electronic vote (96-17), and there being no objection is read a third time.

Representative McComas requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (97-17).

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

H.B. 484, A BILL TO BE ENTITLED AN ACT TO TRANSFER MANAGEMENT OF THE STATE HOME FORECLOSURE PREVENTION PROJECT AND FUND TO THE NORTH CAROLINA HOUSING FINANCE AGENCY, TO EXEMPT THE NORTH CAROLINA HOUSING FINANCE AGENCY FROM THE REQUIREMENTS OF ARTICLES 6 AND 7 OF CHAPTER 143 OF THE GENERAL STATUTES, AND TO AUTHORIZE

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THE COMMISSIONER OF BANKS TO ACQUIRE PROPERTY SUBJECT TO APPROVAL OF THE STATE BANKING COMMISSION, passes its second reading, by electronic vote (114-0), and there being no objection is read a third time.

Representative McGrady requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (115-0).

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

H.B. 658, A BILL TO BE ENTITLED AN ACT TO CHANGE THE EARLY VOTING PERIOD.

REPRESENTATIVE FOLWELL, SPEAKER PRO TEMPORE, PRESIDING.

The bill passes its second reading by electronic vote (61-53).

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

H.B. 804 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE JOHNSTON MEMORIAL HOSPITAL AUTHORITY TO FREEZE ITS PARTICIPATION AS AN EMPLOYER UNDER THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM.

The bill passes its second reading, and there being no objection is read a third time.

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

S.B. 244 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE SURVIVOR'S ALTERNATE BENEFIT TO SURVIVORS OF FIREFIGHTERS AND RESCUE SQUAD WORKERS WHO ARE MEMBERS OF THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM AND ARE KILLED IN THE LINE OF DUTY, 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.

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SUBCOMMITTEE REFERRALS

Representative Daughtry, Chair, for the Standing Committee on Judiciary, refers the following bills to Judiciary Subcommittee A:

S.B. 187 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE THE USE OF PHOTOGRAPHIC CAMERA SYSTEMS TO REGULATE TRAFFIC UNLAWFUL.

H.B. 139 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO LIMIT CAMPAIGN CONTRIBUTIONS BY INDIVIDUALS WHO DIRECTLY AND SUBSTANTIALLY BENEFIT FROM CONTRACTS WITH THE STATE TO CANDIDATE CAMPAIGN COMMITTEES OF CERTAIN STATEWIDE CANDIDATES.

H.B. 145 (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.

H.B. 188, A BILL TO BE ENTITLED AN ACT TO PROVIDE GOVERNMENTAL ACCOUNTABILITY AND PROTECTION TO THE TAXPAYERS BY LIMITING INCREASES IN THE GENERAL FUND BUDGET, TO REFORM THE BUDGET PROCESS, TO ESTABLISH AN EMERGENCY RESERVE TRUST FUND, AND TO AMEND THE NORTH CAROLINA CONSTITUTION TO ESTABLISH A GENERAL FUND EXPENDITURE LIMIT.

H.B. 374, A BILL TO BE ENTITLED AN ACT TO PROTECT THOSE IMPACTED BY THE NORTH CAROLINA EUGENICS BOARD PROGRAM FROM 1929 TO 1975 BY PROVIDING THAT CERTAIN INFORMATION PERTAINING TO THEM IS NOT A PUBLIC RECORD.

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H.B. 475, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO MAKE ENGLISH THE OFFICIAL LANGUAGE.

H.B. 714, A BILL TO BE ENTITLED AN ACT TO ALLOW NON-PROFIT CORPORATIONS OPERATING AS A PROFESSIONAL AND TRADE ASSOCIATION OR A BUSINESS LEAGUE TO PROVIDE LEGAL SERVICES TO ITS MEMBERS USING ATTORNEYS DULY LICENSED TO PRACTICE LAW IN THIS STATE.

H.B. 732, A BILL TO BE ENTITLED AN ACT TO ENACT THE TORT REFORM ACT OF 2011.

Representative Daughtry, Chair for the Standing Committee on Judiciary, refers **H.B. 340** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE UTILITIES COMMISSION TO OBTAIN CRIMINAL HISTORY RECORD CHECKS OF APPLICANTS FOR AND CURRENT HOLDERS OF A CERTIFICATE TO TRANSPORT HOUSEHOLD GOODS, to Judiciary Subcommittee B.

WITHDRAWAL OF BILL FROM COMMITTEE

On motion of Representative T. Moore and without objection, **H.R. 715**, A HOUSE RESOLUTION ENCOURAGING THE CITIZENS OF NORTH CAROLINA TO OBSERVE FIREFIGHTERS WEEK IN NORTH CAROLINA, 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 May 17.

Representative LaRoque moves, seconded by Representative L. Brown, that the House adjourn, subject to the receipt of Committee Reports, to reconvene Monday, May 16, 2011 at 7:00 p.m.

The motion carries.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

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

By Representatives Stam and Stevens, Chairs, for Judiciary Subcommittee B, with approval of standing committee Chair for report to be made directly to the floor of the House:

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H.B. 854, A BILL TO BE ENTITLED AN ACT TO REQUIRE A TWENTY-FOUR-HOUR WAITING PERIOD AND THE INFORMED CONSENT OF A PREGNANT WOMAN BEFORE AN ABORTION MAY BE PERFORMED, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 38(a), the committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

By Representatives L. Brown and Ingle, Chairs, for the Committee on Government:

H.B. 523, A BILL TO BE ENTITLED AN ACT TO CHANGE THE ELECTION YEAR FOR THE CITY OF WINSTON-SALEM AND THE ELECTION METHOD FOR THE WINSTON-SALEM/FORSYTH COUNTY BOARD OF EDUCATION, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

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

H.B. 573, A BILL TO BE ENTITLED AN ACT TO REMOVE FROM THE CORPORATE LIMITS OF THE CITY OF RALEIGH PART OF THE RIGHT-OF-WAY OF THE HIGHWAY 98 BYPASS IN WAKE FOREST TOWNSHIP, AS REQUESTED BY THE CITY OF RALEIGH, 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. 864, A BILL TO BE ENTITLED AN ACT TO MODIFY THE REMITTANCE OF TAXES BASED ON VALUATION OF PROPERTY IN THE BUTNER FIRE AND POLICE PROTECTION DISTRICT, 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.

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

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SIXTY-FOURTH DAY

HOUSE OF REPRESENTATIVES
Monday, May 16, 2011

The House meets at 7:00 p.m. pursuant to adjournment and is called to order by Representative Folwell, Speaker Pro Tempore.

Prayer is offered by Representative Frank McGuirt.

The Chair leads the Body in the Pledge of Allegiance.

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

Leaves of absence are granted Representatives Killian, Lewis, and Rhyne for today. Representatives Murry 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. 244, AN ACT TO EXTEND THE SURVIVOR'S ALTERNATE BENEFIT TO SURVIVORS OF FIREFIGHTERS AND RESCUE SQUAD WORKERS WHO ARE MEMBERS OF THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM AND ARE KILLED IN THE LINE OF DUTY.

H.B. 769, AN ACT DIRECTING LOCAL BOARDS OF EDUCATION TO ADOPT AND IMPLEMENT POLICIES THAT ENCOURAGE HIGH SCHOOL TO WORK PARTNERSHIPS.

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

H.B. 193, AN ACT TO ALLOW RECALL OF OFFICERS OF THE TOWN OF TOPSAIL BEACH.

H.B. 194, AN ACT AMENDING THE CHARTER OF THE TOWN OF TOPSAIL BEACH TO CLARIFY WHEN THE TERMS OF THE

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MAYOR AND MEMBERS OF THE BOARD OF COMMISSIONERS COMMENCE AND TO PROVIDE THAT THE MAYOR SHALL VOTE ONLY IN THE CASE OF A TIE.

CHAPTERED BILLS

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

H.B. 336, AN ACT TO ALLOW THE HAULING OF READY-MIXED CONCRETE IN EXCESS OF WEIGHT LIMITS SO LONG AS CERTAIN CONDITIONS ARE MET. (S.L. 2011-71)

S.B. 281, AN ACT TO AUTHORIZE CITIES TO ESTABLISH A MUNICIPAL SERVICE DISTRICT FOR THE PURPOSE OF CONVERTING PRIVATE RESIDENTIAL STREETS TO PUBLIC STREETS AND TO AUTHORIZE RELATED COMMUNITY ASSOCIATIONS TO TRANSFER PLANNED COMMUNITY PROPERTY TO CITIES. (S.L. 2011-72)

S.B. 130, AN ACT TO PROHIBIT A WINE WHOLESALER FROM DISTRIBUTING WINE BEYOND ITS DESIGNATED SALES TERRITORY AND TO AUTHORIZE CERTAIN INTRATERRITORY TRANSFERS OF WINE BETWEEN OFF-PREMISES WINE PERMITTEES UNDER COMMON OWNERSHIP. (S.L. 2011-73)

S.B. 137, AN ACT TO ESTABLISH THE FORGIVABLE EDUCATION LOANS FOR SERVICE PROGRAM AND THE FORGIVABLE EDUCATION LOANS FOR SERVICE FUND AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON STATE-FUNDED STUDENT FINANCIAL AID. (S.L. 2011-74)

S.B. 212, AN ACT ALLOWING THE REGISTER OF DEEDS TO REGISTER A MAP OF A CEMETERY THAT LACKS A SURVEYOR'S STAMP OR SEAL AND THE ORIGINAL SIGNATURE OF THE SURVEYOR UNDER CERTAIN CIRCUMSTANCES. (S.L. 2011-75)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from permanent subcommittee are presented:

By Representative Blust, Chair, for Judiciary Subcommittee A, with approval of standing committee Chair for reports to be made directly to the floor of the House:

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H.B. 572, A BILL TO BE ENTITLED AN ACT TO PROVIDE GREATER ACCOUNTABILITY FOR NONPROFIT ENTITIES THAT RECEIVE PUBLIC FUNDING, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

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

H.B. 597, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT AN INDIVIDUAL WHO HAS BEEN AWARDED UNEMPLOYMENT INSURANCE BENEFITS BY THE EMPLOYMENT SECURITY COMMISSION, BUT DOES NOT RECEIVE THOSE BENEFITS AS THE RESULT OF AN ACT OR OMISSION OF THE COMMISSION, IS DEEMED AN AGGRIEVED PARTY FOR THE PURPOSES OF JUDICIAL REVIEW WITHOUT THE REQUIREMENT TO EXHAUST ADMINISTRATIVE REMEDIES, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

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

H.B. 623, A BILL TO BE ENTITLED AN ACT TO MODIFY THE PROCEDURES CONCERNING FINAL ADMINISTRATIVE DECISIONS IN CONTESTED CASES HEARD BY THE OFFICE OF ADMINISTRATIVE HEARINGS, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

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

H.B. 649, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS PERTAINING TO GROUNDS FOR REVOCATION OF LICENSURE UNDER THE LAWS REGULATING BAIL BONDSMAN, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

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

H.B. 673, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT INDIVIDUALS ENGAGED IN A PATTERN OF STREET GANG ACTIVITY ARE SUBJECT TO INJUNCTIONS AS NUISANCES PURSUANT TO CHAPTER 19 OF THE GENERAL STATUTES, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

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

S.B. 384, A BILL TO BE ENTITLED AN ACT AMENDING THE NORTH CAROLINA PERSONS WITH DISABILITIES PROTECTION ACT TO CONFORM WITH FEDERAL CHANGES UNDER THE AMERICANS WITH DISABILITIES ACT AMENDMENTS ACT OF 2008 (ADAAA), with a favorable report.

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

SUBCOMMITTEE REFERRALS

Representative McComas, Chair, for the Standing Committee on Commerce and Job Development, refers **H.B. 713**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE DEPARTMENT OF ADMINISTRATION TO USE MULTIPLE AWARD SCHEDULE CONTRACTS FOR THE PURCHASE OF ALL GROUND MAINTENANCE, CONSTRUCTION, AND FORESTRY EQUIPMENT, to the Commerce and Job Development Subcommittee on Business and Labor.

Representative Daughtry, Chair for the Standing Committee on Judiciary, refers **H.B. 780**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE STATE TO PRESERVE AND MAKE AVAILABLE TO THE NORTH CAROLINA INNOCENCE INQUIRY COMMISSION CERTAIN CASE FILES AND EVIDENCE, TO REQUIRE THE NORTH CAROLINA INNOCENCE INQUIRY COMMISSION TO PRESERVE THOSE FILES AND EVIDENCE, AND TO ALLOW THE NORTH CAROLINA INNOCENCE INQUIRY COMMISSION TO TEST EVIDENCE AND UPLOAD TEST RESULTS THAT COMPLY WITH FEDERAL CRITERIA TO CODIS, to Judiciary Subcommittee B.

MESSAGES FROM THE SENATE

The following are received from the Senate:

H.B. 222 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PLUG-IN ELECTRIC VEHICLES TO OPERATE IN HIGH OCCUPANCY VEHICLE LANES AND TO EXEMPT PLUG-IN ELECTRIC VEHICLES FROM THE EMISSIONS INSPECTION REQUIREMENT, 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 May 17.

S.B. 19, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET ON FIRE PROTECTION FEES IN UNION COUNTY, is read the first time and referred to the Committee on Government and, if favorable, to the Committee on Finance.

S.B. 300, A BILL TO BE ENTITLED AN ACT TO (1) ALLOW SERVICE BY SIGNATURE CONFIRMATION OR DESIGNATED DELIVERY SERVICE IN SMALL CLAIM ACTIONS ASSIGNED TO MAGISTRATES AND IN ADMINISTRATIVE CASES, (2) CLARIFY THAT THE SIXTY-DAY TIME FRAME FOR SERVING A SUMMONS UNDER RULE 4 OF THE RULES OF CIVIL PROCEDURE APPLIES TO ALL SUMMONSES UNDER RULE 4(J) AND (J1), (3) REQUIRE THAT A COPY OF A MOTION TO TERMINATE PARENTAL RIGHTS THAT IS SERVED ON A PARENT BE SENT TO THAT PARENT'S ATTORNEY OF RECORD, IF ANY, (4) REQUIRE THAT A PARTY'S ATTORNEY OF RECORD, IF ANY, MUST BE SERVED WHEN SERVICE IS MADE UNDER RULE 5(B) OF THE RULES OF CIVIL PROCEDURE, IN ADDITION TO ANY SERVICE ON THE PARTY, AND (5) CLARIFY THAT AN ATTORNEY MAY BE SERVED UNDER RULE 5(B) BY MAIL, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is read the first time and referred to Judiciary Subcommittee A.

S.B. 428, A BILL TO BE ENTITLED AN ACT TO DIRECT THE ENVIRONMENTAL REVIEW COMMISSION TO STUDY THE DESIRABILITY AND THE FEASIBILITY OF CONSOLIDATING THE STATE'S ENVIRONMENTAL POLICY-MAKING, RULE-MAKING, AND QUASI-JUDICIAL FUNCTIONS INTO ONE COMPREHENSIVE FULL-TIME ENVIRONMENTAL COMMISSION, is read the first time and referred to the Committee on Environment.

S.B. 431, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF FONTANA DAM, is read the first time and referred to the Committee on Government and, if favorable, to the Committee on Finance.

S.B. 513, A BILL TO BE ENTITLED AN ACT TO ALLOW CREDIT UNIONS TO CONDUCT SAVINGS PROMOTION RAFFLES, is read the first time and referred to the Committee on Banking.

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S.B. 600 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A CITY WITH A POPULATION OF MORE THAN FIVE HUNDRED THOUSAND PEOPLE WHICH HOLDS A NATIONAL CONVENTION TO CONTRACT WITH OUT-OF-STATE LAW ENFORCEMENT AGENCIES TO PROVIDE LAW ENFORCEMENT AND SECURITY FOR THE NATIONAL CONVENTION, is read the first time and referred to the Committee on Government.

S.B. 613 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT MEMBERS OF THE ARMED FORCES WHO ARE SERVING ON ACTIVE MILITARY DUTY IN THE ARMED FORCES OF THE UNITED STATES OUTSIDE THE STATE OF NORTH CAROLINA SHALL BE CONSIDERED RESIDENTS FOR PURPOSES OF OBTAINING CERTAIN HUNTING, FISHING, TRAPPING, AND SPECIAL ACTIVITY LICENSES, is read the first time and referred to the Committee on Agriculture.

S.B. 626 (Committee Substitute), A BILL TO BE ENTITLED AN ACT DIRECTING THE PROGRAM EVALUATION DIVISION TO STUDY THE PROGRESS OF CLEANUP AND THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES' HANDLING OF CONTAMINATION PRESENT IN THE AREA SURROUNDING THE FACILITY OWNED BY ALCOA POWER GENERATING, INC., LOCATED IN THE TOWN OF BADIN IN STANLY COUNTY, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 648 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING SCHOOL DISCIPLINE, is read the first time and referred to the Committee on Education.

S.B. 661 (Committee Substitute), A BILL TO BE ENTITLED AN ACT DIRECTING THE PROGRAM EVALUATION DIVISION TO STUDY THE DIVISION OF MOTOR VEHICLES' COMMISSION CONTRACT FOR THE ISSUANCE OF PLATES AND CERTIFICATES PROGRAM TO DEVELOP OPERATIONAL PRACTICES THAT WOULD RESULT IN INCREASED OPERATING EFFICIENCY, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 749 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR INCREASED TRANSPORTATION EFFICIENCY FOR BRINGING AGRICULTURAL PRODUCTS TO A MARKETPLACE

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BY MODIFYING THE TYPES OF ITEMS THAT MAY BE TRANSPORTED BY A FARMER WITHOUT HAVING TO PAY A REGISTRATION FEE FOR A TRAILER OR SEMITRAILER; TO MODIFY THE REGISTRATION REQUIREMENTS FOR PROPERTY HAULING VEHICLES TO ENSURE THEY ARE REGISTERED FOR THE MAXIMUM WEIGHT ALLOWABLE FOR THE VEHICLE BEING OPERATED; AND TO MODIFY THE EXCEPTIONS TO THE MAXIMUM WEIGHT ALLOWED ON LIGHT ROADS FOR A PERSON TRANSPORTING AGRICULTURAL PRODUCTS AND RESIDUALS, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

WITHDRAWAL OF BILL FROM COMMITTEE

On motion of Representative T. Moore and without objection, **H.R. 670**, A HOUSE RESOLUTION CREATING AWARENESS ABOUT THE BENEFITS OF ELIMINATING EXCESSIVE DIETARY SODIUM INTAKE AND RELATED SUPPORTING MEASURES AIMED AT DECREASING HEART DISEASE AND STROKE, 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 May 17.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Jones and without objection, **H.B. 658**, A BILL TO BE ENTITLED AN ACT TO CHANGE THE EARLY VOTING PERIOD, is withdrawn from the Calendar and placed on the Calendar of May 18.

CALENDAR

Action is taken on the following:

H.B. 415 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT PRESERVING LITTORAL RIGHTS IN THE TOWNS OF TOPSAIL BEACH AND NAGS HEAD AFTER PUBLICLY FINANCED BEACH NOURISHMENT PROJECTS.

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

H.B. 197 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO GIVE CERTAIN LOCAL BOARDS OF EDUCATION ADDITIONAL FLEXIBILITY WITH REGARD TO INSTRUCTIONAL TIME LOST DUE TO INCLEMENT WEATHER OR OTHER EMERGENCY SITUATIONS.

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On motion of Representative Frye, 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. 414, A BILL TO BE ENTITLED AN ACT TO MODIFY THE RUTHERFORD COUNTY OCCUPANCY TAX, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Barnhart, Bell, Blackwell, Blust, Boles, Bordsen, Bradley, Brandon, Brawley, Brisson, R. Brown, Brubaker, Bryant, Burr, Carney, Collins, Cook, Cotham, Crawford, Current, Dixon, Dockham, Dollar, Earle, Faircloth, Faison, Farmer-Butterfield, Fisher, Floyd, Frye, Gill, Gillespie, Glazier, Goodman, Graham, Guice, Hackney, Hager, Haire, Hall, Hamilton, Harrison, Hill, Hilton, Hollo, Holloway, Horn, Howard, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Jordan, Justice, Keever, Langdon, LaRoque, Lucas, Luebke, Martin, McComas, McCormick, McElraft, McGee, McGrady, McGuirt, McLawhorn, Michaux, Mills, Mobley, Moffitt, R. Moore, T. Moore, Murry, Owens, Parfitt, Parmon, Pierce, Pridgen, Randleman, Rapp, Ross, Sager, Samuelson, Sanderson, Setzer, Spear, Starnes, Steen, Stevens, Tolson, Torbett, Wainwright, E. Warren, H. Warren, West, Wilkins, Womble, and Wray - 105.

Voting in the negative: Representatives Avila, L. Brown, Cleveland, Hastings, Hurley, Shepard, and Stone - 7.

Excused absences: Representatives Killian, Lewis, Rhyne, and Weiss - 4.

H.B. 565, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A BOUNDARY LINE AGREEMENT AND LIMIT THE EXTRA-TERRITORIAL JURISDICTION AND ANNEXATION AUTHORITY WHICH MAY BE EXERCISED BY THE TOWNS OF MOREHEAD CITY AND BEAUFORT, 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, Barnhart, Bell, Blackwell, Blust, Boles, Bordsen, Bradley, Brandon, Brawley, Brisson, L. Brown, R. Brown, Brubaker, Bryant, Burr, Carney, Cleveland, Collins, Cook, Cotham, Crawford, Current, Daughtry, Dixon, Dockham, Dollar, Earle, Faircloth, Faison, Farmer-Butterfield, Fisher, Floyd, Frye, Gill, Gillespie, Glazier, Goodman, Graham, Guice, Hackney, Hager, Haire, Hall, Hamilton, Harrison, Hastings, Hill, Hilton, Hollo, Holloway, Horn, Howard, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Jordan, Justice, Keever, Langdon,

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LaRoque, Lucas, Luebke, Martin, McComas, McCormick, McElraft, McGee, McGrady, McGuirt, McLawhorn, Michaux, Mills, Mobley, Moffitt, R. Moore, T. Moore, Murry, Owens, Parfitt, Parmon, Pierce, Pridgen, Randleman, Rapp, Ross, Sager, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Wainwright, E. Warren, H. Warren, West, Wilkins, Womble, and Wray - 114.

Voting in the negative: None.

Excused absences: Representatives Killian, Lewis, Rhyne, and Weiss - 4.

H.B. 516, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF MOUNT AIRY, passes its second reading and there being no objection is read a third time.

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

H.B. 528, A BILL TO BE ENTITLED AN ACT TO ADD AN ADDITIONAL MEMBER TO THE DUPLIN COUNTY BOARD OF EDUCATION AND THE BOARD OF COMMISSIONERS OF DUPLIN COUNTY, AND TO CONFIRM THAT NORMAL REDISTRICTING REQUIREMENTS APPLY TO THOSE UNITS, passes its second reading by electronic vote (69-46).

[Pursuant to the motion made by Representative R. Moore on May 17, 2011, and without objection, he is granted leave of the House to change his vote from "aye" to "no". The adjusted vote total is (68-47).]

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

H.B. 845 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REFORM THE INVOLUNTARY ANNEXATION LAWS OF NORTH CAROLINA, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Speaker Tillis; Representatives Adams, K. Alexander, M. Alexander, Avila, Barnhart, Bell, Blust, Boles, Bordsen, Bradley, Brandon, Brawley, Brisson, R. Brown, Brubaker, Bryant, Burr, Carney, Collins, Cook, Cotham, Crawford, Current, Daughtry, Dixon, Dockham, Dollar, Earle, Faircloth, Faison, Farmer-Butterfield, Fisher, Floyd, Folwell, Frye, Gillespie, Glazier, Graham, Guice, Hackney, Hager, Hall, Harrison, Hastings, Hill, Hilton, Hollo, Holloway, Horn, Howard, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Jordan, Justice,

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Keever, Langdon, LaRoque, Lucas, Luebke, McComas, McCormick, McElraft, McGee, McGrady, McGuirt, McLawhorn, Michaux, Mills, Moffitt, R. Moore, T. Moore, Murry, Owens, Parmon, Pierce, Pridgen, Randleman, Rapp, Ross, Sager, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Wainwright, E. Warren, H. Warren, West, Wilkins, Womble, and Wray - 106.

Voting in the negative: Representatives Blackwell, L. Brown, Cleveland, Gill, Goodman, Haire, Hamilton, Martin, Mobley, and Parfitt - 10.

Excused absences: Representatives Killian, Lewis, Rhyne, and Weiss - 4.

Representative Parfitt requests and is granted leave of the House to change her vote from "no" to "aye". The adjusted vote total is (107-9).

H.B. 54 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT IF A DEFENDANT HAS SEVEN OR MORE PRIOR LARCENY CONVICTIONS, A SUBSEQUENT LARCENY OFFENSE IS A FELONY.

Representative Spear offers Amendment No. 1 which is adopted by electronic vote (109-6).

Representative Glazier offers Amendment No. 2 which is adopted by electronic vote (115-0).

The bill, as amended, passes its third reading, by electronic vote (107-7), and is ordered engrossed and sent to the Senate.

H.B. 366 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT SPECIAL ELECTIONS MAY BE HELD ONLY ON THE DATE OF THE GENERAL ELECTION OR THE MUNICIPAL GENERAL ELECTION, RESPECTIVELY, EXCEPT IN CASES OF A PUBLIC HEALTH OR SAFETY EMERGENCY; AND TO ALLOW THE BOARD OF COUNTY COMMISSIONERS TO CALL A SPECIAL ELECTION TO FILL A VACANCY IN ELECTIVE OFFICE.

Representative Jordan offers Amendment No. 1 which is adopted by electronic vote (112-3).

The bill, as amended, passes its second reading by electronic vote (63-51).

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

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H.B. 408 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STRENGTHEN NORTH CAROLINA'S OPEN-FILE DISCOVERY LAW, PROTECT CRIME STOPPERS INFORMANTS, PROTECT VICTIM INFORMATION, REQUIRE LAW ENFORCEMENT AND INVESTIGATORY AGENCIES TO MAKE TIMELY DISCLOSURE OF THEIR FILES TO PROSECUTORS, AND AVOID FRIVOLOUS CLAIMS OF PROFESSIONAL MISCONDUCT AGAINST PROSECUTORS, passes its second reading, by electronic vote (113-1), and there being no objection is read a third time.

Representative Hamilton requests and is granted leave of the House to change her vote from "no" to "aye". Representative Weiss requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (115-0).

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

H.B. 493 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE LAWS RELATED TO LANDLORD TENANT RELATIONSHIPS.

Pursuant to Rule 24.1A(c), the request that Representative Hackney be excused from voting on May 11 is continued.

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.

H.B. 514 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADOPT PROVISIONS OF THE UNIFORM MILITARY AND OVERSEAS VOTERS ACT PROMULGATED BY THE NATIONAL CONFERENCE OF COMMISSIONERS ON UNIFORM STATE LAW, WHILE RETAINING EXISTING NORTH CAROLINA LAW MORE BENEFICIAL TO THOSE VOTERS, passes its second reading, by electronic vote (115-0), and there being no objection is read a third time.

Representative Horn requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (116-0).

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

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H.B. 585 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE ENVIRONMENTAL REVIEW COMMISSION, WITH THE ASSISTANCE OF THE DEPARTMENT OF COMMERCE, TO STUDY THE DEVELOPMENT OF NATURAL GAS, OIL, WIND, SOLAR, AND OTHER ENERGY SOURCES CAPABLE OF ENERGY PRODUCTION IN NORTH CAROLINA, passes its second reading, by electronic vote (83-32), 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. 594 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COMMISSION FOR PUBLIC HEALTH TO APPROVE AS AN INNOVATIVE WASTEWATER SYSTEM ANY WASTEWATER TRENCH SYSTEM THAT IS DETERMINED BY THE COMMISSION TO BE FUNCTIONALLY EQUIVALENT TO AN ACCEPTED WASTEWATER TRENCH SYSTEM, passes its second reading, by electronic vote (113-1), and there being no objection is read a third time.

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

H.B. 750 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO (1) REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO TRANSFER A PERMIT FOR A STORM-WATER MANAGEMENT SYSTEM FROM A DECLARANT OF A CONDOMINIUM OR PLANNED COMMUNITY TO AN OWNERS' ASSOCIATION UPON REQUEST OF THE PERMITTEE AND SUBMISSION OF DOCUMENTATION THAT DECLARANT CONTROL HAS TERMINATED AND (2) PROVIDE THAT THE RULES OF A SANITARY DISTRICT MAY NOT BE MORE RESTRICTIVE THAN OR CONFLICT WITH THE REQUIREMENTS OR ORDINANCES OF A COUNTY WITH JURISDICTION OVER THE AREA, passes its second reading, by electronic vote (106-9), 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. 795 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE HEALTH CARE PROVIDERS TO RELEASE PATHOLOGICAL MATERIALS AND RECORDS TO PATIENTS UPON WRITTEN REQUEST.

Representative Murry offers Amendment No. 1 which is adopted by electronic vote (108-5).

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The bill, as amended, passes its second reading by electronic vote (102-13).

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

INTRODUCTION OF PAGES

Pages for the week of May 16 are introduced to the membership. They are: Courtney Beals of Surry; Jamilla Benton of Forsyth; Emma Blackwell of Halifax; Sarah Brooks of Cumberland; Ivey Carroll of Randolph; Olivia Clapp of Guilford; Danielle Damiani of Lee; Holly Furches of Davie; Katherine Hovey of Pender; Sarah Jennings of Beaufort; Emily Jones of Davie; Samuel Jones of Duplin; Corey Lea of Person; Elisabeth Moore of Transylvania; Kaycee Murr of Lee; Julia Oakley of Onslow; Jordyn Peterson of Cleveland; Chase Pilcher of Surry; Matthew Strickland of Lee; Katie Tate of Beaufort; and Hannah Welborn of Lee.

On motion of Representative LaRoque, seconded by Representative Stam, the House adjourns at 8:48 p.m. to reconvene May 17 at 2:00 p.m.

SIXTY-FIFTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, May 17, 2011

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 Angela McMillan, Legislative Assistant for Representative Jackson:

"Father, God:

"I love You with all my heart, and all my mind and all my soul. Thank You my Father, God for: Life and life more abundantly; this day, this time, this moment in time; for this is the day that the Lord has made - we will rejoice and be glad in it; for the privilege of allowing this time for prayer. We don't take it for granted.

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"Now, Father, we come before You thanking You for our leaders. They come from every hamlet and mountainside, up to the outer banks and down to the ocean front, to the Sand Hills and the Triad; to the towns and cities, to the farms and metro areas - all the way over to Cherokee and down to Fort Bragg, to Camp Lejeune and Parris Island - and in every nook and cranny across this great, majestic State, from the mansions to the duplexes; to the suburban neighborhoods to the low to moderate income areas, from the army barracks and colleges to the trailer courts and the universities. They come from all backgrounds and beginnings that only You and they know – really - they come only because You, Yourself have called them; so we thank You for them and their service to North Carolina.

"We pray that they never forget from where they come, nor who sent them here to serve.

"In Your word You have asked us to pray for our leaders, so we pray for:

- Darren Jackson; his wife, Lil Jack, Logan, and Alyssia; his kindness, generosity of service, Godly wisdom, sharp intellect, humility.
- Speaker Thom Tillis; his wife and family, his safety, from his departure to his destination and back again, for godly wisdom and discernment, his dependence on You O Lord- O God, I know personally the pains and stresses of leadership - O God bless him, indeed.
- Denise Weeks; she has held this Legislative Body together over the years.
- Governor Beverly Perdue; her family, her health and well-being and all the prayers we pray for Speaker Tillis we pray for her as well - leadership is a burden as well as a blessing - so bless her - indeed.
- President Barak Obama; his wife, Michelle, Sasha, and Malia - that You, Yourself would perfect that which he says, does, thinks and prays for this great country. We pray for his optimum health, mental clarity and supernatural wisdom and power from You, Oh Lord.
- We pray this same prayer for this Legislative Body, the pastors here today, the staff from the housekeeping crew to the research team, to the legislative assistants and all the staff, the interns and the pages and all of our visitors - we call them blessed.

"(Now please turn in your Bibles to)

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"(II Chronicles 7:14) If my people, who are called by my name, will humble themselves and pray and seek my face and turn from their wicked ways, then I will hear from heaven, and I will forgive their sins and will heal their land.

"(I Chronicles 29:11-12) Everything in the heavens and earth is Yours, O Lord, and this Your kingdom. We adore You as being in control of everything. Riches and honor come from You alone and You are the Ruler of all mankind. Your hand controls power and might and it is at Your discretion that men are made great and given strength.

"(Matthew 12:25) Jesus knew their thoughts and said to them, 'Every kingdom divided against itself will be ruined, and every city or household divided against itself will not stand.'(Amplified Bible) And knowing their thoughts, He said to them, 'Any kingdom that is divided against itself is being brought to desolation and laid waste, and no city or house divided against itself will last or continue to stand.'

"(Mark 3:25) If a house is divided against itself, that house cannot stand.

(The Amplified Bible) And if a house is divided (split into factions and rebelling) against itself, that house will not be able to last.

"(Luke 11:17) Jesus knew their thoughts and said to them: 'Any kingdom divided against itself will be ruined, and a house divided against itself will fall.'

And so: I git it!! I pray that we all 'get it.'

"Please let us know, Heavenly Father, that it's not about us! It's about the people in those hamlets, on the mountainsides, in the outer banks, etc. - it's about those yet unborn and those who have gone before us and on and on - but it's not about us!!

"I love You, Lord. Thank You for receiving our prayer. In Jesus' Name - and all those who agree say: Amen."

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

Leaves of absence are granted Representatives Killian and Rhyne for today.

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ENROLLED BILLS

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

H.B. 197, AN ACT TO GIVE CERTAIN LOCAL BOARDS OF EDUCATION ADDITIONAL FLEXIBILITY WITH REGARD TO INSTRUCTIONAL TIME LOST DUE TO INCLEMENT WEATHER OR OTHER EMERGENCY SITUATIONS.

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

H.B. 415, AN ACT PRESERVING LITTORAL RIGHTS IN THE TOWNS OF TOPSAIL BEACH AND NAGS HEAD AFTER PUBLICLY FINANCED BEACH NOURISHMENT PROJECTS.

CHAPTERED BILLS

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

H.B. 193, AN ACT TO ALLOW RECALL OF OFFICERS OF THE TOWN OF TOPSAIL BEACH. (S.L. 2011-76)

H.B. 194, AN ACT AMENDING THE CHARTER OF THE TOWN OF TOPSAIL BEACH TO CLARIFY WHEN THE TERMS OF THE MAYOR AND MEMBERS OF THE BOARD OF COMMISSIONERS COMMENCE AND TO PROVIDE THAT THE MAYOR SHALL VOTE ONLY IN THE CASE OF A TIE. (S.L. 2011-77)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committee are presented:

By Representatives Current, Dollar, and Hollo, Chairs, for the Committee on Health and Human Services:

H.B. 646, A BILL TO BE ENTITLED AN ACT TO PROVIDE FUNDING TO THE DEPARTMENT OF CORRECTION TO COMPLETE THE CONSTRUCTION OF AN AUTHORIZED PRISON HOSPITAL, with a favorable report.

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

S.B. 316 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE DHHS TO IMPLEMENT ADDITIONAL 1915(B)(C) MEDICAID WAIVER SITES AND TO ALLOW STATE FACILITIES TO DISCLOSE CERTAIN INFORMATION FOR PURPOSES OF COLLECTING PAYMENT AND TO DIRECT THE DISTRIBUTION OF A FUND BALANCE UPON THE DISSOLUTION OF AN AREA AUTHORITY, with a favorable report.

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

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 125 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PERMIT LOCAL BOARDS OF EDUCATION TO JOINTLY ESTABLISH REGIONAL SCHOOLS, is read the first time and referred to the Committee on Education.

S.B. 676 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY LANDOWNERS' RIGHTS OVER WATER ON THEIR PROPERTY AND THE CONSTRUCTION OF WELLS ON THEIR PROPERTY, is read the first time and referred to the Committee on Environment and, if favorable, to the Committee on Commerce and Job Development.

WITHDRAWAL OF BILLS FROM CALENDAR

On motion of Representative Murry and without objection, **H.B. 795** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE HEALTH CARE PROVIDERS TO RELEASE PATHOLOGICAL MATERIALS AND RECORDS TO PATIENTS UPON WRITTEN REQUEST, is withdrawn from the Calendar and placed on the Calendar of May 18.

On motion of Representative Murry and without objection, **H.B. 597** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT AN INDIVIDUAL WHO HAS BEEN AWARDED UNEMPLOYMENT INSURANCE BENEFITS BY THE EMPLOYMENT SECURITY COMMISSION, BUT DOES NOT RECEIVE THOSE BENEFITS AS THE RESULT OF AN ACT OR OMISSION OF THE COMMISSION, IS

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DEEMED AN AGGRIEVED PARTY FOR THE PURPOSES OF JUDICIAL REVIEW WITHOUT THE REQUIREMENT TO EXHAUST ADMINISTRATIVE REMEDIES, is withdrawn from the Calendar and placed on the Calendar of June 7.

RECOGNITION BY SPEAKER

Speaker Tillis states that we are observing today, May 17, 2011, as "Tribal Leaders Day", with the reading of a certificate recognizing and honoring the North Carolina American Indian Tribal Leaders.

CALENDAR

Action is taken on the following:

H.R. 670, A HOUSE RESOLUTION CREATING AWARENESS ABOUT THE BENEFITS OF ELIMINATING EXCESSIVE DIETARY SODIUM INTAKE AND RELATED SUPPORTING MEASURES AIMED AT DECREASING HEART DISEASE AND STROKE.

The resolution is adopted, by electronic vote (117-1), and ordered printed.

H.R. 715, A HOUSE RESOLUTION ENCOURAGING THE CITIZENS OF NORTH CAROLINA TO OBSERVE FIREFIGHTERS WEEK IN NORTH CAROLINA.

The resolution is adopted, by electronic vote (117-0), and ordered printed.

Representative Graham requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (118-0).

H.B. 222 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PLUG-IN ELECTRIC VEHICLES TO OPERATE IN HIGH OCCUPANCY VEHICLE LANES AND TO EXEMPT PLUG-IN ELECTRIC VEHICLES FROM THE EMISSIONS INSPECTION REQUIREMENT.

On motion of Representative Lewis, 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.

H.B. 565, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A BOUNDARY LINE AGREEMENT AND LIMIT THE EXTRA-TERRITORIAL JURISDICTION AND ANNEXATION AUTHORITY

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WHICH MAY BE EXERCISED BY THE TOWNS OF MOREHEAD CITY AND BEAUFORT, 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, M. Alexander, Avila, Barnhart, Bell, Blackwell, Blust, Boles, Bordsen, Bradley, Brawley, Brisson, L. Brown, R. Brown, Brubaker, Bryant, Burr, Carney, Cleveland, Collins, Cook, Cotham, Current, Daughtry, Dixon, Dockham, Dollar, Earle, Faircloth, Faison, Farmer-Butterfield, Fisher, Floyd, Folwell, Frye, Gill, Gillespie, Glazier, Goodman, Graham, Guice, Hackney, Hager, Haire, Hall, Hamilton, Harrison, Hastings, Hill, Hilton, Hollo, Holloway, Horn, Howard, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Jordan, Justice, Keever, Langdon, LaRoque, Lewis, Lucas, Luebke, Martin, McComas, McCormick, McElraft, McGee, McGrady, McGuirt, McLawhorn, Michaux, Mills, Mobley, Moffitt, R. Moore, T. Moore, Murry, Owens, Parfitt, Parmon, Pierce, Pridgen, Randleman, Rapp, Ross, Sager, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Wainwright, E. Warren, H. Warren, Weiss, West, Wilkins, Womble, and Wray - 115.

Voting in the negative: None.

Excused absences: Representatives Killian and Rhyne - 2.

Representative Crawford requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (116-0).

VOTE ADJUSTED

Without objection, Representative R. Moore is granted leave of the House to change his vote on May 16, 2011, from "aye" to "no" on the second reading of **H.B. 528**, A BILL TO BE ENTITLED AN ACT TO ADD AN ADDITIONAL MEMBER TO THE DUPLIN COUNTY BOARD OF EDUCATION AND THE BOARD OF COMMISSIONERS OF DUPLIN COUNTY, AND TO CONFIRM THAT NORMAL REDISTRICTING REQUIREMENTS APPLY TO THOSE UNITS. The adjusted vote total is (68-47).

CALENDAR (continued)

H.B. 528, A BILL TO BE ENTITLED AN ACT TO ADD AN ADDITIONAL MEMBER TO THE DUPLIN COUNTY BOARD OF EDUCATION AND THE BOARD OF COMMISSIONERS OF DUPLIN

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COUNTY, AND TO CONFIRM THAT NORMAL REDISTRICTING REQUIREMENTS APPLY TO THOSE UNITS, passes its third reading, by electronic vote (69-48), and is ordered sent to the Senate.

Representatives Bryant and Hamilton request and are granted leave of the House to change their votes from "aye" to "no". The adjusted vote total is (67-50).

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

H.B. 523 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CHANGE THE ELECTION YEAR FOR THE CITY OF WINSTON-SALEM AND THE ELECTION METHOD FOR THE WINSTON-SALEM/FORSYTH COUNTY BOARD OF EDUCATION.

Representative Folwell offers Amendment No. 1 which is adopted by electronic vote (99-17).

The bill, as amended, passes its second reading, by electronic vote (69-48), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H.B. 366 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT SPECIAL ELECTIONS MAY BE HELD ONLY ON THE DATE OF THE GENERAL ELECTION OR THE MUNICIPAL GENERAL ELECTION, RESPECTIVELY, EXCEPT IN CASES OF A PUBLIC HEALTH OR SAFETY EMERGENCY; AND TO ALLOW THE BOARD OF COUNTY COMMISSIONERS TO CALL A SPECIAL ELECTION TO FILL A VACANCY IN ELECTIVE OFFICE.

Representative Burr offers Amendment No. 2, which is adopted by electronic vote (112-4). This amendment changes the title.

The caption having been amended, the bill remains on the Calendar.

H.B. 115 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PRESERVE STATE-BASED AUTHORITY TO REGULATE THE NORTH CAROLINA HEALTH INSURANCE MARKET AND TO PREVENT FEDERAL ENCROACHMENT ON STATE AUTHORITY BY ESTABLISHING THE NORTH CAROLINA BENEFIT EXCHANGE.

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On motion of Representative Dockham and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of May 25.

H.B. 348 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT OFFENDERS ARE PROHIBITED FROM OBTAINING PUBLIC EMPLOYEES' PERSONNEL RECORDS, TO PROVIDE CRIMINAL PENALTIES FOR PROVIDING SUCH PROHIBITED INFORMATION TO OFFENDERS, AND TO MAKE IT A MISDEMEANOR FOR OFFENDERS TO POSSESS SUCH INFORMATION.

Representative Randleman offers Amendment No. 1 which is adopted by electronic vote (117-0). This amendment changes the title.

The bill, as amended, passes its second reading by electronic vote (116-0). The caption having been amended, the bill remains on the Calendar.

H.B. 623 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE PROCEDURES CONCERNING FINAL ADMINISTRATIVE DECISIONS IN CONTESTED CASES HEARD BY THE OFFICE OF ADMINISTRATIVE HEARINGS.

On motion of Representative T. Moore and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of May 23.

H.B. 649 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS PERTAINING TO GROUNDS FOR REVOCATION OF LICENSURE UNDER THE LAWS REGULATING BAIL BONDSMAN.

Pursuant to Rule 24.1A, Representative Burr requests that he be excused from voting on this bill due to a possible conflict of interest. This request is granted.

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

Representative Stone requests and is granted leave of the House to change his vote from "no" to "aye". The adjusted vote total is (115-0).

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

H.B. 673 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT INDIVIDUALS ENGAGED IN A PATTERN OF STREET GANG ACTIVITY ARE SUBJECT TO INJUNCTIONS AS

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NUISANCES PURSUANT TO CHAPTER 19 OF THE GENERAL STATUTES, passes its second reading by electronic vote (117-0).

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

S.B. 384, A BILL TO BE ENTITLED AN ACT AMENDING THE NORTH CAROLINA PERSONS WITH DISABILITIES PROTECTION ACT TO CONFORM WITH FEDERAL CHANGES UNDER THE AMERICANS WITH DISABILITIES ACT AMENDMENTS ACT OF 2008 (ADAAA), passes its second reading, by electronic vote (113-0), and there being no objection is read a third time.

Representative Gill requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (114-0).

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

RE-REFERRALS

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 628**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE REVENUE LAWS STUDY COMMITTEE TO STUDY POLICIES AND INCENTIVES THAT CAN BE ESTABLISHED TO STIMULATE THE CREATION OF DEVELOPMENT READY SITES TO AID IN JOB RECRUITMENT AND RETENTION EFFORTS, 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 T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 921**, A BILL TO BE ENTITLED AN ACT TO CREATE THE PRECONSTRUCTION GRANT DEVELOPMENT FUND, is withdrawn from the Committee on Finance and re-referred to the Committee on Commerce and Job Development.

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **S.B. 345**, A BILL TO BE ENTITLED AN ACT TO RETAIN AND ENCOURAGE INVESTMENT IN ECONOMICALLY DISTRESSED TIMES TO REMAIN ELIGIBLE TO TAKE AN INSTALLMENT OF A CREDIT EARNED UNDER THE BILL LEE ACT, is withdrawn from the Committee on Finance and re-referred to the Committee on Rules, Calendar, and Operations of the House.

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On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 145** (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, is withdrawn from Judiciary Subcommittee A and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative LaRoque, pursuant to Rule 39.2 and without objection, **H.B. 256**, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE VILLAGE OF LAKE JAMES, is withdrawn from the Committee on Government and re-referred to the Committee on Rules, Calendar, and Operations of the House.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Iler and Mills, Chairs, for the Committee on Transportation:

H.B. 402, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO PRODUCE A SPECIAL PLATE FOR ARTS NORTH CAROLINA, 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.

H.B. 634, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO PRODUCE A SPECIAL PLATE FOR THE ARTHRITIS FOUNDATION, INC., with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

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

H.B. 844, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO PRODUCE A SPECIAL PLATE FOR THE FRIENDS OF THE MOUNTAINS-TO-SEA TRAIL, 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.

H.B. 869, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO PRODUCE A SPECIAL PLATE FOR THE AURORA FOSSIL MUSEUM, 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 Current, Dollar, and Hollo, Chairs, for the Committee on Health and Human Services:

H.B. 618, A BILL TO BE ENTITLED AN ACT TO STREAMLINE DUPLICATE OVERSIGHT OF DHHS SERVICE PROVIDERS, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

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

S.B. 245 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE LOCAL PUBLIC HEALTH DEPARTMENTS, DISTRICT HEALTH DEPARTMENTS, AND CONSOLIDATED HUMAN SERVICES AGENCIES TO BILL MEDICAID THROUGH AN APPROVED MEDI-CAID CLEARINGHOUSE OR THROUGH THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF PUBLIC HEALTH, with a favorable report as to the House committee substitute bill, unfavorable as to the Senate committee substitute bill.

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

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CAUCUS ANNOUNCED

The Speaker announces the following caucus:

Joint Agriculture Industry Caucus: Representative Langdon, Chair; Representative Hill, Vice Chair.

On motion of Representative LaRoque, seconded by Representative T. Moore, the House adjourns at 3:51 p.m. to reconvene May 18 at 2:00 p.m.

SIXTY-SIXTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, May 18, 2011

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 Representative Susi Hamilton:

"Grant, O God, that Your holy and life-giving Spirit may so move every human heart and especially the hearts of the people of this Body, that barriers which divide us may crumble, suspicions disappear, and hatreds cease; that our divisions being healed, we may live in justice and peace; in the Lord's name we pray. Amen."

(Prayer for Social Justice from the Book of Common Prayer)

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

A leave of absence is granted Representative Killian for today.

ENROLLED BILLS

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

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S.B. 384, AN ACT AMENDING THE NORTH CAROLINA PERSONS WITH DISABILITIES PROTECTION ACT TO CONFORM WITH FEDERAL CHANGES UNDER THE AMERICANS WITH DISABILITIES ACT AMENDMENTS ACT OF 2008 (ADAAA).

H.B. 222, AN ACT TO AUTHORIZE PLUG-IN ELECTRIC VEHICLES TO OPERATE IN HIGH OCCUPANCY VEHICLE LANES AND TO EXEMPT PLUG-IN ELECTRIC VEHICLES FROM THE EMISSIONS INSPECTION REQUIREMENT.

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

S.B. 288, AN ACT EXPANDING THE PURPOSES FOR WHICH THE TOWNS OF ATLANTIC BEACH AND BEAUFORT MAY USE THE PROCEEDS FROM ON-STREET PARKING METERS, AND PROVIDING THAT PARKING METERS IN THE TOWNS MAY BE ACTIVATED BY COMMERCIALY AVAILABLE MEANS OF PRE-PAYMENT CREDIT.

CHAPTERED BILLS

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

H.B. 415, AN ACT PRESERVING LITTORAL RIGHTS IN THE TOWNS OF TOPSAIL BEACH AND NAGS HEAD AFTER PUBLICLY FINANCED BEACH NOURISHMENT PROJECTS. (S.L. 2011-78)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

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

By Representatives Holloway and Langdon, Chairs, for the Committee on Education:

H.B. 503, A BILL TO BE ENTITLED AN ACT DIRECTING THE STATE BOARD OF EDUCATION TO ANNUALLY REVIEW NUTRITION STANDARDS FOR FOODS AND BEVERAGES ADMINISTERED BY THE DEPARTMENT OF PUBLIC INSTRUCTION AND CHILD NUTRITION PROGRAMS OF LOCAL SCHOOL ADMINISTRATIVE

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UNITS AND TO REQUIRE OTHER FOOD SALE OPERATIONS ON THE SCHOOL CAMPUS DURING THE INSTRUCTIONAL DAY TO MEET CERTAIN STANDARDS BY THE 2011-2012 SCHOOL YEAR, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

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

H.B. 515 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT COMMUNITY COLLEGES TO INCLUDE THE COSTS OF TEXTBOOKS IN THE TUITION CHARGED FOR MEMBERS OF THE ARMED SERVICES, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 19.

By Representatives Langdon and Sager, Chairs, for the Committee on Agriculture:

H.B. 762, A BILL TO BE ENTITLED AN ACT TO PROTECT LANDOWNER RIGHTS AND INCREASE PUBLIC SAFETY BY REQUIRING WRITTEN PERMISSION TO HUNT ON THE LAND OF ANOTHER STATEWIDE AND BY PROHIBITING HUNTING FROM THE RIGHT-OF-WAY STATEWIDE, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of May 19. The original bill is placed on the Unfavorable Calendar.

By Representative Dockham, Chair, for the Committee on Insurance:

H.B. 501, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE FORMATION AND OWNERSHIP OF STOCK LIFE INSURANCE COMPANIES BY CREDIT UNIONS, 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 Banking.

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

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H.B. 575, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT IN LIEU OF CONTRACTUAL LIABILITY INSURANCE, A SERVICE CONTRACT PROVIDER MAY MAINTAIN A FUNDED RESERVE ACCOUNT FOR ITS OBLIGATIONS UNDER SERVICE CONTRACTS ISSUED AND OUTSTANDING IN THIS STATE, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

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

H.B. 617, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE REGULATION OF PORTABLE ELECTRONICS INSURANCE, with a favorable report as to the committee substitute bill, unfavorable as to the original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

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

S.B. 321 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO CONFORM PROVISIONS OF NORTH CAROLINA SURPLUS LINES INSURANCE LAWS TO THE FEDERAL NONADMITTED AND REINSURANCE REFORM ACT OF 2010, TO STREAMLINE APPLICATIONS FOR COMMERCIAL PURCHASERS, TO PREVENT ANY LOSS OF PREMIUM TAX REVENUE TO THE STATE, AND TO CONFORM THE DEFINITION OF RISK RETENTION GROUP TO FEDERAL LAW, 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 Committee on Finance. Senate Committee Substitute Bill No. 2 is placed on the Unfavorable Calendar.

By Representatives Iler and Mills, Chairs, for the Committee on Transportation:

H.B. 289, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE VARIOUS SPECIAL REGISTRATION PLATES, 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 Representatives Howard, Folwell, Setzer, and Starnes, Chairs, for the Committee on Finance:

H.B. 72 (Committee Substitute), A BILL TO BE ENTITLED AN ACT GRANTING COMMUNITY COLLEGES ADDITIONAL FLEXIBILITY WITH REGARD TO INVESTMENTS, with a favorable report as to Committee Substitute Bill No. 2, which changes the title, unfavorable as to Committee Substitute Bill No. 1.

Committee Substitute Bill No. 2 changes the bill from public to local.

Pursuant to Rule 36(b), Committee Substitute Bill No. 2 is placed on the Calendar of May 19. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

H.B. 97, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET ON FIRE PROTECTION FEES IN UNION COUNTY, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 19.

H.B. 292, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF ROUGEMONT, SUBJECT TO A REFERENDUM, with a favorable report.

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

H.B. 367, A BILL TO BE ENTITLED AN ACT TO DEANNEX CERTAIN PARCELS PREVIOUSLY ANNEXED BY A LEGISLATIVE ANNEXATION, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 19.

H.B. 453, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE PLACEMENT AND ISSUANCE OF SALARY PROTECTION INSURANCE UNDER THE SURPLUS LINES ACT, with a favorable report.

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

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H.B. 486, A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF TRYON, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 19.

H.B. 573 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE FROM THE CORPORATE LIMITS OF THE CITY OF RALEIGH AND ANNEX TO THE CORPORATE LIMITS OF THE TOWN OF WAKE FOREST PART OF THE RIGHT-OF-WAY OF THE HIGHWAY 98 BYPASS IN WAKE FOREST TOWNSHIP, AS REQUESTED BY THOSE MUNICIPALITIES, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 19.

H.B. 605, A BILL TO BE ENTITLED AN ACT TO EXPAND THE DEFINITION OF LOCAL AGENCY FOR PURPOSES OF THE DEBT SETOFF COLLECTION ACT, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of May 19. The original bill is placed on the Unfavorable Calendar.

S.B. 247, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE INCOME THRESHOLD FOR CONTRIBUTIONS TO AN ACCOUNT IN THE PARENTAL SAVINGS TRUST FUND OF THE STATE EDUCATION ASSISTANCE AUTHORITY, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 19.

By Representatives T. Moore and Rhyne, Chairs, for Judiciary Subcommittee C, with approval of standing committee Chair for report to be made directly to the floor of the House:

H.B. 387, A BILL TO BE ENTITLED AN ACT CLARIFYING WHEN, TO WHOM, AND UNDER WHAT CIRCUMSTANCES THE IDENTITY OF A PERSON REPORTING CHILD ABUSE OR NEGLECT MAY BE RELEASED; AND CLARIFYING WHAT INFORMATION THE DIVISION OF SOCIAL SERVICES IS REQUIRED TO MAINTAIN IN THE FOSTER CARE REGISTRY AND UNDER WHAT CIRCUMSTANCES INFORMATION IN THE REGISTRY MAY BE WITHHELD, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 19.

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MESSAGES FROM THE SENATE

The following are received from the Senate:

H.B. 474 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROTECT ADULT CARE HOME RESIDENTS BY INCREASING MINIMUM CONTINUING EDUCATION, TRAINING, AND COMPETENCY EVALUATION REQUIREMENTS FOR ADULT CARE HOME MEDICATION AIDES, STRENGTHENING ADULT CARE HOME INFECTION CONTROL REQUIREMENTS, AND REQUIRING THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF HEALTH SERVICE REGULATION, TO ANNUALLY INSPECT ADULT CARE HOMES FOR COMPLIANCE WITH SAFE INFECTION CONTROL STANDARDS, 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. 200, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ALAMANCE COUNTY AND ORANGE COUNTY TO RECOMMEND THE LOCATION OF NINE PERCENT OF THE COMMON BOUNDARY BETWEEN ALAMANCE COUNTY AND ORANGE COUNTY SUBSEQUENT TO THE 2010/2011 RESURVEY OF THE HISTORIC ORANGE COUNTY/ALAMANCE COUNTY BOUNDARY LINE AS DESCRIBED IN THE 1849 SURVEY ESTABLISHING ALAMANCE COUNTY, is read the first time and referred to the Committee on Government and, if favorable, to the Committee on Finance.

S.B. 201 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE COMMON BOUNDARY BETWEEN ALAMANCE COUNTY AND ORANGE COUNTY SUBSEQUENT TO THE 2010/2011 RESURVEYS OF THE TRANSITIONED PROPERTIES, AS AUTHORIZED BY THE NORTH CAROLINA GENERAL ASSEMBLY BY SESSION LAW 2010-61 ENABLING THE CHANGES IN THE HISTORIC ORANGE COUNTY/ALAMANCE COUNTY BOUNDARY LINE AS DESCRIBED IN THE 1849 SURVEY ESTABLISHING ALAMANCE COUNTY, AND TO AMEND SOME SECTIONS OF SESSION LAW 2010-61, is read the first time and referred to the Committee on Government and, if favorable, to the Committee on Finance.

S.B. 512 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO PILOT AN OVERNIGHT RESPITE PROGRAM IN

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FACILITIES THAT OFFER ADULT DAY CARE, is read the first time and referred to the Committee on Health and Human Services.

S.B. 644 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF SOCIAL SERVICES, TO REQUIRE A REDETERMINATION OF ELIGIBILITY FOR VENDOR PAYMENTS ONLY IF THE ADOPTION ASSISTANCE AGREEMENT SPECIFICALLY REQUIRES A REDETERMINATION TO RECEIVE VENDOR PAYMENTS, is read the first time and referred to the Committee on Health and Human Services.

CALENDAR

Action is taken on the following:

H.B. 618 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STREAMLINE DUPLICATE OVERSIGHT OF CERTAIN DHHS SERVICE PROVIDERS.

On motion of Representative Lewis and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of May 19.

H.B. 348 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT OFFENDERS ARE PROHIBITED FROM OBTAINING PUBLIC EMPLOYEES' PERSONNEL RECORDS.

The bill, as amended, passes its third reading, by electronic vote (116-0), and is ordered engrossed and sent to the Senate.

H.B. 366 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT SPECIAL ELECTIONS MAY BE HELD ONLY ON THE DATE OF THE GENERAL ELECTION OR THE MUNICIPAL GENERAL ELECTION, RESPECTIVELY, EXCEPT IN CASES OF A PUBLIC HEALTH OR SAFETY EMERGENCY.

Representative H. Warren offers Amendment No. 3 which is adopted by electronic vote (110-5).

Representative Luebke offers Amendment No. 4 which is adopted by electronic vote (91-27). This amendment changes the title.

The caption having been amended, the bill remains on the Calendar.

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H.B. 658, A BILL TO BE ENTITLED AN ACT TO CHANGE THE EARLY VOTING PERIOD.

Representative Jones offers Amendment No. 1 which is adopted by electronic vote (107-10).

REPRESENTATIVE FOLWELL, SPEAKER PRO TEMPORE, PRESIDING.

The bill, as amended, passes its third reading, by electronic vote (60-58), and is ordered engrossed and sent to the Senate.

H.B. 673 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT INDIVIDUALS ENGAGED IN A PATTERN OF STREET GANG ACTIVITY ARE SUBJECT TO INJUNCTIONS AS NUISANCES PURSUANT TO CHAPTER 19 OF THE GENERAL STATUTES, passes its third reading, by electronic vote (111-3), and is ordered sent to the Senate.

Representatives Current, Fisher, and Guice request and are granted leave of the House to change their votes from "no" to "aye". Representatives R. Brown, Horn, and H. Warren request and are granted leave of the House to be recorded as voting "aye". The adjusted vote total is (117-0).

H.B. 795 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE HEALTH CARE PROVIDERS TO RELEASE PATHOLOGICAL MATERIALS AND RECORDS TO PATIENTS UPON WRITTEN REQUEST.

Representative Murry offers Amendment No. 2 which is adopted by electronic vote (117-0).

The bill, as amended, passes its third reading, by electronic vote (95-21), and is ordered engrossed and sent to the Senate.

H.B. 542 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE TORT REFORM FOR NORTH CAROLINA CITIZENS AND BUSINESSES.

On motion of Representative Rhyne and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of May 31.

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H.B. 646, A BILL TO BE ENTITLED AN ACT TO PROVIDE FUNDING TO THE DEPARTMENT OF CORRECTION TO COMPLETE THE CONSTRUCTION OF AN AUTHORIZED PRISON HOSPITAL.

SPEAKER TILLIS PRESIDING.

Representative Michaux moves that the bill be withdrawn from the Calendar and re-referred to the Committee on Appropriations. The motion fails by electronic vote (52-66).

The bill passes its second reading, by electronic vote (113-4), and there being no objection is read a third time.

Representatives Earle, Faison, R. Moore, and Parmon request and are granted leave of the House to change their votes from "no" to "aye". The adjusted vote total is (117-0).

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

S.B. 245 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE LOCAL PUBLIC HEALTH DEPARTMENTS, DISTRICT HEALTH DEPARTMENTS, AND CONSOLIDATED HUMAN SERVICES AGENCIES TO BILL MEDICAID THROUGH AN APPROVED MEDICAID CLEARINGHOUSE OR THROUGH THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF PUBLIC HEALTH.

Representative Barnhart 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.

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. 316 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE DHHS TO IMPLEMENT ADDITIONAL 1915(B)(C) MEDICAID WAIVER SITES AND TO ALLOW STATE FACILITIES TO DISCLOSE CERTAIN INFORMATION FOR PURPOSES OF COLLECTING PAYMENT AND TO DIRECT THE DISTRIBUTION OF A FUND BALANCE UPON THE DISSOLUTION OF AN AREA AUTHORITY.

Pursuant to Rule 24.1A, Representative Farmer-Butterfield requests that she be excused from voting on this bill due to an employer conflict. This request is granted.

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The bill passes its second reading by electronic vote (102-15).

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

Representative LaRoque moves, seconded by Representative Faison, that the House adjourn, subject to the receipt of Committee Reports, the receipt of Messages from the Senate, the referral of bills to committees, and the withdrawal of bills from committee, to reconvene May 19 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:

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

H.B. 571, A BILL TO BE ENTITLED AN ACT IMPOSING A SERVICE CHARGE OF ONE AND TWO-TENTHS PERCENT ON THE PURCHASE OF PREPAID WIRELESS TELECOMMUNICATIONS SERVICE FOR ANY PURPOSE OTHER THAN RESALE OCCURRING IN THIS STATE, REQUIRING THAT THE SERVICE CHARGE BE COLLECTED BY THE SELLER OF PREPAID WIRELESS TELECOMMUNICATION SERVICE AND REMITTED TO THE DEPARTMENT OF REVENUE, AND PROVIDING THAT THE DEPARTMENT OF REVENUE SHALL TRANSFER ALL SERVICE CHARGES COLLECTED, MINUS THE COSTS OF COLLECTION, TO THE 911 FUND TO SUPPORT 911 SERVICES IN THE STATE, 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 Lewis, Chair, for the Committee on Elections:

H.B. 638, A BILL TO BE ENTITLED AN ACT TO ADOPT THE UNIFORM FAITHFUL PRESIDENTIAL ELECTORS ACT, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

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Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of May 19. The original bill is placed on the Unfavorable Calendar.

By Representatives T. Moore and Rhyne, Chairs, for Judiciary Subcommittee C, with approval of standing committee Chair for report to be made directly to the floor of the House:

H.B. 690, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT RESIDENTIAL REAL ESTATE CLOSINGS AND SETTLEMENTS UNDER THE GOOD FUNDS SETTLEMENT ACT BE SUPERVISED BY ATTORNEYS LICENSED IN THIS STATE, TO REQUIRE THAT INTEREST EARNED ON REAL ESTATE SETTLEMENT FUNDS HELD IN TRUST OR ESCROW ACCOUNTS BE PAID INTO THE NORTH CAROLINA STATE BAR'S INTEREST ON LAWYERS' TRUST ACCOUNT FUND, AND TO PROVIDE A PRIVATE CAUSE OF ACTION FOR PERSONS HARMED BY THE UNAUTHORIZED PRACTICE OF LAW, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of May 19. The original bill is placed on the Unfavorable Calendar.

RE-REFERRALS

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 12**, A BILL TO BE ENTITLED AN ACT TO ADD SYNTHETIC CANNABINOIDS TO THE LIST OF CONTROLLED SUBSTANCES, WHICH MAKES THE UNLAWFUL POSSESSION, MANUFACTURE, OR SALE OR DELIVERY OF SYNTHETIC CANNABINOIDS CRIMINAL OFFENSES AND TO CREATE THE CRIMINAL OFFENSE OF TRAFFICKING IN SYNTHETIC CANNABINOIDS, is withdrawn from the Committee on Health and Human Services and re-referred to Judiciary Subcommittee B.

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 854** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE A TWENTY-FOUR-HOUR WAITING PERIOD AND THE INFORMED CONSENT OF A PREGNANT WOMAN BEFORE AN ABORTION MAY BE PERFORMED, is withdrawn from the Committee on Appropriations and re-referred to the Appropriations Subcommittee on Health and Human Services.

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On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 906**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE FEASIBILITY AND THE DESIRABILITY OF AUTHORIZING SALES OF ELECTRICITY BY ANY THIRD PARTY THAT OWNS OR OPERATES THE EQUIPMENT OF A RENEWABLE ENERGY FACILITY WITH TWO MEGAWATTS OR LESS CAPACITY WHEN THE RENEWABLE ENERGY FACILITY IS LOCATED ON A CUSTOMER'S PROPERTY, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Public Utilities.

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **S.B. 200**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ALAMANCE COUNTY AND ORANGE COUNTY TO RECOMMEND THE LOCATION OF NINE PERCENT OF THE COMMON BOUNDARY BETWEEN ALAMANCE COUNTY AND ORANGE COUNTY SUBSEQUENT TO THE 2010/2011 RESURVEY OF THE HISTORIC ORANGE COUNTY/ALAMANCE COUNTY BOUNDARY LINE AS DESCRIBED IN THE 1849 SURVEY ESTABLISHING ALAMANCE COUNTY, is withdrawn from the Committee on Government and re-referred to the Committee on Finance.

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **S.B. 201** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE COMMON BOUNDARY BETWEEN ALAMANCE COUNTY AND ORANGE COUNTY SUBSEQUENT TO THE 2010/2011 RESURVEYS OF THE TRANSITIONED PROPERTIES, AS AUTHORIZED BY THE NORTH CAROLINA GENERAL ASSEMBLY BY SESSION LAW 2010-61 ENABLING THE CHANGES IN THE HISTORIC ORANGE COUNTY/ALAMANCE COUNTY BOUNDARY LINE AS DESCRIBED IN THE 1849 SURVEY ESTABLISHING ALAMANCE COUNTY, AND TO AMEND SOME SECTIONS OF SESSION LAW 2010-61, is withdrawn from the Committee on Government and re-referred to the Committee on Finance.

BILLS WITHDRAWN FROM COMMITTEE

On motion of Representative T. Moore and without objection, **H.B. 501** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE OWNERSHIP OF INSURANCE COMPANIES BY CREDIT UNIONS, is withdrawn from the Committee on Banking and pursuant to Rule 36(b), is placed on the Calendar.

May 18, 2011

On motion of Representative T. Moore and without objection, **H.J.R. 697**, A JOINT RESOLUTION DIRECTING THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF PUBLIC HEALTH, TO ASSESS CHRONIC DISEASE MANAGEMENT OF STROKE PREVENTION IN ATRIAL FIBRILLATION, is withdrawn from the Committee on Health and Human Services and pursuant to Rule 36(b), is placed on the Calendar.

On motion of Representative LaRoque and without objection, **H.B. 643** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN TRANSFERS OF WATER IN THE CENTRAL COASTAL PLAIN CAPACITY USE AREA FROM INTERBASIN TRANSFER CERTIFICATION REQUIREMENTS, is withdrawn from the Committee on Government and pursuant to Rule 36(b), is placed on the Calendar.

SUBCOMMITTEE REFERRALS

Representative McComas, Chair, for the Standing Committee on Commerce and Job Development, refers **H.B. 721**, A BILL TO BE ENTITLED AN ACT REQUIRING LANDLORDS AND TENANTS TO TAKE CERTAIN ACTIONS TO EXTERMINATE BEDBUGS IN DWELLING UNITS, to the Commerce and Job Development Subcommittee on Business and Labor.

Representative McComas, Chair, for the Standing Committee on Commerce and Job Development, refers **H.B. 764**, A BILL TO BE ENTITLED AN ACT TO PRESERVE THE THREE-TIER DISTRIBUTION SYSTEM FOR MALT BEVERAGES IN NORTH CAROLINA BY CLARIFYING PROVISIONS OF THE BEER FRANCHISE LAW TO PROVIDE: A FRANCHISE AGREEMENT APPLIES TO ALL SUPPLIER PRODUCTS UNDER THE SAME BRAND NAME; A WHOLESALER MUST SELL MALT BEVERAGES TO ALL RETAILERS IN ITS TERRITORY AT THE SAME PRICE AT THE TIME OF DELIVERY; PROHIBITED ACTS OF SUPPLIERS WITH RESPECT TO THEIR DEALINGS WITH WHOLESALERS; GOOD CAUSE FOR TERMINATION MAY NOT BE MODIFIED BY AN AGREEMENT THAT DEFINES GOOD CAUSE IN A MANNER DIFFERENT THAN PROVIDED BY STATE LAW; CERTAIN ACTS THAT DO NOT AMOUNT TO GOOD CAUSE FOR TERMINATION OF A FRANCHISE; REMEDIES FOR A SUPPLIER'S WRONGFUL TERMINATION OF A FRANCHISE; INCLUSION OF A WHOLESALER MERGER, THE FACTORS THAT MAY BE CONSIDERED BY THE SUPPLIER IN APPROVING A MERGER OR TRANSFER, AND REMEDIES FOR UNLAWFUL REFUSAL

May 18, 2011

TO APPROVE A MERGER OR TRANSFER; THE BEER FRANCHISE LAW MAY NOT BE WAIVED BY AN AGREEMENT CONTRARY TO STATE LAW; AND MEDIATION OF DISPUTES ARISING UNDER THE BEER FRANCHISE LAW, to the Commerce and Job Development Subcommittee on Alcoholic Beverage Control.

SPECIAL MESSAGE FROM THE SENATE

The following Special Message is received from the Senate:

H.B. 578 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT (1) TO ALLOW THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES TO PROVIDE THE BASIC PLAN PREMIUM-FREE USING AVAILABLE CASH BALANCE RESERVES, (2) TO DELAY IMPLEMENTATION OF CERTAIN CHANGES TO THE STATE HEALTH PLAN UNTIL SEPTEMBER 2011, (3) TO COMPLY WITH THE FEDERAL AFFORDABLE CARE ACT, (4) TO CLARIFY THE STATE HEALTH PLAN'S SUBROGATION RIGHTS, (5) TO GRANT THE STATE TREASURER IMMEDIATE ACCESS TO CONFIDENTIAL STATE HEALTH PLAN DOCUMENTS TO PLAN FOR THE TRANSFER, AND (6) TO CLARIFY THE BOARD COMPOSITION AND STAGGER INITIAL APPOINTMENTS, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of May 19.

Upon concurrence the Senate committee substitute bill changes the title.

The House stands adjourned at 5:00 p.m.

SIXTY-SEVENTH DAY

HOUSE OF REPRESENTATIVES
Thursday, May 19, 2011

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 Representative Linda Johnson:

May 19, 2011

"Thank You, Lord, for the day we are experiencing, for its trials and its blessings. Thank You for walking with us, and giving us the honor to serve the people of North Carolina. Help us, Lord, to be filled with Your love and wisdom that we may share that spirit in our lives and in our service. Help us to know, Lord, that whether we are on the back row or standing at the Speaker's podium, the Chair or the committee Member, we are all equal in Your eyes, in our service and in our vote. As we share our voices and the voices of those that sent us to serve, may we share them with Your wisdom and in the spirit of Your love.

"We thank You for those who support us in doing our work, from the leader to the lecturer, the law officer to the office staff, from the researcher to the drafter, may we remember each day that without their assistance our jobs would be impossible. For their service, Lord, we are grateful.

"For most of our Members, today, Lord, is the last day of our work week here in Raleigh. Please go with us and keep us safe as we travel home to our districts. As we finish our week in our districts, we ask that You give us the patience of Job, the wisdom of Solomon, and a heart filled with Your love and compassion.

"I ask this blessing in the name of my Lord and Savior, Jesus Christ. Amen."

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

Leaves of absence are granted Representatives Boles, Current, Haire, Killian, and McComas for today.

ENROLLED BILLS

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

H.B. 371, AN ACT AUTHORIZING THE CITY OF WINSTON-SALEM TO RECEIVE BIDS ELECTRONICALLY IN ADDITION TO OR INSTEAD OF PAPER BIDS WHEN LETTING CONTRACTS ON INFORMAL BIDS.

H.B. 471, AN ACT TO EXPAND THE BOARD OF COMMISSIONERS OF BUNCOMBE COUNTY FROM FIVE TO SEVEN MEMBERS AND TO PROVIDE FOR THE ELECTION OF ALL BUT THE CHAIR BY DISTRICTS.

May 19, 2011

H.B. 506, AN ACT AUTHORIZING THE TOWN OF WRIGHTSVILLE BEACH TO REMOVE AND DISPOSE OF ABANDONED VESSELS WITHIN THE TOWN'S ZONING JURISDICTION.

H.B. 566, AN ACT TO CHANGE THE TERM OF OFFICE OF THE MAYOR AND COUNCIL OF THE TOWN OF GRANTSBORO TO FOUR YEARS.

CHAPTERED BILLS

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

S.B. 288, AN ACT EXPANDING THE PURPOSES FOR WHICH THE TOWNS OF ATLANTIC BEACH AND BEAUFORT MAY USE THE PROCEEDS FROM ON-STREET PARKING METERS, AND PROVIDING THAT PARKING METERS IN THE TOWNS MAY BE ACTIVATED BY COMMERCIALY AVAILABLE MEANS OF PREPAYMENT CREDIT. (S.L. 2011-79)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

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

By Representative Lewis, Chair, for the Committee on Elections:

H.B. 112, A BILL TO BE ENTITLED AN ACT TO REALIGN THE DISTRICTS FOR WAKE COUNTY SUPERIOR COURT JUDGE SEATS TO PROVIDE FOR SINGLE MEMBER DISTRICTS AND EQUAL REPRESENTATION IN THOSE DISTRICTS, WHICH ARE TO BE DETERMINED, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of May 23. The original bill is placed on the Unfavorable Calendar.

By Representatives Stam and Stevens, Chairs, for Judiciary Subcommittee B, with approval of standing committee Chair for reports to be made directly to the floor of the House:

May 19, 2011

H.B. 340 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE UTILITIES COMMISSION TO OBTAIN CRIMINAL HISTORY RECORD CHECKS OF APPLICANTS FOR AND CURRENT HOLDERS OF A CERTIFICATE TO TRANSPORT HOUSEHOLD GOODS, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1 and recommendation that Committee Substitute Bill No. 2 be re-referred to the Committee on Finance.

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

H.B. 512, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS GOVERNING RENDERING PLANTS AND OPERATIONS AND TO BRING THE COLLECTION AND PROCESSING OF WASTE KITCHEN GREASE WITHIN THE PURVIEW OF THE ACT, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

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

H.B. 582, A BILL TO BE ENTITLED AN ACT TO INCREASE THE CRIMINAL PENALTY FOR CERTAIN VIOLATIONS OF THE FELONY FIREARMS ACT, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of May 23. The original bill is placed on the Unfavorable Calendar.

By Representatives Howard, Folwell, Setzer, and Starnes, Chairs, for the Committee on Finance:

H.B. 206, A BILL TO BE ENTITLED AN ACT TO MODIFY THE PROPERTY TAX BASE EXCLUSIONS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 23.

H.B. 298 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN THE INSURANCE LAWS TO PRIVATIZE ONLINE AND ADMINISTRATIVE PROCESSES FOR LICENSE APPLICANTS, CODIFY THE EXISTING SENIORS' HEALTH

May 19, 2011

INSURANCE INFORMATION PROGRAM, ENSURE ACCURACY IN CERTIFICATES OF INSURANCE, REQUIRE PRIOR APPROVAL OF SMALL GROUP HEALTH INSURANCE RATES AND ENCOURAGE THE SALE OF CHILD-ONLY HEALTH INSURANCE POLICIES, AMEND THE RISK-BASED CAPITAL LAW TO MAINTAIN NAIC ACCREDITATION, PROVIDE AN EXEMPTION FOR LICENSING OF CLAIMS INPUT EMPLOYEES FOR PORTABLE ELECTRONIC DEVICES, PROHIBIT FEDERAL PREEMPTION OF CROP ADJUSTERS' REGULATION, AND EASE THE REGULATORY BURDEN ON THE NORTH CAROLINA SELF-INSURANCE SECURITY ASSOCIATION AND THE ASSOCIATION AGGREGATE SECURITY SYSTEM, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

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

H.B. 596, A BILL TO BE ENTITLED AN ACT TO FACILITATE THE IDENTIFICATION OF SURPLUS STATE-OWNED REAL PROPERTY; TO REQUIRE THAT THE OWNERSHIP OF THAT PROPERTY BE TRANSFERRED TO THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM; TO REQUIRE THE STATE TREASURER TO MANAGE THAT PROPERTY FOR THE BENEFIT OF THE STATE RETIREMENT SYSTEM; AND TO MAKE CONFORMING CHANGES TO THE GENERAL STATUTES, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of May 23. The original bill is placed on the Unfavorable Calendar.

S.B. 200, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ALAMANCE COUNTY AND ORANGE COUNTY TO RECOMMEND THE LOCATION OF NINE PERCENT OF THE COMMON BOUNDARY BETWEEN ALAMANCE COUNTY AND ORANGE COUNTY SUBSEQUENT TO THE 2010/2011 RESURVEY OF THE HISTORIC ORANGE COUNTY/ALAMANCE COUNTY BOUNDARY LINE AS DESCRIBED IN THE 1849 SURVEY ESTABLISHING ALAMANCE COUNTY, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 23.

May 19, 2011

S.B. 201 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE COMMON BOUNDARY BETWEEN ALAMANCE COUNTY AND ORANGE COUNTY SUBSEQUENT TO THE 2010/2011 RESURVEYS OF THE TRANSITIONED PROPERTIES, AS AUTHORIZED BY THE NORTH CAROLINA GENERAL ASSEMBLY BY SESSION LAW 2010-61 ENABLING THE CHANGES IN THE HISTORIC ORANGE COUNTY/ALAMANCE COUNTY BOUNDARY LINE AS DESCRIBED IN THE 1849 SURVEY ESTABLISHING ALAMANCE COUNTY, AND TO AMEND SOME SECTIONS OF SESSION LAW 2010-61, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 23.

By Representatives L. Brown and Ingle, Chairs, for the Committee on Government:

H.B. 877, A BILL TO BE ENTITLED AN ACT TO PROVIDE SPACE ON THE INCOME TAX RETURN FOR INDIVIDUALS TO MAKE DONATIONS TO THE STATE OF NORTH CAROLINA FOR GOVERNMENTAL SERVICES, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 23.

S.B. 145, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF SOUTHERN SHORES TO IMPOSE A CANAL DREDGING AND MAINTENANCE FEE AND TO ASSESS FOR NAVIGATION PROJECTS, 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. 297, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF DURHAM TO AUTHORIZE THE CITY TO ESTABLISH A SMALL BUSINESS ENTERPRISE PROGRAM TO PROMOTE THE DEVELOPMENT OF SMALL BUSINESSES IN THE CITY AND TO ENHANCE THE OPPORTUNITIES FOR SMALL BUSINESSES TO PARTICIPATE IN CITY CONTRACTS, 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 Cleveland, Chair, for the Committee on Homeland Security, Military, and Veterans Affairs:

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H.B. 799, A BILL TO BE ENTITLED AN ACT TO ALLOW LICENSURE BY ENDORSEMENT FOR MILITARY PERSONNEL AND MILITARY SPOUSES, 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

The following Special Message is received from the Senate:

H.B. 306 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO TRANSFER THE GENERAL STATUTES COMMISSION, THE RESPONSIBILITY FOR THE CODIFICATION OF THE GENERAL STATUTES, THE REVISOR OF STATUTES AND THE STAFF FOR THESE FUNCTIONS TO THE GENERAL ASSEMBLY, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of May 23.

Upon concurrence the Senate committee substitute bill changes the title.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 271 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY WINDOW TINTING RESTRICTIONS FOR MOTOR CARRIERS SUBJECT TO THE PROVISIONS OF TITLE 49 OF THE FEDERAL CODE, TO CLARIFY TEXTING FOR MOTOR CARRIERS SUBJECT TO TITLE 49 OF THE FEDERAL CODE, TO REQUIRE REDACTION OF CERTAIN VEHICLES CRASH REPORT INFORMATION, AND TO PROVIDE FOR CIVILIAN EMPLOYEES TO MANAGE OR OPERATE PERMANENT WEIGH STATIONS FOR THE STATE HIGHWAY PATROL, is read the first time and referred to the Committee on Transportation.

S.B. 489 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO BETTER ENABLE LEGISLATIVE EVALUATION AND ONGOING ASSESSMENT OF THE STATE'S ECONOMIC DEVELOPMENT PROGRAMS AND THEIR IMPACT ON JOB CREATION, is read the first time and referred to the Committee on Commerce and Job Development and, if favorable, to the Committee on Finance.

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S.B. 525 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STREAMLINE DUPLICATE OVERSIGHT OF CERTAIN DHHS SERVICE PROVIDERS, is read the first time and referred to the Committee on Appropriations.

S.B. 731 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY WHEN A MUNICIPALITY OR A COUNTY MAY ENACT ZONING ORDINANCES RELATED TO DESIGN AND AESTHETIC CONTROLS, is read the first time and referred to the Committee on Government.

CALENDAR

Action is taken on the following:

H.B. 578 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT (1) TO ALLOW THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES TO PROVIDE THE BASIC PLAN PREMIUM-FREE USING AVAILABLE CASH BALANCE RESERVES, (2) TO DELAY IMPLEMENTATION OF CERTAIN CHANGES TO THE STATE HEALTH PLAN UNTIL SEPTEMBER 2011, (3) TO COMPLY WITH THE FEDERAL AFFORDABLE CARE ACT, (4) TO CLARIFY THE STATE HEALTH PLAN'S SUBROGATION RIGHTS, (5) TO GRANT THE STATE TREASURER IMMEDIATE ACCESS TO CONFIDENTIAL STATE HEALTH PLAN DOCUMENTS TO PLAN FOR THE TRANSFER, AND (6) TO CLARIFY THE BOARD COMPOSITION AND STAGGER INITIAL APPOINTMENTS.

On motion of Representative Dockham, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (90-24), and the bill is ordered enrolled and presented to the Governor by Special Message.

H.B. 97, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET ON FIRE PROTECTION FEES IN UNION COUNTY, 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, Barnhart, Bell, Blackwell, Blust, Bordsen, Bradley, Brandon, Brawley, Brisson, L. Brown, R. Brown, Brubaker, Bryant, Burr, Carney, Collins, Cook, Cotham, Crawford, Daughtry, Dixon, Dockham, Dollar, Earle, Faircloth, Faison, Farmer-Butterfield, Fisher, Floyd, Folwell, Frye, Gill, Gillespie, Glazier, Goodman, Graham, Guice, Hackney, Hager, Hall, Hamilton, Harrison, Hastings, Hill, Hilton, Hollo, Holloway, Horn,

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Howard, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Jordan, Justice, Keever, Langdon, LaRoque, Lewis, Lucas, Luebke, Martin, McCormick, McElraft, McGee, McGrady, McGuirt, McLawhorn, Michaux, Mills, Mobley, Moffitt, R. Moore, T. Moore, Murry, Owens, Parfitt, Parmon, Pierce, Pridgen, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Tolson, Torbett, Wainwright, E. Warren, H. Warren, Weiss, West, Wilkins, Womble, and Wray - 112.

Voting in the negative: Representatives Cleveland and Stone - 2.

Excused absences: Representatives Boles, Current, Haire, Killian, and McComas - 5.

H.B. 367, A BILL TO BE ENTITLED AN ACT TO DEANNEX CERTAIN PARCELS PREVIOUSLY ANNEXED BY A LEGISLATIVE ANNEXATION, 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, Barnhart, Bell, Blackwell, Blust, Bordsen, Bradley, Brandon, Brisson, L. Brown, R. Brown, Brubaker, Bryant, Burr, Carney, Cleveland, Collins, Cook, Cotham, Crawford, Daughtry, Dixon, Dockham, Dollar, Earle, Faircloth, Faison, Farmer-Butterfield, Fisher, Floyd, Folwell, Frye, Gill, Gillespie, Glazier, Goodman, Graham, Guice, Hackney, Hager, Hall, Hastings, Hill, Hilton, Hollo, Holloway, Horn, Howard, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Jordan, Justice, Keever, Langdon, LaRoque, Lewis, Lucas, Luebke, Martin, McCormick, McElraft, McGee, McGrady, McGuirt, McLawhorn, Michaux, Mills, Mobley, Moffitt, R. Moore, T. Moore, Murry, Owens, Parfitt, Parmon, Pierce, Pridgen, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Wainwright, E. Warren, H. Warren, Weiss, West, Wilkins, Womble, and Wray - 111.

Voting in the negative: Representatives Hamilton and Harrison - 2.

Excused absences: Representatives Boles, Current, Haire, Killian, and McComas - 5.

H.B. 486, A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF TRYON, passes its second reading, by the following vote, and remains on the Calendar.

May 19, 2011

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Avila, Barnhart, Bell, Blackwell, Blust, Bordsen, Bradley, Brandon, Brawley, Brisson, L. Brown, R. Brown, Brubaker, Bryant, Burr, Carney, Cleveland, Collins, Cook, Cotham, Crawford, Daughtry, Dixon, Dockham, Dollar, Earle, Faircloth, Faison, Farmer-Butterfield, Fisher, Floyd, Folwell, Frye, Gill, Gillespie, Glazier, Goodman, Graham, Guice, Hackney, Hager, Hall, Hastings, Hill, Hilton, Hollo, Holloway, Horn, Howard, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Jordan, Justice, Keever, Langdon, LaRoque, Lewis, Lucas, Luebke, Martin, McCormick, McElraft, McGee, McGrady, McGuirt, McLawhorn, Michaux, Mills, Mobley, Moffitt, R. Moore, T. Moore, Murry, Owens, Parfitt, Parmon, Pierce, Pridgen, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Wainwright, E. Warren, H. Warren, Weiss, West, Wilkins, Womble, and Wray - 112.

Voting in the negative: Representatives Hamilton and Harrison - 2.

Excused absences: Representatives Boles, Current, Haire, Killian, and McComas - 5.

H.B. 573 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE FROM THE CORPORATE LIMITS OF THE CITY OF RALEIGH AND ANNEX TO THE CORPORATE LIMITS OF THE TOWN OF WAKE FOREST PART OF THE RIGHT-OF-WAY OF THE HIGHWAY 98 BYPASS IN WAKE FOREST TOWNSHIP, AS REQUESTED BY THOSE MUNICIPALITIES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives K. Alexander, M. Alexander, Avila, Barnhart, Bell, Blackwell, Blust, Bordsen, Bradley, Brandon, Brawley, Brisson, L. Brown, R. Brown, Brubaker, Bryant, Burr, Carney, Cleveland, Collins, Cook, Cotham, Daughtry, Dixon, Dockham, Dollar, Earle, Faircloth, Faison, Farmer-Butterfield, Fisher, Floyd, Folwell, Frye, Gill, Gillespie, Glazier, Goodman, Graham, Guice, Hackney, Hager, Hall, Hamilton, Harrison, Hastings, Hill, Hilton, Hollo, Holloway, Horn, Howard, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Jordan, Justice, Keever, Langdon, LaRoque, Lewis, Lucas, Luebke, Martin, McCormick, McElraft, McGee, McGrady, McGuirt, McLawhorn, Michaux, Mills, Mobley, Moffitt, R. Moore, T. Moore, Murry, Owens, Parfitt, Parmon, Pierce, Pridgen, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Wainwright, E. Warren, H. Warren, Weiss, West, Wilkins, Womble, and Wray - 112.

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Voting in the negative: None.

Excused absences: Representatives Boles, Current, Haire, Killian, and McComas - 5.

Representative Adams requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (113-0).

H.B. 72 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT GRANTING CERTAIN COMMUNITY COLLEGES ADDITIONAL FLEXIBILITY WITH REGARD TO INVESTMENTS.

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

The bill, as amended, passes its second reading, and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H.B. 366 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT SPECIAL ELECTIONS MAY BE HELD ONLY ON THE DATE OF PRIMARY IN EVEN NUMBERED YEARS THE GENERAL ELECTION OR THE MUNICIPAL GENERAL ELECTION, EXCEPT IN CASES OF A PUBLIC HEALTH OR SAFETY EMERGENCY.

The bill, as amended, passes its third reading, by electronic vote (70-43), and is ordered engrossed and sent to the Senate.

Representative Wainwright requests and is granted leave of the House to change his vote from "aye" to "no". The adjusted vote total is (69-44).

S.B. 316 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE DHHS TO IMPLEMENT ADDITIONAL 1915(B)(C) MEDICAID WAIVER SITES AND TO ALLOW STATE FACILITIES TO DISCLOSE CERTAIN INFORMATION FOR PURPOSES OF COLLECTING PAYMENT AND TO DIRECT THE DISTRIBUTION OF A FUND BALANCE UPON THE DISSOLUTION OF AN AREA AUTHORITY.

Pursuant to Rule 24.1A(c), the request that Representative Farmer-Butterfield be excused from voting on May 18 is continued.

Representative Barnhart offers Amendment No. 1 which is adopted by electronic vote (113-0).

May 19, 2011

On motion of the Speaker, the bill is temporarily displaced.

ENROLLED BILLS

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

H.B. 578, AN ACT (1) TO ALLOW THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES TO PROVIDE THE BASIC PLAN PREMIUM-FREE USING AVAILABLE CASH BALANCE RESERVES, (2) TO DELAY IMPLEMENTATION OF CERTAIN CHANGES TO THE STATE HEALTH PLAN UNTIL SEPTEMBER 2011, (3) TO COMPLY WITH THE FEDERAL AFFORDABLE CARE ACT, (4) TO CLARIFY THE STATE HEALTH PLAN'S SUBROGATION RIGHTS, (5) TO GRANT THE STATE TREASURER IMMEDIATE ACCESS TO CONFIDENTIAL STATE HEALTH PLAN DOCUMENTS TO PLAN FOR THE TRANSFER, AND (6) TO CLARIFY THE BOARD COMPOSITION AND STAGGER INITIAL APPOINTMENTS.

CALENDAR (continued)

S.B. 316 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE DHHS TO IMPLEMENT ADDITIONAL 1915(B)(C) MEDICAID WAIVER SITES AND TO ALLOW STATE FACILITIES TO DISCLOSE CERTAIN INFORMATION FOR PURPOSES OF COLLECTING PAYMENT AND TO DIRECT THE DISTRIBUTION OF A FUND BALANCE UPON THE DISSOLUTION OF AN AREA AUTHORITY, which was temporarily displaced, is before the Body.

Pursuant to Rule 24.1A(c), the request that Representative Farmer-Butterfield be excused from voting on May 18 is continued.

The bill, as amended, passes its third reading, by electronic vote (98-15) and is ordered sent to the Senate for concurrence in the House amendment.

H.B. 387, A BILL TO BE ENTITLED AN ACT CLARIFYING WHEN, TO WHOM, AND UNDER WHAT CIRCUMSTANCES THE IDENTITY OF A PERSON REPORTING CHILD ABUSE OR NEGLECT MAY BE RELEASED; AND CLARIFYING WHAT INFORMATION THE DIVISION OF SOCIAL SERVICES IS REQUIRED TO MAINTAIN IN THE FOSTER CARE REGISTRY AND UNDER WHAT CIRCUMSTANCES INFORMATION IN THE REGISTRY MAY BE WITHHELD.

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

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

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H.B. 515 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT COMMUNITY COLLEGES TO INCLUDE THE COSTS OF TEXTBOOKS IN THE TUITION CHARGED FOR MEMBERS OF THE ARMED SERVICES, passes its second reading, by electronic vote (114-0), and there being no objection is read a third time.

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

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

H.B. 572 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE GREATER ACCOUNTABILITY FOR NONPROFIT ENTITIES THAT RECEIVE PUBLIC FUNDING.

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

Representative Justice offers Amendment No. 2 which is adopted by electronic vote (111-1).

The bill, as amended, passes its second reading, by electronic vote (93-12), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H.B. 605 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXPAND THE DEFINITION OF LOCAL AGENCY FOR PURPOSES OF THE DEBT SETOFF COLLECTION ACT, passes its second reading, by electronic vote (107-0), and there being no objection is read a third time.

Representative Adams requests and is granted leave of the House 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.

H.B. 618 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STREAMLINE DUPLICATE OVERSIGHT OF CERTAIN DHHS SERVICE PROVIDERS.

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

H.B. 638 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADOPT THE UNIFORM FAITHFUL PRESIDENTIAL ELECTORS ACT, passes its second reading, by electronic vote (112-1), and there being no objection is read a third time.

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

H.B. 690 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT INTEREST EARNED ON REAL ESTATE SETTLEMENT FUNDS HELD IN TRUST OR ESCROW ACCOUNTS BE PAID INTO THE NORTH CAROLINA STATE BAR'S INTEREST ON LAWYERS' TRUST ACCOUNT FUND AND TO PROVIDE FOR A PRIVATE CAUSE OF ACTION FOR PERSONS HARMED BY THE UNAUTHORIZED PRACTICE OF LAW.

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

The bill, as amended, passes its second reading, by electronic vote (111-2), 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.

H.B. 762 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROTECT LANDOWNER RIGHTS.

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

S.B. 247, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE INCOME THRESHOLD FOR CONTRIBUTIONS TO AN ACCOUNT IN THE PARENTAL SAVINGS TRUST FUND OF THE STATE EDUCATION ASSISTANCE AUTHORITY, passes its second reading, by electronic vote (101-11), 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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RE-REFERRALS

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 627**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE JOINT LEGISLATIVE EFFICIENCY AND COST-SAVINGS IN STATE GOVERNMENT STUDY COMMISSION, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Appropriations.

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 557**, A BILL TO BE ENTITLED AN ACT TO EXEMPT ROWAN COUNTY FROM LOCAL MATCH REQUIREMENTS FOR HOME AND COMMUNITY CARE BLOCK GRANT FUNDS UPON WITHDRAWAL OF MEMBERSHIP FROM THE LEAD REGIONAL ORGANIZATION AND TO DIVEST ROWAN COUNTY OF ANY RIGHT OR DUTY TO UTILIZE THE LEAD REGIONAL ORGANIZATION FOR GRANT WRITING ASSISTANCE, is withdrawn from the Committee on Government and re-referred to the Committee on Finance.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committee are presented:

By Representatives L. Brown and Ingle, Chairs, for the Committee on Government:

H.B. 36, A BILL TO BE ENTITLED AN ACT PROHIBITING STATE AND LOCAL GOVERNMENT CONTRACTS WITH CONTRACTORS WHO EMPLOY ILLEGAL IMMIGRANTS AND REQUIRING CONTRACTORS TO VERIFY AND CERTIFY THEIR EMPLOYEES' LEGAL STATUS OR AUTHORIZATION TO WORK IN THE UNITED STATES, 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 Judiciary Subcommittee A.

The committee substitute bill is re-referred to Judiciary Subcommittee A. The original bill is placed on the Unfavorable Calendar.

S.B. 120 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF NEW BERN RELATING TO THE MAYOR AND MAYOR PRO TEM, with a favorable report as to the House committee substitute bill, unfavorable as to the Senate committee substitute bill.

May 19, 2011

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

On motion of Representative LaRoque, seconded by Representative Stam, the House adjourns at 3:07 p.m. to reconvene Monday, May 23, 2011, at 7:00 p.m.

SIXTY-EIGHTH DAY

HOUSE OF REPRESENTATIVES
Monday, May 23, 2011

The House meets at 7:00 p.m. pursuant to adjournment and is called to order by Representative Folwell, Speaker Pro Tempore.

The following prayer is offered by Representative Efton Sager:

"Loving and gracious God:

"We give You thanks for the privilege of serving Your people. Scripture commands us to fear and revere our God, yet we often find ourselves fearing each other attempting to do that which pleases those around us rather than obeying Your will. Enable us to always search and desire Your heart - heart that seeks justice and mercy for all people. We ask for understanding and compassion during our time together acknowledging our human limitations and shortcomings. But we believe You to be the source of all that's good and right. Enable us to do that which is loving, kind, and faithful for those we represent. May we be merciful and graceful in our decisions.

"Although we come with many differences in backgrounds and ideologies, we share in our common concern for the people of our land. May our commonality of love for Your people be greater than the sum of all our differences. Despite our inadequate and flawed actions, may our intentions be pure and true. We pray that Your mercy and grace will be sufficient for our mistakes and imperfections.

"Guide us and lead us now. Open our hearts and our minds to Your wisdom. In Your name we pray. Amen."

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The Chair leads the Body in the Pledge of Allegiance.

Representative T. Moore, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 19 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Barnhart, Dockham, Hamilton, Killian, McElraft, Mills, Mobley, and E. Warren for today.

ENROLLED BILLS

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

S.B. 247, AN ACT TO ELIMINATE THE INCOME THRESHOLD FOR CONTRIBUTIONS TO AN ACCOUNT IN THE PARENTAL SAVINGS TRUST FUND OF THE STATE EDUCATION ASSISTANCE AUTHORITY.

H.B. 280, AN ACT TO CHANGE THE QUALIFICATION REQUIREMENT FOR A COUNTY SERVICE DISTRICT ESTABLISHED FOR LAW ENFORCEMENT.

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

H.B. 537, AN ACT TO ESTABLISH THE BOUNDARY BETWEEN THE BROADWAY AND MORAVIAN FALLS FIRE TAX DISTRICTS IN WILKES 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. 371, AN ACT AUTHORIZING THE CITY OF WINSTON-SALEM TO RECEIVE BIDS ELECTRONICALLY IN ADDITION TO OR INSTEAD OF PAPER BIDS WHEN LETTING CONTRACTS ON INFORMAL BIDS. (S.L. 2011-80)

H.B. 471, AN ACT TO EXPAND THE BOARD OF COMMISSIONERS OF BUNCOMBE COUNTY FROM FIVE TO SEVEN MEMBERS AND TO PROVIDE FOR THE ELECTION OF ALL BUT THE CHAIR BY DISTRICTS. (S.L. 2011-81)

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H.B. 506, AN ACT AUTHORIZING THE TOWN OF WRIGHTSVILLE BEACH TO REMOVE AND DISPOSE OF ABANDONED VESSELS WITHIN THE TOWN'S ZONING JURISDICTION. (S.L. 2011-82)

H.B. 566, AN ACT TO CHANGE THE TERM OF OFFICE OF THE MAYOR AND COUNCIL OF THE TOWN OF GRANTSBORO TO FOUR YEARS. (S.L. 2011-83)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

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

By Representative Rhyne, Chair, for the Committee on Banking:

H.B. 686, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ESTABLISHMENT OF A PAYABLE ON DEATH ACCOUNT NAMING AN ENTITY OTHER THAN A NATURAL PERSON AS BENEFICIARY, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of May 24. The original bill is placed on the Unfavorable Calendar.

By Representatives Howard, Folwell, Setzer, and Starnes, Chairs, for the Committee on Finance:

H.B. 30 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE GARNISHMENT OF WAGES AS AN ADDITIONAL MEANS OF SATISFYING JUDGMENTS IN CIVIL ACTIONS, 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 May 24. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representative Blust, Chair, for Judiciary Subcommittee A, with approval of standing committee Chair for reports to be made directly to the floor of the House:

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H.B. 139 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO LIMIT CAMPAIGN CONTRIBUTIONS BY INDIVIDUALS WHO DIRECTLY AND SUBSTANTIALLY BENEFIT FROM CONTRACTS WITH THE STATE TO CANDIDATE CAMPAIGN COMMITTEES OF CERTAIN STATEWIDE CANDIDATES, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(b), Committee Substitute Bill No. 2 is placed on the Calendar of May 24. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

H.B. 345 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE MOVE OVER LAW TO INCLUDE ALL HIGHWAY MAINTENANCE VEHICLES AND UTILITY VEHICLES, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 24.

H.B. 687, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT WHEN CITIES AND COUNTIES ENACT ORDINANCES OR TAKE ADMINISTRATIVE ACTIONS FOR WHICH THERE IS NO STATUTORY AUTHORITY, AND THE ORDINANCE OR ACTION IS AN ABUSE OF AUTHORITY, THE PLAINTIFF MAY RECOVER ATTORNEY FEES, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of May 24. The original bill is placed on the Unfavorable Calendar.

H.B. 805, A BILL TO BE ENTITLED AN ACT AMENDING THE NAME CHANGE STATUTE TO INCLUDE A CRIMINAL RECORD CHECK AND OTHER REQUIREMENTS BEFORE THE CLERK OF SUPERIOR COURT MAY GRANT OR DENY A NAME CHANGE APPLICATION, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of May 24. The original bill is placed on the Unfavorable Calendar.

H.B. 843, A BILL TO BE ENTITLED AN ACT TO MODERNIZE THE NORTH CAROLINA EMERGENCY MANAGEMENT ACT AND RELATED STATUTES, with a favorable report.

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Pursuant to Rule 36(b), the bill is placed on the Calendar of May 24.

MESSAGES FROM THE SENATE

The following are received from the Senate:

H.B. 118, A BILL TO BE ENTITLED AN ACT RELATING TO THE DAILY DEPOSIT OF COLLECTIONS AND RECEIPTS BY THE CITY OF WINSTON-SALEM, is returned for concurrence in one Senate amendment.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 24.

S.B. 279, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF "RENEWABLE ENERGY RESOURCE" THAT PERTAINS TO THE RENEWABLE ENERGY AND ENERGY EFFICIENCY PORTFOLIO STANDARD (REPS) TO CLARIFY THAT WOOD IS A RENEWABLE ENERGY RESOURCE AND THAT WOOD NEED NOT BE A WASTE PRODUCT TO QUALIFY AS A RENEWABLE ENERGY RESOURCE, is read the first time and referred to the Committee on Environment.

S.B. 537, A BILL TO BE ENTITLED AN ACT TO INCREASE THE IN REM FORECLOSURE FEE, is read the first time and referred to the Committee on Finance.

S.B. 602 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE IT A CLASS 3 MISDEMEANOR FOR A PERSON TO ALLOW DOMESTIC FOWLS TO RUN AT LARGE ON THE LANDS OF A COMMERCIAL POULTRY OPERATION AFTER RECEIVING ACTUAL OR CONSTRUCTIVE NOTICE OF THE RUNNING AT LARGE, is read the first time and referred to the Committee on Agriculture and, if favorable, to Judiciary Subcommittee B.

S.B. 670 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT RELATING TO HEARING AID FITTING AND DISPENSING BY CERTAIN LICENSED AUDIOLOGISTS AND REVISING THE MEMBERSHIP ON THE NORTH CAROLINA STATE HEARING AID DEALERS AND FITTERS BOARD, is read the first time and referred to the Committee on Health and Human Services.

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WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative T. Moore and without objection, **H.B. 97**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET ON FIRE PROTECTION FEES IN UNION COUNTY, is withdrawn from the Calendar and placed on the Calendar of May 26.

RE-REFERRALS

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 541**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF MEDICAL ASSISTANCE, TO AMEND THE CAP-MR/DD WAIVER TO EXPAND THE TYPE OF FACILITIES IN WHICH A RECIPIENT MAY RECEIVE RESIDENTIAL SUPPORTS, is withdrawn from the Committee on Health and Human Services and re-referred to the Committee on Education.

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **S.B. 731** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY WHEN A MUNICIPALITY OR A COUNTY MAY ENACT ZONING ORDINANCES RELATED TO DESIGN AND AESTHETIC CONTROLS, is withdrawn from the Committee on Government and re-referred to the Committee on Commerce and Job Development.

CALENDAR

Action is taken on the following:

H.B. 306 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO TRANSFER THE GENERAL STATUTES COMMISSION, THE RESPONSIBILITY FOR THE CODIFICATION OF THE GENERAL STATUTES, THE REVISOR OF STATUTES AND THE STAFF FOR THESE FUNCTIONS TO THE GENERAL ASSEMBLY.

On motion of Representative Ross, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (107-0), and the bill is ordered enrolled and presented to the Governor by Special Message.

H.B. 367, A BILL TO BE ENTITLED AN ACT TO DEANNEX CERTAIN PARCELS PREVIOUSLY ANNEXED BY A LEGISLATIVE ANNEXATION, passes its third reading, by the following vote, and is ordered sent to the Senate.

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Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Avila, Bell, Blackwell, Blust, Boles, Bordsen, Bradley, Brandon, Brawley, Brisson, L. Brown, R. Brown, Brubaker, Bryant, Burr, Carney, Cleveland, Collins, Cook, Cotham, Crawford, Current, Daughtry, Dixon, Dollar, Earle, Faircloth, Faison, Farmer-Butterfield, Fisher, Floyd, Frye, Gill, Gillespie, Glazier, Goodman, Graham, Guice, Hackney, Hager, Haire, Hall, Hastings, Hill, Hilton, Hollo, Holloway, Horn, Howard, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Jordan, Justice, Keever, Langdon, LaRoque, Lewis, Lucas, Luebke, Martin, McComas, McCormick, McGee, McGuirt, McLawhorn, Michaux, Moffitt, R. Moore, T. Moore, Murry, Owens, Parmon, Pierce, Pridgen, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Wainwright, H. Warren, West, Wilkins, Womble, and Wray - 106.

Voting in the negative: Representatives Harrison and Parfitt - 2.

Excused absences: Representatives Barnhart, Dockham, Hamilton, Killian, McElraft, Mills, Mobley, and E. Warren - 8.

Representative Weiss requests and is granted leave of the House to be recorded as voting "aye". This request is granted. The adjusted vote total is (107-2).

H.B. 486, A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF TRYON, 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, M. Alexander, Avila, Bell, Blackwell, Blust, Boles, Bordsen, Bradley, Brandon, Brawley, Brisson, L. Brown, R. Brown, Brubaker, Burr, Carney, Cleveland, Collins, Cook, Cotham, Crawford, Current, Daughtry, Dixon, Dollar, Earle, Faircloth, Faison, Farmer-Butterfield, Fisher, Floyd, Frye, Gill, Gillespie, Glazier, Graham, Guice, Hackney, Hager, Haire, Hall, Hastings, Hill, Hilton, Hollo, Holloway, Horn, Howard, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Jordan, Justice, Keever, Langdon, LaRoque, Lewis, Lucas, Luebke, Martin, McComas, McCormick, McGee, McGrady, McGuirt, McLawhorn, Michaux, Moffitt, R. Moore, T. Moore, Murry, Owens, Parfitt, Parmon, Pierce, Pridgen, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Wainwright, H. Warren, Weiss, West, Wilkins, Womble, and Wray - 107.

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Voting in the negative: Representative Harrison.

Excused absences: Representatives Barnhart, Dockham, Hamilton, Killian, McElraft, Mills, Mobley, and E. Warren - 8.

H.B. 573 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE FROM THE CORPORATE LIMITS OF THE CITY OF RALEIGH AND ANNEX TO THE CORPORATE LIMITS OF THE TOWN OF WAKE FOREST PART OF THE RIGHT-OF-WAY OF THE HIGHWAY 98 BYPASS IN WAKE FOREST TOWNSHIP, AS REQUESTED BY THOSE MUNICIPALITIES, 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, M. Alexander, Avila, Bell, Blackwell, Blust, Boles, Bordsen, Bradley, Brandon, Brawley, Brisson, L. Brown, R. Brown, Brubaker, Bryant, Burr, Carney, Cleveland, Collins, Cook, Cotham, Crawford, Current, Daughtry, Dixon, Dollar, Earle, Faircloth, Faison, Farmer-Butterfield, Fisher, Frye, Gill, Gillespie, Glazier, Goodman, Graham, Guice, Hackney, Hager, Haire, Hall, Harrison, Hastings, Hill, Hilton, Hollo, Holloway, Horn, Howard, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Jordan, Justice, Keever, Langdon, LaRoque, Lewis, Lucas, Luebke, Martin, McComas, McCormick, McGee, McGrady, McGuirt, McLawhorn, Michaux, Moffitt, R. Moore, T. Moore, Murry, Owens, Parfitt, Parmon, Pierce, Pridgen, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Wainwright, H. Warren, Weiss, West, Wilkins, Womble, and Wray - 109.

Voting in the negative: None.

Excused absences: Representatives Barnhart, Dockham, Hamilton, Killian, McElraft, Mills, Mobley, and E. Warren - 8.

S.B. 200, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ALAMANCE COUNTY AND ORANGE COUNTY TO RECOMMEND THE LOCATION OF NINE PERCENT OF THE COMMON BOUNDARY BETWEEN ALAMANCE COUNTY AND ORANGE COUNTY SUBSEQUENT TO THE 2010/2011 RESURVEY OF THE HISTORIC ORANGE COUNTY/ALAMANCE COUNTY BOUNDARY LINE AS DESCRIBED IN THE 1849 SURVEY ESTABLISHING ALAMANCE COUNTY, 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, Blust, Boles, Bordsen, Bradley, Brandon, Brawley, Brisson, L. Brown, R. Brown, Brubaker, Bryant, Burr, Carney, Cleveland, Collins, Cook, Cotham, Crawford, Current, Daughtry, Dixon, Dollar, Earle, Faircloth, Faison, Farmer-Butterfield, Fisher, Floyd, Frye, Gill, Gillespie, Glazier, Goodman, Graham, Guice, Hackney, Hager, Haire, Hall, Harrison, Hastings, Hill, Hilton, Hollo, Holloway, Horn, Howard, Hurley, Iler, Insko, Jackson, Jeffus, Johnson, Jones, Jordan, Justice, Keever, Langdon, LaRoque, Lewis, Lucas, Luebke, Martin, McComas, McCormick, McGee, McGrady, McGuirt, McLawhorn, Michaux, Moffitt, R. Moore, T. Moore, Murry, Owens, Parfitt, Parmon, Pierce, Pridgen, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Wainwright, H. Warren, Weiss, West, Wilkins, Womble, and Wray - 109.

Voting in the negative: None.

Excused absences: Representatives Barnhart, Dockham, Hamilton, Killian, McElraft, Mills, Mobley, and E. Warren - 8.

S.B. 201 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE COMMON BOUNDARY BETWEEN ALAMANCE COUNTY AND ORANGE COUNTY SUBSEQUENT TO THE 2010/2011 RESURVEYS OF THE TRANSITIONED PROPERTIES, AS AUTHORIZED BY THE NORTH CAROLINA GENERAL ASSEMBLY BY SESSION LAW 2010-61 ENABLING THE CHANGES IN THE HISTORIC ORANGE COUNTY/ALAMANCE COUNTY BOUNDARY LINE AS DESCRIBED IN THE 1849 SURVEY ESTABLISHING ALAMANCE COUNTY, AND TO AMEND SOME SECTIONS OF SESSION LAW 2010-61, 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, Blust, Boles, Bordsen, Bradley, Brandon, Brawley, Brisson, L. Brown, R. Brown, Brubaker, Bryant, Burr, Carney, Cleveland, Collins, Cook, Cotham, Crawford, Current, Daughtry, Dixon, Dollar, Earle, Faircloth, Faison, Farmer-Butterfield, Fisher, Floyd, Frye, Gill, Gillespie, Glazier, Goodman, Graham, Guice, Hackney, Hager, Haire, Hall, Harrison, Hastings, Hill, Hilton, Hollo, Holloway, Horn, Howard, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Jordan, Justice, Keever, Langdon, LaRoque, Lewis, Lucas, Luebke, Martin, McComas, McCormick, McGee, McGuirt, McLawhorn, Michaux, Moffitt, R. Moore, T. Moore, Murry, Owens, Parfitt, Parmon, Pierce, Pridgen, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Wainwright, H. Warren, Weiss, West, Wilkins, Womble, and Wray - 109.

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Voting in the negative: None.

Excused absences: Representatives Barnhart, Dockham, Hamilton, Killian, McElraft, Mills, Mobley, and E. Warren - 8.

Representative McGrady requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (110-0).

H.B. 112 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REALIGN THE DISTRICTS FOR WAKE COUNTY SUPERIOR COURT JUDGE SEATS TO PROVIDE FOR SINGLE MEMBER DISTRICTS AND EQUAL REPRESENTATION IN THOSE DISTRICTS, WHICH ARE TO BE DETERMINED.

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

Representative Floyd requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (108-0).

The bill, as amended, passes its second reading, by electronic vote (107-3), 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.

H.B. 206, A BILL TO BE ENTITLED AN ACT TO MODIFY THE PROPERTY TAX BASE EXCLUSIONS, 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.

H.B. 582 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE CRIMINAL PENALTY FOR CERTAIN VIOLATIONS OF THE FELONY FIREARMS ACT, 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.

H.B. 596 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT THE PROCEEDS OF CERTAIN DISPOSITIONS OF STATE-OWNED REAL PROPERTY BE USED IN PART TO SUPPORT THE GENERAL FUND, IN PART TO SUPPORT THE

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TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM OF NORTH CAROLINA, AND IN PART TO SUPPORT THE AGENCIES TO WHICH THE PROPERTY WAS ALLOCATED; AND TO APPROPRIATE FUNDS FOR THESE PURPOSES.

Representative Stam offers Amendment No. 1 which is adopted by electronic vote (110-0).

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 engrossed and sent to the Senate.

H.B. 623 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE PROCEDURES CONCERNING FINAL ADMINISTRATIVE DECISIONS IN CONTESTED CASES HEARD BY THE OFFICE OF ADMINISTRATIVE HEARINGS.

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

ENROLLED BILLS

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

H.B. 306, AN ACT TO TRANSFER THE GENERAL STATUTES COMMISSION, THE RESPONSIBILITY FOR THE CODIFICATION OF THE GENERAL STATUTES, THE REVISOR OF STATUTES AND THE STAFF FOR THESE FUNCTIONS TO THE GENERAL ASSEMBLY.

CALENDAR (continued)

H.B. 623 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE PROCEDURES CONCERNING FINAL ADMINISTRATIVE DECISIONS IN CONTESTED CASES HEARD BY THE OFFICE OF ADMINISTRATIVE HEARING, which was temporarily displaced, is before the Body.

The bill passes its second reading by electronic vote (90-20).

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

May 23, 2011

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

H.B. 643 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN TRANSFERS OF WATER IN THE CENTRAL COASTAL PLAIN CAPACITY USE AREA FROM INTERBASIN TRANSFER CERTIFICATION REQUIREMENTS, passes its second reading, by electronic vote (78-32), and there being no objection is read a third time.

Representative McComas requests and is granted leave of the House to change his vote from "no" to "aye". The adjusted vote total is (79-31).

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

INTRODUCTION OF PAGES

Pages for the week of May 23 are introduced to the membership. They are: Alyssa Adcock of Henderson; James Carelock of Stanly; Jessica Carelock of Stanly; Destinee Clark of Mecklenburg; Malik Clark of Mecklenburg; Briana Davis of Guilford; William Edgerton of Johnston; Lane Farrell of Iredell; David Glenn of McDowell; Nia Hill of Wake; Marcus Huggins of Cumberland; Forest Koenigsberg of Buncombe; James Llewellyn of Forsyth; Katherine Llewellyn of Forsyth; Seth Riggins of Johnston; Persephone Rogers of Union; Christina Schaefer of Wake; Aubrey Temple of Henrico, Virginia; and Hunter Wainwright of McDowell.

CALENDAR (continued)

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

H.J.R. 697, A JOINT RESOLUTION DIRECTING THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF PUBLIC HEALTH, TO ASSESS CHRONIC DISEASE MANAGEMENT OF STROKE PREVENTION IN ATRIAL FIBRILLATION, 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.

H.B. 877, A BILL TO BE ENTITLED AN ACT TO PROVIDE SPACE ON THE INCOME TAX RETURN FOR INDIVIDUALS TO MAKE DONATIONS TO THE STATE OF NORTH CAROLINA FOR GOVERNMENTAL SERVICES.

May 23, 2011

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

RE-REFERRALS

On motion of Representative LaRoque, pursuant to Rule 39.2 and without objection, **S.B. 19**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET ON FIRE PROTECTION FEES IN UNION COUNTY, is withdrawn from the Committee on Government and re-referred to the Committee on Finance.

On motion of Representative LaRoque, pursuant to Rule 39.2 and without objection, **H.B. 679**, A BILL TO BE ENTITLED AN ACT STRENGTHENING MENTAL HEALTH RESIDENTIAL PLACEMENT UNDER THE MEDICAID PROGRAM, is withdrawn from the Committee on Health and Human Services and re-referred to the Committee on Finance.

On motion of Representative LaRoque, pursuant to Rule 39.2 and without objection, **H.B. 227**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PERSON MAY BUY A FIREARM IN ANOTHER STATE, PROVIDED THE PERSON SATISFIES THE APPROPRIATE BACKGROUND CHECKS, is withdrawn from Judiciary Subcommittee A and re-referred to Judiciary Subcommittee C.

On motion of Representative LaRoque, seconded by Representative Current, the House adjourns at 8:44 p.m. to reconvene May 24 at 2:00 p.m.

SIXTY-NINTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, May 24, 2011

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 Representative Justin P. Burr:

"Almighty God:

May 24, 2011

"We thank You for allowing us to be present in this place for one more day and for the honor to serve the citizens of the Old North State. As we come together weekly to govern the State of North Carolina, we humbly ask for Your guidance and wisdom in our decision making, especially over the coming weeks as we move closer to a finalized State budget for the people of this State and the hectic weeks before crossover. I pray that through Your guiding hand, that we do what is pleasing and right in Your sight.

"Last, but most importantly, I pray for each and every citizen of our State, and that You will love, support, guide and bless each and every one of them.

"In Jesus Holy Name. Amen."

Representative T. Moore, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 23 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Hamilton and Mills for today. Representatives Jackson and Lewis are excused for a portion of the Session.

ENROLLED BILLS

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

S.B. 245, AN ACT TO AUTHORIZE LOCAL PUBLIC HEALTH DEPARTMENTS, DISTRICT HEALTH DEPARTMENTS, AND CONSOLIDATED HUMAN SERVICES AGENCIES TO BILL MEDICAID THROUGH AN APPROVED MEDICAID CLEARINGHOUSE OR THROUGH THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF PUBLIC HEALTH.

S.B. 316, AN ACT TO AUTHORIZE DHHS TO IMPLEMENT ADDITIONAL 1915(B)(C) MEDICAID WAIVER SITES AND TO ALLOW STATE FACILITIES TO DISCLOSE CERTAIN INFORMATION FOR PURPOSES OF COLLECTING PAYMENT AND TO DIRECT THE DISTRIBUTION OF A FUND BALANCE UPON THE DISSOLUTION OF AN AREA AUTHORITY.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

May 24, 2011

By Representative Dockham, Chair, for the Committee on Insurance:

H.B. 664, A BILL TO BE ENTITLED AN ACT TO PROVIDE CERTAIN INFORMATION REGARDING A DECEASED PERSON'S GROUP LIFE INSURANCE TO A FUNERAL DIRECTOR OR ESTABLISHMENT, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 25.

S.B. 608, A BILL TO BE ENTITLED AN ACT TO EXEMPT HEALTH CARE SHARING ORGANIZATIONS FROM THE HEALTH INSURANCE REGULATORY LAWS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 25.

By Representatives Current, Dollar, and Hollo, Chairs, for the Committee on Health and Human Services:

H.B. 914, A BILL TO BE ENTITLED AN ACT TO PLACE AUTOMATIC EXTERNAL DEFIBRILLATORS (AEDS) IN ALL BUILDINGS AND FACILITIES THAT HOUSE STATE SERVICES, AGENCIES, AND INSTITUTIONS AND PROVIDE TRAINING FOR STATE EMPLOYEES IN THOSE FACILITIES, 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. 512 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO PILOT AN OVERNIGHT RESPITE PROGRAM IN FACILITIES THAT OFFER ADULT DAY CARE, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 25.

MESSAGES FROM THE SENATE

The following are received from the Senate:

H.B. 284 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT THE COUNTIES OF WAYNE AND CURRITUCK TO UTILIZE THE DESIGN-BUILD METHOD OF CONSTRUCTION AND RENOVATION OF COUNTY BUILDING, 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 May 25.

Upon concurrence the Senate committee substitute bill changes the title.

S.B. 320 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE AUTHORITY OF CITIES CONCERNING WATER AND WASTEWATER TREATMENT AND DISTRIBUTION SYSTEMS, is read the first time and referred to the Committee on Government.

S.B. 405 (Committee Substitute No. 2), 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, is read the first time and referred to the Committee on Environment and, if favorable, to the Committee on Finance.

S.B. 590, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT TERMINAL RENTAL ADJUSTMENT CLAUSES DO NOT CREATE A SALE OR SECURITY INTEREST IN THE LEASED VEHICLE, is read the first time and referred to the Committee on Finance.

S.B. 685 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW RELATING TO THE REGULATION OF PROPRIETARY SCHOOLS, is read the first time and referred to the Committee on Education.

S.B. 581, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT A SECURITY INTEREST IN A TITLE SHALL BE RELEASED AFTER SATISFACTION AND TO RESTRICT FRANCHISED MOTOR VEHICLE DEALERS PLATES TO AN OFFICER, SALES REPRESENTATIVE, OR OTHER EMPLOYEE OF A FRANCHISED MOTOR VEHICLE DEALER OR AN IMMEDIATE FAMILY MEMBER OF AN OFFICER, SALES REPRESENTATIVE, OR OTHER EMPLOYEE OF A FRANCHISED MOTOR VEHICLE DEALER, is read the first time and referred to the Committee on Finance.

RE-REFERRAL

On motion of Representative LaRoque, pursuant to Rule 39.2 and without objection, **H.B. 472**, A BILL TO BE ENTITLED AN ACT TO

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ALLOW ALL CITIES AND COUNTIES TO GIVE ELECTRONIC NOTICE, is withdrawn from the Committee on Government and re-referred to the Committee on Rules, Calendar, and Operations of the House.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative T. Moore and without objection, **H.B. 623** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE PROCEDURES CONCERNING FINAL ADMINISTRATIVE DECISIONS IN CONTESTED CASES HEARD BY THE OFFICE OF ADMINISTRATIVE HEARINGS, is withdrawn from the Calendar and placed on the Calendar of May 25.

CALENDAR

Action is taken on the following:

H.B. 118, A BILL TO BE ENTITLED AN ACT RELATING TO THE DAILY DEPOSIT OF COLLECTIONS AND RECEIPTS BY THE CITY OF WINSTON-SALEM.

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

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

H.B. 474 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROTECT ADULT CARE HOME RESIDENTS BY INCREASING MINIMUM CONTINUING EDUCATION, TRAINING, AND COMPETENCY EVALUATION REQUIREMENTS FOR ADULT CARE HOME MEDICATION AIDES, STRENGTHENING ADULT CARE HOME INFECTION CONTROL REQUIREMENTS, AND REQUIRING THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF HEALTH SERVICE REGULATION, TO ANNUALLY INSPECT ADULT CARE HOMES FOR COMPLIANCE WITH SAFE INFECTION CONTROL STANDARDS.

On motion of Representative Weiss, 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. 200, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ALAMANCE COUNTY AND ORANGE COUNTY TO RECOMMEND THE LOCATION OF NINE PERCENT OF THE COMMON BOUNDARY

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BETWEEN ALAMANCE COUNTY AND ORANGE COUNTY SUBSEQUENT TO THE 2010/2011 RESURVEY OF THE HISTORIC ORANGE COUNTY/ALAMANCE COUNTY BOUNDARY LINE AS DESCRIBED IN THE 1849 SURVEY ESTABLISHING ALAMANCE COUNTY, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Avila, Barnhart, Bell, Blackwell, Blust, Boles, Bordsen, Bradley, Brandon, Brawley, Brisson, L. Brown, R. Brown, Brubaker, Burr, Carney, Cleveland, Collins, Cook, Cotham, Crawford, Current, Daughtry, Dixon, Dockham, Dollar, Earle, Faircloth, Faison, Farmer-Butterfield, Fisher, Floyd, Folwell, Frye, Gill, Gillespie, Glazier, Goodman, Graham, Guice, Hackney, Hager, Haire, Hall, Harrison, Hastings, Hill, Hilton, Hollo, Holloway, Horn, Howard, Hurley, Iler, Ingle, Insko, Jeffus, Johnson, Jones, Jordan, Justice, Keever, Killian, Langdon, LaRoque, Lewis, Lucas, Luebke, Martin, McComas, McCormick, McElraft, McGee, McGrady, McGuirt, McLawhorn, Michaux, Mobley, Moffitt, R. Moore, T. Moore, Murry, Owens, Parfitt, Parmon, Pierce, Pridgen, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Sanderson, Setzer, Spear, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Wainwright, E. Warren, H. Warren, Weiss, West, Wilkins, Womble, and Wray - 115.

Voting in the negative: None.

Excused absences: Representatives Hamilton, Jackson, and Mills - 3.

S.B. 201 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE COMMON BOUNDARY BETWEEN ALAMANCE COUNTY AND ORANGE COUNTY SUBSEQUENT TO THE 2010/2011 RESURVEYS OF THE TRANSITIONED PROPERTIES, AS AUTHORIZED BY THE NORTH CAROLINA GENERAL ASSEMBLY BY SESSION LAW 2010-61 ENABLING THE CHANGES IN THE HISTORIC ORANGE COUNTY/ALAMANCE COUNTY BOUNDARY LINE AS DESCRIBED IN THE 1849 SURVEY ESTABLISHING ALAMANCE COUNTY, AND TO AMEND SOME SECTIONS OF SESSION LAW 2010-61, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Avila, Barnhart, Bell, Blackwell, Blust, Boles, Bordsen, Bradley, Brandon, Brawley, Brisson, L. Brown, R. Brown, Brubaker, Burr, Carney, Cleveland, Collins, Cook, Cotham, Crawford, Current, Daughtry, Dixon, Dockham, Dollar, Earle, Faircloth, Faison, Farmer-Butterfield, Fisher, Floyd, Folwell, Frye, Gill, Gillespie, Glazier, Goodman, Graham, Guice, Hackney, Hager, Haire, Hall, Harrison, Hastings, Hill, Hilton, Hollo,

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Horn, Howard, Hurley, Iler, Ingle, Insko, Jeffus, Johnson, Jones, Jordan, Justice, Keever, Killian, Langdon, LaRoque, Lewis, Lucas, Luebke, Martin, McComas, McCormick, McElraft, McGee, McGrady, McGuirt, McLawhorn, Michaux, Mobley, Moffitt, R. Moore, T. Moore, Murry, Owens, Parfitt, Parmon, Pierce, Pridgen, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Sanderson, Setzer, Shepard, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Wainwright, E. Warren, H. Warren, Weiss, West, Wilkins, Womble, and Wray - 113.

Voting in the negative: None.

Excused absences: Representatives Hamilton, Jackson, and Mills - 3.

Representatives Holloway and Spear request and are granted leave of the House to be recorded as voting "aye". The adjusted vote total is (115-0).

H.B. 292, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF ROUGEMONT, SUBJECT TO A REFERENDUM.

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

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

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Avila, Barnhart, Bell, Blackwell, Blust, Boles, Bordsen, Bradley, Brandon, Brawley, Brisson, L. Brown, R. Brown, Brubaker, Burr, Carney, Cleveland, Collins, Cook, Cotham, Crawford, Current, Daughtry, Dixon, Dockham, Dollar, Earle, Faircloth, Faison, Farmer-Butterfield, Fisher, Floyd, Folwell, Frye, Gill, Gillespie, Glazier, Goodman, Graham, Guice, Hackney, Hager, Haire, Hall, Harrison, Hastings, Hill, Hilton, Hollo, Holloway, Horn, Howard, Hurley, Iler, Ingle, Insko, Jeffus, Johnson, Jones, Jordan, Justice, Keever, Killian, Langdon, LaRoque, Lewis, Lucas, Luebke, Martin, McComas, McCormick, McElraft, McGee, McGuirt, McLawhorn, Mobley, Moffitt, R. Moore, T. Moore, Murry, Owens, Parfitt, Parmon, Pierce, Pridgen, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Wainwright, E. Warren, H. Warren, Weiss, West, Wilkins, Womble, and Wray - 113.

Voting in the negative: Representative Michaux.

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Excused absences: Representatives Hamilton, Jackson, and Mills - 3.

Representative McGrady requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (114-1).

H.B. 30 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE GARNISHMENT OF WAGES AS AN ADDITIONAL MEANS OF SATISFYING JUDGMENTS IN CIVIL ACTIONS INVOLVING UNFAIR OR DECEPTIVE ACTS OR PRACTICES, passes its second reading, by electronic vote (83-32), 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. 139 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO LIMIT CAMPAIGN CONTRIBUTIONS BY INDIVIDUALS WHO DIRECTLY AND SUBSTANTIALLY BENEFIT FROM CONTRACTS WITH THE STATE TO CANDIDATE CAMPAIGN COMMITTEES OF CERTAIN STATEWIDE CANDIDATES.

Representative Current offers an amendment.

The Speaker rules that the amendment is not germane to the bill and is out of order.

The bill passes its second reading, by electronic vote (113-2), and there being no objection is read a third time.

Representative Luebke requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (114-2).

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

H.B. 345 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE MOVE OVER LAW TO INCLUDE ALL HIGHWAY MAINTENANCE VEHICLES AND UTILITY VEHICLES, passes its second reading, by electronic vote (114-0), and there being no objection is read a third time.

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

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H.B. 503 (Committee Substitute), A BILL TO BE ENTITLED AN ACT DIRECTING THE STATE BOARD OF EDUCATION TO ADOPT RULES FOR OTHER FOOD SALE OPERATIONS ON THE SCHOOL CAMPUS AND TO REQUIRE LOCAL BOARDS OF EDUCATION TO IMPLEMENT THESE RULES BY THE 2012-2013 SCHOOL YEAR.

Representative LaRoque offers Amendment No. 1 which is adopted by electronic vote (112-4).

Representative Luebke offers Amendment No. 2 which is adopted by electronic vote (106-10). This amendment changes the title.

The bill, as amended, passes its second reading by electronic vote (59-56). The caption having been amended, the bill remains on the Calendar.

H.B. 618 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STREAMLINE DUPLICATE OVERSIGHT OF CERTAIN DHHS SERVICE PROVIDERS.

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

H.B. 686 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ESTABLISHMENT OF A PAYABLE ON DEATH ACCOUNT NAMING AN ENTITY OTHER THAN A NATURAL PERSON AS BENEFICIARY, passes its second reading by electronic vote (112-1).

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

H.B. 687 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT WHEN CITIES AND COUNTIES ACT OUTSIDE OF THE SCOPE OF THEIR AUTHORITY, THE PARTY SUCCESSFULLY CHALLENGING THAT ACTION MAY RECOVER REASONABLE ATTORNEYS' FEES.

Representative Blackwell offers Amendment No. 1 which is adopted by electronic vote (114-2).

The bill, as amended, passes its second reading by electronic vote (113-2).

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

H.B. 762 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROTECT LANDOWNER RIGHTS.

Representative Faison offers Amendment No. 1 which is adopted by electronic vote (75-39).

Representative LaRoque requests and is granted leave of the House to change his vote from "aye" to "no". Representative Bradley requests and is granted leave of the House to change his vote from "no" to "aye". The adjusted vote total is (75-39).

Representative Faison offers Amendment No. 2 which fails of adoption by electronic vote (21-91).

The bill, as amended, passes its second reading, by electronic vote (106-7), and there being no objection is read a third time.

Representatives McComas and T. Moore request and are granted leave of the House to change their votes from "no" to "aye". Representative Wainwright requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (109-5).

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H.B. 805 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE NAME CHANGE STATUTE TO INCLUDE A CRIMINAL RECORD CHECK AND OTHER REQUIREMENTS BEFORE THE CLERK OF SUPERIOR COURT MAY GRANT OR DENY A NAME CHANGE APPLICATION.

Representative Randleman offers Amendment No. 1 which is adopted by electronic vote (110-0).

The bill, as amended, passes its second reading, by electronic vote (112-1), and there being no objection is read a third time.

Representative McCormick requests and is granted leave of the House to change his vote from "no" to "aye". The adjusted vote total is (113-0).

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The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H.B. 843, A BILL TO BE ENTITLED AN ACT TO MODERNIZE THE NORTH CAROLINA EMERGENCY MANAGEMENT ACT AND RELATED STATUTES.

Representative Martin offers Amendment No. 1 which is adopted by electronic vote (113-0).

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.

RE-REFERRALS

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 440**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A LIST OF THE E-MAIL ADDRESSES OF PERSONS SUBSCRIBING TO E-MAIL LISTS KEPT BY THE TOWN OF HUNTERSVILLE IS OPEN TO PUBLIC INSPECTION BUT IS NOT REQUIRED TO BE PROVIDED, AND TO PROVIDE THAT THE LOCAL GOVERNMENT MAY USE THAT LIST ONLY FOR THE PURPOSE THAT IT WAS SUBSCRIBED TO, is withdrawn from the Committee on Government and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 441**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A LIST OF THE E-MAIL ADDRESSES OF PERSONS SUBSCRIBING TO E-MAIL LISTS KEPT BY THE TOWN OF CORNELIUS ARE OPEN TO PUBLIC INSPECTION BUT ARE NOT REQUIRED TO BE PROVIDED, AND TO PROVIDE THAT THE LOCAL GOVERNMENT MAY USE THAT LIST ONLY FOR THE PURPOSE THAT IT WAS SUBSCRIBED TO, is withdrawn from the Committee on Government and re-referred to the Committee on Rules, Calendar, and Operations of the House.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

May 24, 2011

By Representatives Holloway and Langdon, Chairs, for the Committee on Education:

H.B. 758, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE ARTS EDUCATION COMMISSION, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 25.

H.B. 823, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO MAKE THE SUPERINTENDENT OF PUBLIC INSTRUCTION THE HEAD OF THE DEPARTMENT OF PUBLIC INSTRUCTION, TO MAKE THE STATE BOARD OF EDUCATION AN ADVISORY BODY, TO MODIFY THE MEMBERSHIP OF THE STATE BOARD OF EDUCATION, AND TO MAKE CONFORMING CHANGES TO THE GENERAL STATUTES, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of May 25. The original bill is placed on the Unfavorable Calendar.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative LaRoque and without objection, **H.B. 503** (Committee Substitute), A BILL TO BE ENTITLED AN ACT DIRECTING THE STATE BOARD OF EDUCATION TO ADOPT RULES FOR OTHER FOOD SALE OPERATIONS ON THE SCHOOL CAMPUS AND TO REQUIRE CHARTER SCHOOLS PARTICIPATING IN THE NATIONAL SCHOOL LUNCH PROGRAM AND LOCAL BOARDS OF EDUCATION TO IMPLEMENT THESE RULES BY THE 2012-2013 SCHOOL YEAR, is withdrawn from the Calendar of May 25 and placed on the Calendar of May 31.

WITHDRAWAL OF BILL FROM COMMITTEE

On motion of Representative LaRoque and without objection, **H.B. 411** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE IREDELL COUNTY SHERIFF MAY LEASE THE FORMER IREDELL CORRECTIONAL FACILITY FROM THE DEPARTMENT OF TRANSPORTATION FOR ONE DOLLAR A YEAR FOR THIRTY YEARS UPON THE PAYMENT OF SEVENTY-FIVE THOUSAND DOLLARS BY THE IREDELL COUNTY SHERIFF TO THE DEPARTMENT OF TRANSPORTATION FOR THE RENOVATION OF THE

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NEWTON STORAGE FACILITY FOR THE DEPARTMENT OF TRANSPORTATION, is withdrawn from the Committee on Finance and pursuant to Rule 36(b), is placed on the Calendar of May 25.

On motion of Representative LaRoque, seconded by Representative Stam, the House adjourns at 4:12 p.m. to reconvene May 25 at 2:00 p.m.

SEVENTIETH DAY

HOUSE OF REPRESENTATIVES
Wednesday, May 25, 2011

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

Prayer is offered by Representative Pat McElraft.

The Speaker leads the Body in the Pledge of Allegiance.

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

Representatives Current, Dixon, Rhyne, and Samuelson are excused for a portion of the Session.

ENROLLED BILLS

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

H.B. 474, AN ACT TO PROTECT ADULT CARE HOME RESIDENTS BY INCREASING MINIMUM CONTINUING EDUCATION, TRAINING, AND COMPETENCY EVALUATION REQUIREMENTS FOR ADULT CARE HOME MEDICATION AIDES, STRENGTHENING ADULT CARE HOME INFECTION CONTROL REQUIREMENTS, AND REQUIRING THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF HEALTH SERVICE REGULATION, TO ANNUALLY INSPECT ADULT CARE HOMES FOR COMPLIANCE WITH SAFE INFECTION CONTROL STANDARDS.

May 25, 2011

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

S.B. 200, AN ACT TO AUTHORIZE ALAMANCE COUNTY AND ORANGE COUNTY TO RECOMMEND THE LOCATION OF NINE PERCENT OF THE COMMON BOUNDARY BETWEEN ALAMANCE COUNTY AND ORANGE COUNTY SUBSEQUENT TO THE 2010/2011 RESURVEY OF THE HISTORIC ORANGE COUNTY/ALAMANCE COUNTY BOUNDARY LINE AS DESCRIBED IN THE 1849 SURVEY ESTABLISHING ALAMANCE COUNTY.

S.B. 201, AN ACT TO ESTABLISH THE COMMON BOUNDARY BETWEEN ALAMANCE COUNTY AND ORANGE COUNTY SUBSEQUENT TO THE 2010/2011 RESURVEYS OF THE TRANSITIONED PROPERTIES, AS AUTHORIZED BY THE NORTH CAROLINA GENERAL ASSEMBLY BY SESSION LAW 2010-61 ENABLING THE CHANGES IN THE HISTORIC ORANGE COUNTY/ALAMANCE COUNTY BOUNDARY LINE AS DESCRIBED IN THE 1849 SURVEY ESTABLISHING ALAMANCE COUNTY, AND TO AMEND SOME SECTIONS OF SESSION LAW 2010-61.

H.B. 118, AN ACT RELATING TO THE DAILY DEPOSIT OF COLLECTIONS AND RECEIPTS BY THE CITY OF WINSTON-SALEM.

CHAPTERED BILLS

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

H.B. 129, AN ACT TO PROTECT JOBS AND INVESTMENT BY REGULATING LOCAL GOVERNMENT COMPETITION WITH PRIVATE BUSINESS. (S.L. 2011-84) [Became law without the approval of the Governor.]

S.B. 323, AN ACT TO MAKE APPROPRIATIONS AND ADJUSTMENTS FOR THE 2011-2013 FISCAL BIENNIUM TO THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES; AND TO TRANSFER THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES TO THE OFFICE OF STATE TREASURER. (S.L. 2011-85) [Became law without the approval of the Governor.]

H.B. 537, AN ACT TO ESTABLISH THE BOUNDARY BETWEEN THE BROADWAY AND MORAVIAN FALLS FIRE TAX DISTRICTS IN WILKES COUNTY. (S.L. 2011-86)

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WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative T. Moore and without objection, **H.B. 97**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET ON FIRE PROTECTION FEES IN UNION COUNTY, is withdrawn from the Calendar of May 26 and placed on the Calendar of June 1.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following report from standing committee is presented:

By Representatives Iler and Mills, Chairs, for the Committee on Transportation:

H.B. 811, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE TO DIRECT THE PROGRAM EVALUATION DIVISION TO STUDY THE DEPARTMENT OF TRANSPORTATION'S ROAD CONSTRUCTION PROCESS, INCLUDING MAINTENANCE AND REPAIRS, TO DEVELOP OPERATIONAL PLANS OR PRACTICES THAT WOULD RESULT IN INCREASED OPERATING EFFICIENCY AND COST SAVINGS, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of May 26. The original bill is placed on the Unfavorable Calendar.

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representatives Killian and Cleveland (Primary Sponsors); M. Alexander, Current, Faircloth, Fisher, Gill, Gillespie, Glazier, Hall, Hamilton, Harrison, Hilton, Horn, Iler, Ingle, Jackson, Jones, Jordan, Martin, McLawhorn, T. Moore, Parfitt, and West:

H.R. 930, A HOUSE RESOLUTION EXPRESSING GRATITUDE TO THE MEMBERS OF THE MILITARY FOR THEIR SERVICE AND HONORING THE MEMORY OF THOSE KILLED IN THE LINE OF DUTY, is read the first time and, pursuant to Rule 32(a), is placed on today's Calendar for immediate consideration.

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The resolution is adopted, by electronic vote (119-0), and ordered printed.

By Representative Steen, Hamilton, and Harrison:

H.J.R. 931, A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF THE APPOINTMENT OF EDWARD S. FINLEY, JR., TO THE UTILITIES COMMISSION, is referred to the Committee on Rules, Calendar, and Operations of the House.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 129, A BILL TO BE ENTITLED AN ACT TO MAKE GOLD (AURUM) THE STATE MINERAL, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 143, A BILL TO BE ENTITLED AN ACT TO MODIFY DORMITORY REQUIREMENTS IN CERTAIN COUNTY DETENTION FACILITIES, is read the first time and referred to Judiciary Subcommittee B.

S.B. 426 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFICATIONS AND MODIFICATIONS TO THE PUBLIC FINANCE STATUTES OF NORTH CAROLINA FOR THE IMPROVEMENT OF VARIOUS FINANCING STRUCTURES AND THE TERMS AND PROVISIONS OF THE FINANCING STRUCTURES AND TO REMOVE THE SUNSET ON SPECIAL ASSESSMENTS FOR CRITICAL INFRASTRUCTURE NEEDS, is read the first time and referred to the Committee on Finance.

S.B. 713 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW DISTILLERIES IN NORTH CAROLINA TO SELL, TO PATRONS WHO HAVE PARTICIPATED IN A TOUR OF A DISTILLERY, AT RETAIL SPIRITUOUS LIQUOR THAT HAS BEEN DISTILLED AT THE LICENSED DISTILLERY FOR THE PRICE SET BY THE NORTH CAROLINA ALCOHOLIC BEVERAGE CONTROL COMMISSION OF THAT PARTICULAR BRAND OF SPIRIT TO INCLUDE ALL APPLICABLE EXCISE AND SALES TAXES, is read the first time and referred to the Committee on Commerce and Job Development.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following report from standing committee is presented:

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By Representatives LaRoque and T. Moore, Chairs, for the Committee on Rules, Calendar, and Operations of the House:

H.B. 439, A BILL TO BE ENTITLED AN ACT MODIFYING THE AUTHORITY OF THE TOWNS OF CORNELIUS AND DAVIDSON TO ADOPT ORDINANCES REGULATING THE REMOVAL, REPLACEMENT, AND PRESERVATION OF TREES, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

The committee substitute bill changes the bill from local to public.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of May 26. The original bill is placed on the Unfavorable Calendar.

CALENDAR

Action is taken on the following:

H.B. 284 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT THE COUNTIES OF WAYNE AND CURRITUCK TO UTILIZE THE DESIGN-BUILD METHOD OF CONSTRUCTION AND RENOVATION OF COUNTY BUILDING.

On motion of Representative Sager, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (113-0), and the bill is ordered enrolled.

Representatives Brawley and McGrady request and are granted leave of the House to be recorded as voting "aye". The adjusted vote total is (115-0).

H.B. 292, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF ROUGEMONT, SUBJECT TO A REFERENDUM.

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, M. Alexander, Avila, Barnhart, Bell, Blust, Boles, Bordsen, Bradley, Brandon, Brawley, Brisson, L. Brown, R. Brown, Brubaker, Bryant, Burr, Carney, Cleveland, Collins, Cook, Cotham, Crawford, Current, Daughtry, Dixon, Dollar, Earle, Faircloth, Faison, Fisher, Folwell, Frye, Gill, Gillespie, Glazier, Goodman, Graham, Guice, Hackney, Hager, Haire, Hall, Hamilton, Harrison, Hastings, Hill, Hilton, Hollo, Holloway, Horn,

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Howard, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Jordan, Justice, Keever, Killian, Langdon, LaRoque, Lewis, Lucas, Luebke, Martin, McComas, McCormick, McElraft, McGee, McGrady, McGuirt, McLawhorn, Mills, Mobley, Moffitt, R. Moore, T. Moore, Murry, Owens, Parfitt, Pierce, Pridgen, Randleman, Rapp, Ross, Sager, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Wainwright, E. Warren, H. Warren, Weiss, West, Wilkins, Womble, and Wray - 112.

Voting in the negative: None.

Excused absence: Representative Rhyne.

Representatives Blackwell, Farmer-Butterfield, Floyd, and Parmon request and are granted leave of the House to be recorded as voting "aye". The adjusted vote total is (116-0).

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

S.B. 120 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF NEW BERN RELATING TO THE MAYOR AND MAYOR PRO TEM, passes its second reading, by electronic vote (117-0), and there being no objection is read a third time.

Representative Wilkins requests and is granted leave of the House 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 the House committee substitute bill.

H.B. 823 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO MAKE THE SUPERINTENDENT OF PUBLIC INSTRUCTION A MEMBER OF AND CHAIR OF THE STATE BOARD OF EDUCATION, TO REQUIRE THE SUPERINTENDENT OF PUBLIC INSTRUCTION TO MAKE ALL STATE-LEVEL APPOINTMENTS NECESSARY FOR SUPERVISION AND ADMINISTRATION OF THE FREE PUBLIC SCHOOLS, TO MODIFY THE MEMBERSHIP OF THE STATE BOARD OF EDUCATION TO INCLUDE AN ADDITIONAL AT-LARGE MEMBER, TO REQUIRE THE GENERAL ASSEMBLY TO ELECT ALL AT-LARGE MEMBERS, AND TO CREATE A SIX-YEAR TERM OF OFFICE FOR STATE BOARD OF EDUCATION MEMBERS.

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Representative Glazier offers Amendment No. 1 which is adopted by electronic vote (112-6). This amendment changes the title.

Representative Dixon requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (113-6).

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

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Avila, Barnhart, Bell, Blackwell, Blust, Boles, Bordsen, Bradley, Brandon, Brawley, Brisson, L. Brown, R. Brown, Brubaker, Bryant, Burr, Carney, Cleveland, Collins, Cook, Cotham, Crawford, Current, Daughtry, Dixon, Dockham, Dollar, Earle, Faircloth, Faison, Farmer-Butterfield, Fisher, Floyd, Folwell, Frye, Gill, Gillespie, Glazier, Goodman, Guice, Hager, Hall, Hamilton, Hastings, Hill, Hilton, Hollo, Holloway, Horn, Howard, Hurley, Iler, Ingle, Jackson, Jeffus, Johnson, Jones, Jordan, Justice, Keever, Killian, Langdon, LaRoque, Lewis, Lucas, Luebke, Martin, McComas, McCormick, McElraft, McGee, McGrady, McGuirt, McLawhorn, Michaux, Mills, Mobley, Moffitt, R. Moore, T. Moore, Murry, Owens, Parfitt, Pierce, Pridgen, Randleman, Rapp, Rhyne, Sager, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Wainwright, E. Warren, H. Warren, Weiss, West, Wilkins, and Wray - 111.

Voting in the negative: Representatives Graham, Hackney, Haire, Harrison, Insko, Parmon, Ross, and Womble - 8.

Excused absences: None.

H.B. 623 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE PROCEDURES CONCERNING FINAL ADMINISTRATIVE DECISIONS IN CONTESTED CASES HEARD BY THE OFFICE OF ADMINISTRATIVE HEARINGS.

Representative Stevens offers Amendment No. 1 which is adopted by electronic vote (118-0).

Representative Stevens offers Amendment No. 2 which is adopted by electronic vote (117-1).

Representative McCormick offers Amendment No. 3.

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On motion of Representative McCormick, the bill is temporarily displaced with Amendment No. 3 pending.

H.B. 686 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ESTABLISHMENT OF A PAYABLE ON DEATH ACCOUNT NAMING AN ENTITY OTHER THAN A NATURAL PERSON AS BENEFICIARY.

Representative Haire moves that the bill be withdrawn from the Calendar and postponed to a day certain. The motion fails by electronic vote (48-71).

The bill passes its third reading, by electronic vote (104-15), and is ordered sent to the Senate.

H.B. 623 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE PROCEDURES CONCERNING FINAL ADMINISTRATIVE DECISIONS IN CONTESTED CASES HEARD BY THE OFFICE OF ADMINISTRATIVE HEARINGS, which was temporarily displaced, with Amendment No. 3 pending, is before the Body.

Representative McCormick withdraws Amendment No. 3.

The bill, as amended, passes its third reading, by electronic vote (106-13) and is ordered engrossed and sent to the Senate.

Representative Haire requests and is granted leave of the House to change his vote from "aye" to "no". The adjusted vote total is (105-14).

H.B. 687 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT WHEN CITIES AND COUNTIES ACT OUTSIDE OF THE SCOPE OF THEIR AUTHORITY, THE PARTY SUCCESSFULLY CHALLENGING THAT ACTION MAY RECOVER REASONABLE ATTORNEYS' FEES, passes its third reading, by electronic vote (115-3), and is ordered engrossed and sent to the Senate.

H.B. 115 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PRESERVE STATE-BASED AUTHORITY TO REGULATE THE NORTH CAROLINA HEALTH INSURANCE MARKET AND TO PREVENT FEDERAL ENCROACHMENT ON STATE AUTHORITY BY ESTABLISHING THE NORTH CAROLINA BENEFIT EXCHANGE.

Representative Bryant offers Amendment No. 1 which is adopted by electronic vote (117-0).

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Representative Bryant offers Amendment No. 2 which is adopted by electronic vote (119-0).

Representative Glazier offers Amendment No. 3 which is adopted by electronic vote (117-0).

REPRESENTATIVE FOLWELL, SPEAKER PRO TEMPORE, PRESIDING.

The bill, as amended, passes its second reading, by electronic vote (84-33), and there being no objection is read a third time.

Representative Wainwright requests and is granted leave of the House to change his vote from "aye" to "no". The adjusted vote total is (83-34).

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

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

H.B. 298 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN THE INSURANCE LAWS TO PRIVATIZE ONLINE AND ADMINISTRATIVE PROCESSES FOR LICENSE APPLICANTS, CODIFY THE EXISTING SENIORS' HEALTH INSURANCE INFORMATION PROGRAM, ENSURE ACCURACY IN CERTIFICATES OF INSURANCE, REQUIRE PRIOR APPROVAL OF SMALL GROUP HEALTH INSURANCE RATES AND ENCOURAGE THE SALE OF CHILD-ONLY HEALTH INSURANCE POLICIES, AMEND THE RISK-BASED CAPITAL LAW TO MAINTAIN NAIC ACCREDITATION, PROVIDE AN EXEMPTION FOR LICENSING OF CLAIMS INPUT EMPLOYEES FOR PORTABLE ELECTRONIC DEVICES, PROHIBIT FEDERAL PREEMPTION OF CROP ADJUSTERS' REGULATION, AND EASE THE REGULATORY BURDEN ON THE NORTH CAROLINA SELF-INSURANCE SECURITY ASSOCIATION AND THE ASSOCIATION AGGREGATE SECURITY SYSTEM, passes its second reading, by electronic vote (115-1), and there being no objection is read a third time.

Representative Gill requests and is granted leave of the House to change her vote from "no" to "aye". The adjusted vote total is (116-0).

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

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H.B. 411 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE IREDELL COUNTY SHERIFF MAY LEASE THE FORMER IREDELL CORRECTIONAL FACILITY FROM THE DEPARTMENT OF TRANSPORTATION FOR ONE DOLLAR A YEAR FOR THIRTY YEARS UPON THE PAYMENT OF SEVENTY-FIVE THOUSAND DOLLARS BY THE IREDELL COUNTY SHERIFF TO THE DEPARTMENT OF TRANSPORTATION FOR THE RENOVATION OF THE NEWTON STORAGE FACILITY FOR THE DEPARTMENT OF TRANSPORTATION, passes its second reading, by electronic vote (116-0), and there being no objection is read a third time.

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

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

H.B. 453, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE PLACEMENT AND ISSUANCE OF SALARY PROTECTION INSURANCE UNDER THE SURPLUS LINES ACT, passes its second reading, by electronic vote (115-0), and there being no objection is read a third time.

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

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

H.B. 501 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE OWNERSHIP OF INSURANCE COMPANIES BY CREDIT UNIONS, passes its second reading, by electronic vote (114-0), and there being no objection is read a third time.

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

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

H.B. 575 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT IN LIEU OF CONTRACTUAL LIABILITY INSURANCE, A SERVICE CONTRACT PROVIDER MAY MAINTAIN A FUNDED RESERVE ACCOUNT FOR ITS OBLIGATIONS UNDER SERVICE CONTRACTS ISSUED AND OUTSTANDING IN THIS STATE, 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.

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H.B. 664, A BILL TO BE ENTITLED AN ACT TO PROVIDE CERTAIN INFORMATION REGARDING A DECEASED PERSON'S GROUP LIFE INSURANCE TO A FUNERAL DIRECTOR OR ESTABLISHMENT.

Representative K. Alexander offers Amendment No. 1.

On motion of Representative K. Alexander, the bill is temporarily displaced, with Amendment No. 1 pending.

H.B. 758, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE ARTS EDUCATION COMMISSION, passes its second reading, by electronic vote (112-1), and there being no objection is read a third time.

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

H.B. 664, A BILL TO BE ENTITLED AN ACT TO PROVIDE CERTAIN INFORMATION REGARDING A DECEASED PERSON'S GROUP LIFE INSURANCE TO A FUNERAL DIRECTOR OR ESTABLISHMENT, which was temporarily displaced, with Amendment No. 1 pending, is before the Body.

Amendment No. 1 is adopted by electronic vote (112-1).

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

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

S.B. 512 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO PILOT AN OVERNIGHT RESPITE PROGRAM IN FACILITIES THAT OFFER ADULT DAY CARE, passes its second reading, by electronic vote (113-0), and there being no objection is read a third time.

Representative Wilkins requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (114-0).

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

S.B. 608, A BILL TO BE ENTITLED AN ACT TO EXEMPT HEALTH CARE SHARING ORGANIZATIONS FROM THE HEALTH INSURANCE REGULATORY LAWS, passes its second reading, by electronic vote (113-2), 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.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following report from standing committee is presented:

By Representatives Langdon and Sager, Chairs, for the Committee on Agriculture:

S.B. 501 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO FACILITATE IMPROVED OPERATIONS AND CONDITIONS AT CERTAIN PREEXISTING SWINE FARMS BY PROVIDING FOR THE CONSTRUCTION OR RENOVATION OF SWINE HOUSES AT THOSE FARMS, with a favorable report as to the House committee substitute bill, unfavorable as to the Senate committee substitute bill.

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

NOTICE GIVEN OF DISCHARGE PETITION FOR BILL

Representative K. Alexander gives notice, pursuant to Rule 39(a), that he will file a petition with the Principal Clerk's office for the discharge of **H.B. 689**, A BILL TO BE ENTITLED AN ACT TO MAKE SIMPLER THE PROCESS OF FILLING OUT A VOTER REGISTRATION FORM AND PRINTING IT OUT TO MAIL, AND ALSO TO ALLOW VOTERS TO REGISTER TO VOTE ONLINE, from the Committee on Transportation. The petition, with fiscal note attached, will be on file in the House Principal's Clerk office.

Representative LaRoque moves, seconded by Representative Mobley, that the House adjourn, subject to the receipt of Committee Reports, to reconvene May 26 at 1:00 p.m.

The motion carries.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from permanent subcommittee are presented:

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By Representatives Stam and Stevens, Chairs, for Judiciary Subcommittee B, with approval of standing committee Chair for reports to be made directly to the floor of the House:

H.B. 494, 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 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. 517, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR SUPERVISION OF MAGISTRATES BY THE CLERK OF SUPERIOR COURT IN EACH COUNTY, TO PROVIDE THE JUDICIAL STANDARDS COMMISSION WITH THE AUTHORITY TO INVESTIGATE AND DISCIPLINE MAGISTRATES, TO AUTHORIZE THE USE OF SIX-PERSON JURIES IN MISDEMEANOR CASES, AND TO PROVIDE FOR CERTAIN CONTROL OF CALENDARING IN SUPERIOR COURT BY THE SENIOR RESIDENT SUPERIOR COURT JUDGE, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

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

H.B. 656, A BILL TO BE ENTITLED AN ACT TO DIRECT PHARMACIES TO REQUIRE PHOTO IDENTIFICATION PRIOR TO DISPENSING SCHEDULE II CONTROLLED SUBSTANCES, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

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

H.B. 489, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS AMENDMENTS TO NORTH CAROLINA'S MECHANICS LIEN AND BOND LAW, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

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The serial referral to the Committee on Finance is stricken.

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

The House stands adjourned at 5:00 p.m.

SEVENTY-FIRST DAY

HOUSE OF REPRESENTATIVES
Thursday, May 26, 2011

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 Representative Mark Hollo:

"Heavenly Father:

"We humbly bow our heads before You, thankful for all that You have given us. Help us on busy days to take the time to enjoy the beauty and the bounty of the world around us.

"We ask for Your mercy and we are thankful for Your grace.

"We lift up our prayers for the leaders in our government: President Barack Obama, Governor Beverly Perdue, Speaker Thom Tillis, and Senator Phil Berger. Be with Members of the General Assembly. Grant us strength, wisdom, and understanding to do the job we have before us. When decisions are difficult, may we always look to You for guidance. Be with all of the staff, guests in the gallery, and the pages. Watch over our families while we are apart.

"As we go into the Memorial Day weekend, we are thankful for all of the men and women in the military who have died protecting our freedom. For those families who have lost loved ones recently and grieve, we ask that You wrap Your loving arms around them and comfort them. May they realize that they do not need to worry about tomorrow, for You are already there. We ask that You send Your angels to protect our military Members now in harm's way around the world. May they return safely to their families.

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"Now, Lord, we thank You for our colleagues beside us, the friendship between us, and Your presence among us.

"In Jesus Christ's Holy name I pray. Amen."

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

Leaves of absence are granted Representatives Jackson and McGuirt for today.

ENROLLED BILLS

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

S.B. 512, AN ACT TO AUTHORIZE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO PILOT AN OVERNIGHT RESPITE PROGRAM IN FACILITIES THAT OFFER ADULT DAY CARE.

S.B. 608, AN ACT TO EXEMPT HEALTH CARE SHARING ORGANIZATIONS FROM THE HEALTH INSURANCE REGULATORY LAWS.

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

H.B. 284, AN ACT TO PERMIT THE COUNTIES OF WAYNE AND CURRITUCK TO UTILIZE THE DESIGN-BUILD METHOD OF CONSTRUCTION AND RENOVATION OF COUNTY BUILDINGS.

CHAPTERED BILLS

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

S.B. 200, AN ACT TO AUTHORIZE ALAMANCE COUNTY AND ORANGE COUNTY TO RECOMMEND THE LOCATION OF NINE PERCENT OF THE COMMON BOUNDARY BETWEEN ALAMANCE COUNTY AND ORANGE COUNTY SUBSEQUENT TO THE 2010/2011 RESURVEY OF THE HISTORIC ORANGE COUNTY/ALAMANCE COUNTY BOUNDARY LINE AS DESCRIBED IN THE 1849 SURVEY ESTABLISHING ALAMANCE COUNTY. (S.L. 2011-87)

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S.B. 201, AN ACT TO ESTABLISH THE COMMON BOUNDARY BETWEEN ALAMANCE COUNTY AND ORANGE COUNTY SUBSEQUENT TO THE 2010/2011 RESURVEYS OF THE TRANSITIONED PROPERTIES, AS AUTHORIZED BY THE NORTH CAROLINA GENERAL ASSEMBLY BY SESSION LAW 2010-61 ENABLING THE CHANGES IN THE HISTORIC ORANGE COUNTY/ALAMANCE COUNTY BOUNDARY LINE AS DESCRIBED IN THE 1849 SURVEY ESTABLISHING ALAMANCE COUNTY, AND TO AMEND SOME SECTIONS OF SESSION LAW 2010-61. (S.L. 2011-88)

H.B. 118, AN ACT RELATING TO THE DAILY DEPOSIT OF COLLECTIONS AND RECEIPTS BY THE CITY OF WINSTON-SALEM. (S.L. 2011-89)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Howard, Folwell, Setzer, and Starnes, Chairs, for the Committee on Finance:

H.B. 491, A BILL TO BE ENTITLED AN ACT TO REQUIRE A VOTE OF THE PEOPLE FOR THE STATE OF NORTH CAROLINA TO ISSUE CERTIFICATES OF PARTICIPATION, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of May 31. The original bill is placed on the Unfavorable Calendar.

S.B. 19, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET ON FIRE PROTECTION FEES IN UNION COUNTY, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 31.

By Representatives L. Brown and Ingle, Chairs, for the Committee on Government:

H.B. 233, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF CORRECTION TO DESIGNATE ITS OFFICE OF RESEARCH AND PLANNING AS THE SINGLE STATE AGENCY RESPONSIBLE FOR THE COORDINATION AND IMPLEMENTATION

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OF REENTRY POLICY INITIATIVES; AND TO ENCOURAGE THE DEPARTMENT OF CORRECTION TO CONTINUE ITS EFFORTS TO ASSIST OFFENDERS IN SUCCESSFULLY REENTERING SOCIETY, AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON EX-OFFENDER REINTEGRATION INTO SOCIETY, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 31.

H.B. 925, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CONVEYANCE OF A CITY WATER SYSTEM TO A METROPOLITAN SEWERAGE DISTRICT, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill, and recommendation that the committee substitute bill be re-referred to the Committee on 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.

RE-REFERRAL

On motion of Representative LaRoque, pursuant to Rule 39.2 and without objection, **H.B. 308**, A BILL TO BE ENTITLED AN ACT TO REFORM THE PROCESS OF TICKETING, SELLING, AND RESELLING ADMISSION TICKETS, is withdrawn from the Committee on Commerce and Job Development and re-referred to Judiciary Subcommittee B.

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representatives Martin and Killian (Primary Sponsors); M. Alexander, Carney, Current, Faircloth, Fisher, Gill, Glazier, Hamilton, Harrison, Hilton, Iler, Ingle, Jones, Jordan, McGuirt, McLawhorn, T. Moore, and Parfitt:

H.R. 932, A HOUSE RESOLUTION HONORING THE USE OF NORTH CAROLINA FOR PROVIDING EXCEPTIONAL PROGRAMS AND SERVICES TO OUR MILITARY TROOPS AND THEIR FAMILIES, is referred to the Committee on Rules, Calendar, and Operations of the House.

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MESSAGES FROM THE SENATE

The following are received from the Senate:

H.B. 98 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW ALCOHOLIC BEVERAGE PERMITTEES WHO HAVE BEEN ISSUED BREWERY PERMITS TO SELL MALT BEVERAGES BREWED AT THE BREWERY ON THE PREMISES OF THE BREWERY, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of May 31.

S.B. 63 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT REGULAR EMPLOYEES OF DULY LICENSED DEBT COLLECTION AGENCIES ARE NOT REQUIRED TO OBTAIN A COLLECTION AGENCY PERMIT, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 149 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE IT UNLAWFUL INTENTIONALLY TO CARRY CONCEALED NONMETALLIC KNUCKLES EXCEPT ON ONE'S OWN PROPERTY; TO MAKE IT UNLAWFUL TO CARRY NONMETALLIC KNUCKLES, WHETHER OPENLY OR CONCEALED, ON EDUCATIONAL PROPERTY; AND TO MAKE IT UNLAWFUL TO SELL OR OTHERWISE TRANSFER NONMETALLIC KNUCKLES TO A MINOR, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 183 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ESTABLISH CERTAIN STATUTORY STANDARDS FOR SELECTIVE VEGETATION REMOVAL WITHIN THE RIGHTS-OF-WAY OF THE STATE HIGHWAY SYSTEM, is read the first time and referred to the Committee on Transportation and, if favorable, to the Committee on Finance.

S.B. 382 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE WITHHOLDING OF INCOME TAXES FROM SALES OF REAL PROPERTY AND ASSOCIATED TANGIBLE PERSONAL PROPERTY BY NONRESIDENTS, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

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S.B. 385 (Committee Substitute), A BILL TO BE ENTITLED AN ACT PROVIDING THAT SMALL BUSINESS ASSISTANCE RECORDS ARE NOT PUBLIC RECORDS, is read the first time and referred to Judiciary Subcommittee A.

S.B. 484 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE ADDITIONAL CREDITS ASSIGNED TO THE FIRST TEN MEGAWATTS OF BIOMASS RENEWABLE ENERGY FACILITY GENERATION CAPACITY PURSUANT TO S.L. 2010-195 (CLEANFIELDS ACT OF 2010) ARE ELIGIBLE TO SATISFY THE POULTRY WASTE SET-ASIDE, is read the first time and referred to the Committee on Finance.

S.B. 560 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A SPORT SHOOTING RANGE THAT RELOCATES DUE TO CERTAIN CIRCUMSTANCES IS STILL CONSIDERED TO BE CONTINUOUSLY IN EXISTENCE SINCE BEGINNING OPERATION AND NOT TO HAVE UNDERGONE A SUBSTANTIAL CHANGE IN USE, is read the first time and referred to the Committee on Agriculture.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative T. Moore and without objection, **H.B. 439** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE DIRECTOR OF THE BUDGET TO CONTINUE EXPENDITURES FOR THE OPERATION OF GOVERNMENT UNTIL SEPTEMBER 30, 2011, AT THE LEVEL IN EFFECT ON JUNE 30, 2011, AND IMPLEMENTING THE THREE-YEAR LOOK BACK PERIOD FOR FEDERALLY FUNDED EXTENDED UNEMPLOYMENT BENEFITS AS AUTHORIZED BY SECTION 502 OF THE TAX RELIEF, UNEMPLOYMENT INSURANCE REAUTHORIZATION, AND JOB CREATION ACT OF 2010, PUBLIC LAW 111-312, WITH THE AMENDMENTS EFFECTIVE APRIL 16, 2011, AND EXPIRING JANUARY 1, 2012, is withdrawn from the Calendar and placed on the Calendar of May 31.

WITHDRAWAL OF BILL FROM COMMITTEE

On motion of Representative T. Moore and without objection, **H.B. 709**, A BILL TO BE ENTITLED AN ACT PROTECTING AND PUTTING NORTH CAROLINA BACK TO WORK BY REFORMING THE WORKERS' COMPENSATION ACT TO (1) DEFINE "SUITABLE EMPLOYMENT" PERTAINING TO AN EMPLOYEE'S RETURN TO WORK WITHIN RESTRICTIONS OR AFTER REACHING MAXIMUM IMPROVEMENT; (2) MAKE WILLFUL MISREPRESENTATIONS GROUNDS FOR

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DISQUALIFICATION FROM RECEIVING BENEFITS; (3) PROVIDE THAT PARTIES MAY REACH A SEPARATE CONTEMPORANEOUS AGREEMENT TO RESOLVE ISSUES NOT COVERED BY THE ACT; (4) CLARIFY THE RIGHTS AND RESPONSIBILITIES OF EMPLOYERS AND EMPLOYEES REGARDING MEDICAL EXAMINATIONS, TREATMENT, AND ACCESS TO MEDICAL INFORMATION; (5) CAP THE DURATION OF COMPENSATION FOR TEMPORARY TOTAL DISABILITY; (6) EXTEND FROM THREE HUNDRED TO FIVE HUNDRED THE NUMBER OF WEEKS AN INJURED EMPLOYEE IS ELIGIBLE TO RECEIVE COMPENSATION FOR PARTIAL INCAPACITY; (7) INCREASE THE DEATH BENEFIT AND BURIAL EXPENSE ALLOWANCE; (8) REDUCE THE INDUSTRIAL COMMISSION FROM SEVEN TO FIVE MEMBERS SUBJECT TO LEGISLATIVE CONFIRMATION; (9) PROVIDE THAT COMMISSIONERS AND DEPUTY COMMISSIONERS ARE SUBJECT TO THE CODE OF JUDICIAL STANDARDS; AND (10) REPEAL THE COMMISSION'S FULL EXEMPTION FROM THE ADMINISTRATIVE PROCEDURE ACT, THEREBY SUBJECTING THE COMMISSION TO RULE MAKING PURSUANT TO ARTICLE 2A OF CHAPTER 150B OF THE GENERAL STATUTES AND REQUIRING THE COMMISSION TO READOPT RULES PURSUANT TO THAT ARTICLE, is withdrawn from the Select Committee on Tort Reform and pursuant to Rule 36(b), is placed on the Calendar of May 31.

CALENDAR

Action is taken on the following:

H.B. 823 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO MAKE THE SUPERINTENDENT OF PUBLIC INSTRUCTION A MEMBER OF THE STATE BOARD OF EDUCATION, TO REQUIRE THE SUPERINTENDENT OF PUBLIC INSTRUCTION TO MAKE ALL STATE-LEVEL APPOINTMENTS NECESSARY FOR SUPERVISION AND ADMINISTRATION OF THE FREE PUBLIC SCHOOLS, TO MODIFY THE MEMBERSHIP OF THE STATE BOARD OF EDUCATION TO INCLUDE AN ADDITIONAL AT-LARGE MEMBER, TO REQUIRE THE GENERAL ASSEMBLY TO ELECT ALL AT-LARGE MEMBERS, TO REQUIRE THE GOVERNOR TO APPOINT THE CHAIR OF THE STATE BOARD OF EDUCATION, TO ELIMINATE THE REQUIREMENT THAT APPOINTMENTS BY THE GOVERNOR TO THE STATE BOARD OF EDUCATION ARE SUBJECT TO CONFIRMATION BY THE GENERAL ASSEMBLY, AND TO CREATE A SIX-YEAR TERM OF OFFICE FOR STATE BOARD OF EDUCATION MEMBERS.

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The bill, as amended, passes its third reading, by the following three-fifths majority vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Avila, Barnhart, Bell, Blackwell, Blust, Boles, Bordsen, Bradley, Brandon, Brawley, Brisson, L. Brown, R. Brown, Brubaker, Bryant, Burr, Carney, Cleveland, Collins, Cook, Cotham, Current, Daughtry, Dockham, Dollar, Earle, Faircloth, Faison, Farmer-Butterfield, Fisher, Floyd, Folwell, Frye, Gillespie, Glazier, Goodman, Graham, Guice, Hager, Hall, Hamilton, Hastings, Hill, Hilton, Hollo, Holloway, Horn, Howard, Hurley, Iler, Ingle, Jeffus, Johnson, Jones, Jordan, Justice, Keever, Killian, Langdon, LaRoque, Lewis, Lucas, Luebke, Martin, McComas, McCormick, McElraft, McGee, McGrady, McLawhorn, Michaux, Mills, Moffitt, R. Moore, T. Moore, Murry, Owens, Parfitt, Pierce, Pridgen, Randleman, Rapp, Rhyne, Sager, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Wainwright, E. Warren, H. Warren, Weiss, West, Wilkins, and Wray - 106.

Voting in the negative: Representatives Crawford, Gill, Hackney, Haire, Harrison, Insko, Mobley, Parmon, Ross, and Womble - 10.

Excused absences: Representatives Jackson and McGuirt - 2.

H.B. 811 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE PROGRAM EVALUATION DIVISION TO ASSESS THE DEPARTMENT OF TRANSPORTATION'S ROAD CONSTRUCTION PROCESS, INCLUDING MAINTENANCE AND REPAIRS, TO DEVELOP OPERATIONAL PLANS OR PRACTICES THAT WOULD RESULT IN INCREASED OPERATING EFFICIENCY AND COST SAVINGS, passes its second reading, by electronic vote (113-0), and there being no objection is read a third time.

Representative McGrady requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (114-0).

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

S.B. 501 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO FACILITATE IMPROVED OPERATIONS AND CONDITIONS AT CERTAIN PREEXISTING SWINE FARMS BY PROVIDING FOR THE CONSTRUCTION OR RENOVATION OF SWINE HOUSES AT THOSE FARMS.

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Representative T. Moore calls the previous question on the passage of the bill and the call is sustained by electronic vote (79-35).

The bill passes its second reading by electronic vote (87-29).

Representative Bryant objects to the third reading.

Without objection, the bill is placed on the Calendar of May 31.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Rhyne and without objection, **H.B. 542** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE TORT REFORM FOR NORTH CAROLINA CITIZENS AND BUSINESSES, is withdrawn from the Calendar of May 31 and placed on the Calendar of June 1.

RE-REFERRALS

On motion of Representative LaRoque, pursuant to Rule 39.2 and without objection, **H.B. 241**, A BILL TO BE ENTITLED AN ACT EXEMPTING FROM FEDERAL REGULATION UNDER THE COMMERCE CLAUSE OF THE UNITED STATES CONSTITUTION A FIREARM, A FIREARM ACCESSORY, OR AMMUNITION MANUFACTURED AND RETAINED IN NORTH CAROLINA, is withdrawn from the Committee on Judiciary and re-referred to Judiciary Subcommittee A.

On motion of Representative LaRoque, pursuant to Rule 39.2 and without objection, **H.B. 307**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE COUNTY OF WAKE AND THE TOWNS OF CARY, CLAYTON, WENDELL, AND ZEBULON TO USE ELECTRONIC MEANS TO PROVIDE PUBLIC NOTICE IN LIEU OF PUBLICATION, is withdrawn from the Committee on Government and re-referred to the Commerce and Job Development Subcommittee on Science and Technology.

On motion of Representative LaRoque, pursuant to Rule 39.2 and without objection, **H.B. 260**, A BILL TO BE ENTITLED AN ACT TO ALLOW COMPANY POLICE OFFICERS WHO ARE OFF PRIVATE PROPERTY CONTRACTED BY THE COMPANY POLICE AGENCY AND IN TRANSIT TO ANOTHER PROPERTY UNDER CONTRACT WITH THE COMPANY POLICE AGENCY TO OPERATE EMERGENCY EQUIPMENT AT CRASH SCENES AND PUBLIC SAFETY EMERGENCIES THAT PRESENT A PUBLIC DANGER, is withdrawn from Judiciary Subcommittee B and re-referred to the Committee on Rules, Calendar, and Operations of the House.

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On motion of Representative LaRoque, pursuant to Rule 39.2 and without objection, **H.R. 34**, A HOUSE RESOLUTION SUPPORTING THE STATE OF NORTH CAROLINA'S RIGHT TO CLAIM SOVEREIGNTY OVER CERTAIN POWERS UNDER THE TENTH AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to Judiciary Subcommittee A.

Representative LaRoque moves, seconded by Representative Adams, that the House adjourn, subject to the receipt of Committee Reports, to reconvene May 27 at 9:00 a.m.

The motion carries.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committee are presented:

By Representatives Howard, Folwell, Setzer, and Starnes, Chairs, for the Committee on Finance:

H.B. 242 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO (1) INCREASE THE AMOUNT OF THE BOND REQUIRED UPON REGISTRATION IN ORDER TO DRILL FOR OIL OR NATURAL GAS IN THE STATE; (2) INCREASE THE AMOUNT OF FEES APPLICABLE TO DRILLING AND ABANDONING OIL OR GAS WELLS; (3) DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO STUDY THE ISSUE OF OIL AND GAS EXPLORATION IN THE STATE, AND SPECIFICALLY THE USE OF HYDRAULIC FRACTURING FOR THAT PURPOSE; AND (4) DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO CONDUCT AT LEAST TWO PUBLIC HEARINGS ON THE ISSUE IN THE AREA IN WHICH DRILLING FOR NATURAL GAS BY MEANS OF HYDRAULIC FRACTURING MAY OCCUR, with a favorable report as to Committee Substitute Bill No. 2, which changes the title, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 38(a), Committee Substitute Bill No. 2 is re-referred to the Committee on Appropriations. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

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H.B. 619, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA PHYSICAL THERAPY PRACTICE ACT BY PROVIDING FOR PROFESSIONAL ASSOCIATION BUSINESS ORGANIZATION STATUS FOR PHYSICAL THERAPISTS AND SOME ASSOCIATED PROFESSIONALS, CLARIFYING THE DEFINITION OF PHYSICAL THERAPY AIDE, AUTHORIZING THE NORTH CAROLINA BOARD OF PHYSICAL THERAPY EXAMINERS TO CONDUCT CRIMINAL BACKGROUND CHECKS OF APPLICANTS FOR LICENSURE, AND MAKING OTHER MODERNIZING STATUTORY CHANGES, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of May 31. The original bill is placed on the Unfavorable Calendar.

The House stands adjourned at 2:04 p.m.

SEVENTY-SECOND DAY

HOUSE OF REPRESENTATIVES
Friday, May 27, 2011

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

The following prayer is offered by Marilyn Suitt, member of the General Assembly staff:

"Dear God:

"We are thankful for this day and for all of the blessings, favors and privileges that You have given to us. Most importantly, we are thankful for the religious freedom and opportunities that we have to serve You.

"We acknowledge that we have sinned and fallen short of Your glory; and humbly ask for Your forgiveness.

"Please bless our great State of North Carolina, country, and nation; and the leaders that work diligently to serve Your people.

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"Be with us, lead us, guide us and order our steps in the ways that will be pleasing in Your sight, I pray. Amen."

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

There are no excused absences for today.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Stam and without objection, **H.B. 709**, A BILL TO BE ENTITLED AN ACT PROTECTING AND PUTTING NORTH CAROLINA BACK TO WORK BY REFORMING THE WORKERS' COMPENSATION ACT TO (1) DEFINE "SUITABLE EMPLOYMENT" PERTAINING TO AN EMPLOYEE'S RETURN TO WORK WITHIN RESTRICTIONS OR AFTER REACHING MAXIMUM IMPROVEMENT; (2) MAKE WILLFUL MISREPRESENTATIONS GROUNDS FOR DISQUALIFICATION FROM RECEIVING BENEFITS; (3) PROVIDE THAT PARTIES MAY REACH A SEPARATE CONTEMPORANEOUS AGREEMENT TO RESOLVE ISSUES NOT COVERED BY THE ACT; (4) CLARIFY THE RIGHTS AND RESPONSIBILITIES OF EMPLOYERS AND EMPLOYEES REGARDING MEDICAL EXAMINATIONS, TREATMENT, AND ACCESS TO MEDICAL INFORMATION; (5) CAP THE DURATION OF COMPENSATION FOR TEMPORARY TOTAL DISABILITY; (6) EXTEND FROM THREE HUNDRED TO FIVE HUNDRED THE NUMBER OF WEEKS AN INJURED EMPLOYEE IS ELIGIBLE TO RECEIVE COMPENSATION FOR PARTIAL INCAPACITY; (7) INCREASE THE DEATH BENEFIT AND BURIAL EXPENSE ALLOWANCE; (8) REDUCE THE INDUSTRIAL COMMISSION FROM SEVEN TO FIVE MEMBERS SUBJECT TO LEGISLATIVE CONFIRMATION; (9) PROVIDE THAT COMMISSIONERS AND DEPUTY COMMISSIONERS ARE SUBJECT TO THE CODE OF JUDICIAL STANDARDS; AND (10) REPEAL THE COMMISSION'S FULL EXEMPTION FROM THE ADMINISTRATIVE PROCEDURE ACT, THEREBY SUBJECTING THE COMMISSION TO RULE MAKING PURSUANT TO ARTICLE 2A OF CHAPTER 150B OF THE GENERAL STATUTES AND REQUIRING THE COMMISSION TO READOPT RULES PURSUANT TO THAT ARTICLE, is withdrawn from the Calendar of May 31 and re-referred to the Select Committee on Tort Reform.

Representative Stam moves, seconded by Speaker Tillis, that the House adjourn, subject to the receipt of Committee Reports, to reconvene Tuesday, May 31, 2011, at 2:00 p.m.

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The motion carries.

**REPORTS OF STANDING COMMITTEES AND PERMANENT
SUBCOMMITTEES**

The following report from standing committee is presented:

By Representative Rhyne, Chair, for the Select Committee on Tort Reform:

H.B. 709, A BILL TO BE ENTITLED AN ACT PROTECTING AND PUTTING NORTH CAROLINA BACK TO WORK BY REFORMING THE WORKERS' COMPENSATION ACT TO (1) DEFINE "SUITABLE EMPLOYMENT" PERTAINING TO AN EMPLOYEE'S RETURN TO WORK WITHIN RESTRICTIONS OR AFTER REACHING MAXIMUM IMPROVEMENT; (2) MAKE WILLFUL MISREPRESENTATIONS GROUNDS FOR DISQUALIFICATION FROM RECEIVING BENEFITS; (3) PROVIDE THAT PARTIES MAY REACH A SEPARATE CONTEMPORANEOUS AGREEMENT TO RESOLVE ISSUES NOT COVERED BY THE ACT; (4) CLARIFY THE RIGHTS AND RESPONSIBILITIES OF EMPLOYERS AND EMPLOYEES REGARDING MEDICAL EXAMINATIONS, TREATMENT, AND ACCESS TO MEDICAL INFORMATION; (5) CAP THE DURATION OF COMPENSATION FOR TEMPORARY TOTAL DISABILITY; (6) EXTEND FROM THREE HUNDRED TO FIVE HUNDRED THE NUMBER OF WEEKS AN INJURED EMPLOYEE IS ELIGIBLE TO RECEIVE COMPENSATION FOR PARTIAL INCAPACITY; (7) INCREASE THE DEATH BENEFIT AND BURIAL EXPENSE ALLOWANCE; (8) REDUCE THE INDUSTRIAL COMMISSION FROM SEVEN TO FIVE MEMBERS SUBJECT TO LEGISLATIVE CONFIRMATION; (9) PROVIDE THAT COMMISSIONERS AND DEPUTY COMMISSIONERS ARE SUBJECT TO THE CODE OF JUDICIAL STANDARDS; AND (10) REPEAL THE COMMISSION'S FULL EXEMPTION FROM THE ADMINISTRATIVE PROCEDURE ACT, THEREBY SUBJECTING THE COMMISSION TO RULE MAKING PURSUANT TO ARTICLE 2A OF CHAPTER 150B OF THE GENERAL STATUTES AND REQUIRING THE COMMISSION TO READOPT RULES PURSUANT TO THAT ARTICLE, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of May 31. The original bill is placed on the Unfavorable Calendar.

The House stands adjourned at 9:09 a.m.

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SEVENTY-THIRD DAY

HOUSE OF REPRESENTATIVES
Tuesday, May 31, 2011

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

Prayer is offered by Representative Dale Folwell.

The Speaker leads the Body in the Pledge of Allegiance.

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

Leaves of absence are granted Representatives Cotham, Harrison, and Wilkins for today.

CHAPTERED BILLS

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

S.B. 245, AN ACT TO AUTHORIZE LOCAL PUBLIC HEALTH DEPARTMENTS, DISTRICT HEALTH DEPARTMENTS, AND CONSOLIDATED HUMAN SERVICES AGENCIES TO BILL MEDICAID THROUGH AN APPROVED MEDICAID CLEARINGHOUSE OR THROUGH THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF PUBLIC HEALTH. (S.L. 2011-90)

H.B. 769, AN ACT DIRECTING LOCAL BOARDS OF EDUCATION TO ADOPT AND IMPLEMENT POLICIES THAT ENCOURAGE HIGH SCHOOL TO WORK PARTNERSHIPS. (S.L. 2011-91)

S.B. 244, AN ACT TO EXTEND THE SURVIVOR'S ALTERNATE BENEFIT TO SURVIVORS OF FIREFIGHTERS AND RESCUE SQUAD WORKERS WHO ARE MEMBERS OF THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM AND ARE KILLED IN THE LINE OF DUTY. (S.L. 2011-92)

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H.B. 197, AN ACT TO GIVE CERTAIN LOCAL BOARDS OF EDUCATION ADDITIONAL FLEXIBILITY WITH REGARD TO INSTRUCTIONAL TIME LOST DUE TO INCLEMENT WEATHER OR OTHER EMERGENCY SITUATIONS. (S.L. 2011-93)

S.B. 384, AN ACT AMENDING THE NORTH CAROLINA PERSONS WITH DISABILITIES PROTECTION ACT TO CONFORM WITH FEDERAL CHANGES UNDER THE AMERICANS WITH DISABILITIES ACT AMENDMENTS ACT OF 2008 (ADAAA). (S.L. 2011-94)

H.B. 222, AN ACT TO AUTHORIZE PLUG-IN ELECTRIC VEHICLES TO OPERATE IN HIGH OCCUPANCY VEHICLE LANES AND TO EXEMPT PLUG-IN ELECTRIC VEHICLES FROM THE EMISSIONS INSPECTION REQUIREMENT. (S.L. 2011-95)

H.B. 578, AN ACT (1) TO ALLOW THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES TO PROVIDE THE BASIC PLAN PREMIUM-FREE USING AVAILABLE CASH BALANCE RESERVES, (2) TO DELAY IMPLEMENTATION OF CERTAIN CHANGES TO THE STATE HEALTH PLAN UNTIL SEPTEMBER 2011, (3) TO COMPLY WITH THE FEDERAL AFFORDABLE CARE ACT, (4) TO CLARIFY THE STATE HEALTH PLAN'S SUBROGATION RIGHTS, (5) TO GRANT THE STATE TREASURER IMMEDIATE ACCESS TO CONFIDENTIAL STATE HEALTH PLAN DOCUMENTS TO PLAN FOR THE TRANSFER, AND (6) TO CLARIFY THE BOARD COMPOSITION AND STAGGER INITIAL APPOINTMENTS. (S.L. 2011-96)

H.B. 306, AN ACT TO TRANSFER THE GENERAL STATUTES COMMISSION, THE RESPONSIBILITY FOR THE CODIFICATION OF THE GENERAL STATUTES, THE REVISOR OF STATUTES AND THE STAFF FOR THESE FUNCTIONS TO THE GENERAL ASSEMBLY. (S.L. 2011-97)

H.B. 284, AN ACT TO PERMIT THE COUNTIES OF WAYNE AND CURRITUCK TO UTILIZE THE DESIGN-BUILD METHOD OF CONSTRUCTION AND RENOVATION OF COUNTY BUILDINGS. (S.L. 2011-98)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

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

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By Representative Dockham, Chair, for the Committee on Insurance:

H.B. 774, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENTS OF AGRICULTURE AND INSURANCE TO STUDY OPTIONS FOR AGRICULTURAL CONTRACT GROWERS TO PROTECT THEMSELVES AGAINST FINANCIAL LOSSES DUE TO WEATHER, NATURAL DISASTERS, OR OTHER ACTS OF GOD, with a favorable report and recommendation that the bill be re-referred to the Committee on Rules, Calendar, and Operations of the House.

The bill is re-referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Rhyne, Chair, for the Committee on Banking:

H.B. 810, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS AMENDMENTS TO THE NORTH CAROLINA CONSUMER FINANCE ACT TO INCREASE CONSUMER ACCESS AND CREDIT MARKET PARITY, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of June 1. The original bill is placed on the Unfavorable Calendar.

By Representative Blust, Chair, for Judiciary Subcommittee A, with approval of standing committee Chair for reports to be made directly to the floor of the House:

H.B. 165, A BILL TO BE ENTITLED AN ACT TO AMEND THE PLANNED COMMUNITY ACT AND THE CONDOMINIUM ACT TO ADD OR ENHANCE CONSUMER PROTECTION PROVISIONS, INCLUDING PROVISIONS RELATED TO DISCRETION IN ENFORCEMENT BY HOMEOWNERS ASSOCIATIONS, PROCESSES REQUIRED FOR IMPOSITION OF SPECIAL ASSESSMENTS, OPEN MEETINGS, RECORD KEEPING, USE OF ALTERNATIVE DISPUTE RESOLUTION, ADDITIONAL LIMITATIONS ON FORECLOSURE, DECLARANT CONTROL, AND DISCLOSURE OF INFORMATION ABOUT HOMEOWNERS ASSOCIATIONS TO POTENTIAL PURCHASERS, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON HOMEOWNERS ASSOCIATIONS, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of June 1. The original bill is placed on the Unfavorable Calendar.

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H.B. 183, A BILL TO BE ENTITLED AN ACT PROHIBITING A HOMEOWNERS ASSOCIATION FROM FORECLOSING ON PROPERTY WHERE THE DEBT SECURING THE ASSOCIATION ASSESSMENT LIEN CONSISTS SOLELY OF UNPAID HOMEOWNERS ASSOCIATION DUES OR OTHER COSTS ASSOCIATED WITH UNPAID HOMEOWNERS ASSOCIATION DUES, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Rules, Calendar, and Operations of the House.

The committee substitute bill is re-referred to the Committee on Rules, Calendar, and Operations of the House. The original bill is placed on the Unfavorable Calendar.

H.B. 644, A BILL TO BE ENTITLED AN ACT TO ESTABLISH PHARMACY AUDIT RIGHTS AND TO ESTABLISH STANDARDS FOR RECOUPMENT OF CLAIMS, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of June 1. The original bill is placed on the Unfavorable Calendar.

By Representatives McElraft, Samuelson, and West, Chairs, for the Committee on Environment:

H.B. 209, A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN FINANCIAL ASSURANCE REQUIREMENTS APPLICABLE TO OWNERS AND OPERATORS OF SANITARY LANDFILLS TO (1) DECREASE THE MINIMUM AMOUNT OF FINANCIAL ASSURANCE THAT MUST BE ESTABLISHED TO COVER COSTS FOR POTENTIAL ASSESSMENT AND CORRECTIVE ACTION AT A FACILITY; AND (2) AUTHORIZE THE USE OF A TRUST FUND PAY-IN PERIOD AS AN ALLOWABLE MECHANISM TO ESTABLISH THE FINANCIAL ASSURANCE NECESSARY FOR POTENTIAL ASSESSMENT AND CORRECTIVE ACTION AT A FACILITY, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 1.

H.B. 586, A BILL TO BE ENTITLED AN ACT TO AMEND THE CLEAN WATER MANAGEMENT TRUST FUND TO PROVIDE THAT THE FUND MAY BE USED TO PRESERVE LANDS FOR THE DEVELOPMENT OF WATER SUPPLY RESERVOIRS, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

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

H.B. 609, A BILL TO BE ENTITLED AN ACT TO PROMOTE THE DEVELOPMENT OF WATER SUPPLY RESERVOIRS AND OTHER WATER SUPPLY RESOURCES, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

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

H.B. 694, A BILL TO BE ENTITLED AN ACT TO DIRECT APPALACHIAN STATE UNIVERSITY TO JOINTLY DEVELOP AND IMPLEMENT A WIND DEMONSTRATION PROJECT WITH THE HOLDER OF A PERMIT FOR A WIND ENERGY FACILITY THAT HAS BEEN ISSUED BY THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 38(b), the committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

H.B. 787, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE EFFICIENCY OF USE OF NORTH CAROLINA'S WATER RESOURCES, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

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

By Representatives Current, Dollar, and Hollo, Chairs, for the Committee on Health and Human Services:

H.B. 916, A BILL TO BE ENTITLED AN ACT TO ESTABLISH REQUIREMENTS FOR THE DEPARTMENT OF HEALTH AND HUMAN SERVICES AND LOCAL MANAGEMENT ENTITIES WITH RESPECT TO STATEWIDE EXPANSION OF THE 1915(B)/(C) MEDICAID WAIVER, with a favorable report as to the committee substitute bill, unfavorable as to the original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

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

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S.B. 307 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA SMART CARD PILOT PROGRAM TO COMBAT FRAUD, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 1.

SUBCOMMITTEE REFERRALS

Representative Daughtry, Chair, for the Standing Committee on Judiciary, refers the following bills to Judiciary Subcommittee C:

S.B. 34 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE WHEN A PERSON MAY USE DEFENSIVE FORCE, INCLUDING FORCE THAT IS INTENDED OR LIKELY TO CAUSE DEATH OR SERIOUS BODILY HARM, AND TO CREATE A PRESUMPTION THAT A PERSON IS PRESUMED TO HAVE HELD A REASONABLE FEAR OF IMMINENT PERIL OF DEATH OR SERIOUS BODILY HARM IN CERTAIN CIRCUMSTANCES.

H.B. 798, A BILL TO BE ENTITLED AN ACT TO ENACT THE FRAUDULENT FIREARM PURCHASE PREVENTION ACT.

Representative Daughtry, Chair, for the Standing Committee on Judiciary, refers the following bills to Judiciary Subcommittee A:

H.B. 746, A BILL TO BE ENTITLED AN ACT TO PROTECT THE CONSTITUTIONAL RIGHT OF CITIZENS TO PARTICIPATE IN GOVERNMENT PROCEEDINGS.

S.B. 252, A BILL TO BE ENTITLED AN ACT TO APPLY THROUGHOUT THE GENERAL STATUTES THE DEFINITION OF "DEVISEE" FOUND IN CHAPTER 28A OF THE GENERAL STATUTES RELATING TO THE ADMINISTRATION OF DECEDENTS' ESTATES AND TO DEFINE "DEVISE" CONSISTENTLY WITH THAT DEFINITION, TO MAKE THE USAGE OF THESE TERMS MORE UNIFORM THROUGHOUT THE GENERAL STATUTES, AND TO MAKE TECHNICAL CHANGES TO SECTIONS OF THE GENERAL STATUTES OTHERWISE AMENDED BY THIS ACT, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

Representative Daughtry, Chair, for the Standing Committee on Judiciary, refers **S.B. 413**, A BILL TO BE ENTITLED AN ACT TO CONFORM AND MODIFY THE STATUTES ON INITIAL VOTES BY CITY AND GOVERNING BOARDS, to Judiciary Subcommittee B.

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Representative McComas, Chair, for the Standing Committee on Commerce and Job Development, refers **H.B. 654**, A BILL TO BE ENTITLED AN ACT AMENDING THE HOMEOWNER AND HOMEBUYER PROTECTION ACT, to the Commerce and Job Development Subcommittee on Business and Labor.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 727 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE DUES CHECKOFF OPTION FOR ACTIVE AND RETIRED PUBLIC SCHOOL EMPLOYEES, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 730 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT FAILURE BY THE DEPARTMENT OF REVENUE TO ISSUE A FINAL DETERMINATION WITHIN THE REQUIRED TIME IS GROUNDS FOR A TAXPAYER TO SEEK A COURT ORDER COMPELLING THE ISSUANCE OF THE FINAL DETERMINATION, is read the first time and referred to the Committee on Finance.

WITHDRAWAL OF BILLS FROM CALENDAR

On motion of Representative LaRoque and without objection, **H.B. 503** (Committee Substitute), A BILL TO BE ENTITLED AN ACT DIRECTING THE STATE BOARD OF EDUCATION TO ADOPT RULES FOR OTHER FOOD SALE OPERATIONS ON THE SCHOOL CAMPUS AND TO REQUIRE CHARTER SCHOOLS PARTICIPATING IN THE NATIONAL SCHOOL LUNCH PROGRAM AND LOCAL BOARDS OF EDUCATION TO IMPLEMENT THESE RULES BY THE 2012-2013 SCHOOL YEAR, is withdrawn from the Calendar and placed on the Calendar of June 1.

On motion of Representative LaRoque and without objection, **H.B. 491** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REPEAL THE STATE CAPITAL FACILITIES FINANCE ACT, is withdrawn from the Calendar and placed on the Calendar of June 7.

On motion of Representative LaRoque and without objection, **H.B. 439** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE DIRECTOR OF THE BUDGET TO CONTINUE EXPENDITURES FOR THE OPERATION OF GOVERNMENT UNTIL SEPTEMBER 30, 2011, AT THE LEVEL IN EFFECT ON JUNE 30, 2011,

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AND IMPLEMENTING THE THREE-YEAR LOOK BACK PERIOD FOR FEDERALLY FUNDED EXTENDED UNEMPLOYMENT BENEFITS AS AUTHORIZED BY SECTION 502 OF THE TAX RELIEF, UNEMPLOYMENT INSURANCE REAUTHORIZATION, AND JOB CREATION ACT OF 2010, PUBLIC LAW 111-312, WITH THE AMENDMENTS EFFECTIVE APRIL 16, 2011, AND EXPIRING JANUARY 1, 2012, is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

WITHDRAWAL OF BILL FROM COMMITTEE

On motion of Representative LaRoque and without objection, **H.B. 916** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH REQUIREMENTS FOR THE DEPARTMENT OF HEALTH AND HUMAN SERVICES AND LOCAL MANAGEMENT ENTITIES WITH RESPECT TO STATEWIDE EXPANSION OF THE 1915(B)/(C) MEDICAID WAIVER, is withdrawn from the Committee on Finance and pursuant to Rule 36(b), is placed on the Calendar of June 1.

RE-REFERRALS

On motion of Representative LaRoque, pursuant to Rule 39.2 and without objection, **H.B. 730**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF STATE TREASURER TO CREATE A CENTRALIZED 403(B) RETIREMENT ANNUITY PLAN AS AN OPTION FOR EMPLOYEES OF LOCAL BOARDS OF EDUCATION, is withdrawn from the Committee on Education and re-referred to the Committee on Finance.

On motion of Representative LaRoque, pursuant to Rule 39.2 and without objection, **H.B. 685**, A BILL TO BE ENTITLED AN ACT TO STRENGTHEN CONFIDENCE IN GOVERNMENT BY INCREASING ACCESSIBILITY TO PUBLIC PERSONNEL HIRING, FIRING, AND PERFORMANCE RECORDS AND OTHER GOVERNMENTAL RECORDS AND MEETINGS, TO REQUIRE THE AUDIO OR VIDEO RECORDING OF CLOSED SESSIONS OF PUBLIC BODY MEETINGS, TO AMEND THE PUBLIC RECORDS LAWS TO PROVIDE THAT THE SUCCESSFUL PLAINTIFF IN A PUBLIC RECORDS DISPUTE IS ENTITLED TO REASONABLE ATTORNEYS' FEES, TO IMPOSE INDIVIDUAL LIABILITY FOR CIVIL PENALTIES FOR FAILURE TO PROVIDE ACCESS TO A PUBLIC RECORD WITHOUT GOOD CAUSE, AND TO CREATE THE OPEN GOVERNMENT UNIT OF THE DEPARTMENT OF JUSTICE, is withdrawn from Judiciary Subcommittee A and re-referred to the Committee on Government.

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On motion of Representative LaRoque, pursuant to Rule 39.2 and without objection, **H.B. 590**, A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING CHANGES REGARDING CUED SPEECH UNDER THE LAWS REGULATING THE PRACTICE OF INTERPRETERS AND TRANSLITERATORS, is withdrawn from the Committee on Education and re-referred to the Committee on Health and Human Services.

On motion of Representative LaRoque, pursuant to Rule 39.2 and without objection, **H.B. 652**, A BILL TO BE ENTITLED AN ACT ESTABLISHING THE PROPERTY OWNERS PROTECTION ACT, is withdrawn from the Committee on Commerce and Job Development and re-referred to Judiciary Subcommittee A.

CALENDAR

Action is taken on the following:

H.B. 98 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW ALCOHOLIC BEVERAGE PERMITTEES WHO HAVE BEEN ISSUED BREWERY PERMITS TO SELL MALT BEVERAGES BREWED AT THE BREWERY ON THE PREMISES OF THE BREWERY.

On motion of Representative McGrady, the House concurs in the Senate committee substitute bill, by electronic vote (81-32), and the bill is ordered enrolled and presented to the Governor.

Representatives R. Brown, Gillespie, and Hilton request and are granted leave of the House to change their votes from "aye" to "no". The adjusted vote total is (78-35).

S.B. 19, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET ON FIRE PROTECTION FEES IN UNION COUNTY, 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, Barnhart, Bell, Blackwell, Blust, Boles, Bordsen, Bradley, Brandon, Brisson, L. Brown, R. Brown, Brubaker, Bryant, Burr, Carney, Collins, Cook, Crawford, Current, Daughtry, Dixon, Dockham, Dollar, Earle, Faircloth, Faison, Farmer-Butterfield, Fisher, Floyd, Folwell, Frye, Gill, Gillespie, Glazier, Goodman, Graham, Guice, Hackney, Hager, Haire, Hall, Hamilton, Hastings, Hill, Hilton, Hollo, Holloway, Horn, Howard, Iler, Ingle, Insko, Jeffus, Johnson, Jones, Jordan, Justice, Keever, Killian, Langdon, LaRoque, Lewis, Lucas, Luebke, Martin, McComas, McCormick, McElraft, McGee, McGrady, McGuirt, McLawhorn, Michaux,

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Mills, Mobley, Moffitt, R. Moore, T. Moore, Murry, Owens, Parfitt, Parmon, Pierce, Pridgen, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Tolson, Torbett, Wainwright, E. Warren, H. Warren, Weiss, West, Womble, and Wray - 111.

Voting in the negative: Representatives Brawley, Cleveland, Hurley, and Stone - 4.

Excused absences: Representatives Cotham, Harrison, and Wilkins - 3.

S.B. 501 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO FACILITATE IMPROVED OPERATIONS AND CONDITIONS AT CERTAIN PREEXISTING SWINE FARMS BY PROVIDING FOR THE CONSTRUCTION OR RENOVATION OF SWINE HOUSES AT THOSE FARMS, passes its third reading, by electronic vote (83-32), and is ordered sent to the Senate for concurrence in the House committee substitute bill.

Representative Mobley requests and is granted leave of the House to change her vote from "aye" to "no". The adjusted vote total is (82-33).

H.B. 233, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF CORRECTION TO DESIGNATE ITS OFFICE OF RESEARCH AND PLANNING AS THE SINGLE STATE AGENCY RESPONSIBLE FOR THE COORDINATION AND IMPLEMENTATION OF REENTRY POLICY INITIATIVES; AND TO ENCOURAGE THE DEPARTMENT OF CORRECTION TO CONTINUE ITS EFFORTS TO ASSIST OFFENDERS IN SUCCESSFULLY REENTERING SOCIETY, AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON EX-OFFENDER REINTEGRATION INTO SOCIETY, passes its second reading, by electronic vote (116-0), and there being no objection is read a third time.

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

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

H.B. 489 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY NORTH CAROLINA'S MECHANICS' LIEN AND BOND LAWS, passes its second reading, by electronic vote (116-0), and there being no objection is read a third time.

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

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

H.B. 517 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE APPOINTMENT OF CHIEF MAGISTRATES, TO PROVIDE FOR ADDITIONAL DISCIPLINE OF MAGISTRATES, TO PROVIDE FOR A STUDY ON THE METHOD OF APPOINTING MAGISTRATES, AND TO PROVIDE FOR CERTAIN CONTROL OF CALENDARING IN SUPERIOR COURT BY THE SENIOR RESIDENT SUPERIOR COURT JUDGE, passes its second reading, by electronic vote (115-0), and there being no objection is read a third time.

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

H.B. 619 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STIMULATE ECONOMIC ACTIVITY AND JOB GROWTH BY TEMPORARILY REDUCING THE INCOME TAX BURDEN ON BUSINESS.

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

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

H.B. 656 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT PHARMACIES TO REQUIRE PHOTO IDENTIFICATION PRIOR TO DISPENSING SCHEDULE II CONTROLLED SUBSTANCES, passes its second reading by electronic vote (105-10).

Representative Wainwright objects to the third reading. The bill remains on the Calendar.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

H.B. 709 (Committee Substitute), A BILL TO BE ENTITLED AN ACT PROTECTING AND PUTTING NORTH CAROLINA BACK TO WORK BY REFORMING THE WORKERS' COMPENSATION ACT.

Pursuant to Rule 24.1A, Representative Weiss requests that she be excused from voting on this bill due to a family member being involved in the negotiations and drafting of this bill. This request is granted.

The bill passes its second reading by electronic vote (106-8).

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Representatives Fisher, Holloway, McGuirt, and Parfitt request and are granted leave of the House to change their votes from "aye" to "no". The adjusted vote total is (102-12).

Representative Ross objects to the third reading. The bill remains on the Calendar.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Iler and Mills, Chairs, for the Committee on Transportation:

H.B. 603, A BILL TO BE ENTITLED AN ACT TO ALLOW INDIVIDUALS WHO ARE NOT OPERATING AS A BUSINESS, AS A MOTOR CARRIER, OR UNDER THE AUTHORITY OF A MOTOR CARRIER AND WHO OWE CIVIL FINES FOR OVERWEIGHT VEHICLES TO MAKE PAYMENT ARRANGEMENTS WITH THE SECRETARY OF CRIME CONTROL AND PUBLIC SAFETY, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of June 1. The original bill is placed on the Unfavorable Calendar.

H.B. 661, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DIVISION OF MOTOR VEHICLES TO MAKE A COMMERCIAL DRIVERS LICENSE AND A HAZARDOUS MATERIALS ENDORSEMENT EXPIRE AT THE SAME TIME, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of June 1. The original bill is placed on the Unfavorable Calendar.

CALENDAR (continued)

H.B. 242 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO (1) INCREASE THE AMOUNT OF THE BOND REQUIRED UPON REGISTRATION IN ORDER TO DRILL FOR OIL OR NATURAL GAS IN THE STATE; (2) INCREASE THE AMOUNT OF FEES APPLICABLE TO DRILLING AND ABANDONING OIL OR GAS WELLS; (3) DIRECT THE DEPARTMENT OF ENVIRONMENT AND

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NATURAL RESOURCES TO STUDY THE ISSUE OF OIL AND GAS EXPLORATION IN THE STATE, AND SPECIFICALLY THE USE OF DIRECTIONAL AND HORIZONTAL DRILLING AND HYDRAULIC FRACTURING FOR THAT PURPOSE; (4) DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO CONDUCT AT LEAST TWO PUBLIC HEARINGS ON THE ISSUE IN THE AREA IN WHICH EXPLORATION FOR NATURAL GAS BY MEANS OF DIRECTIONAL AND HORIZONTAL DRILLING AND HYDRAULIC FRACTURING MAY OCCUR; AND (5) APPROPRIATE THE SUM OF ONE HUNDRED THOUSAND DOLLARS TO THE DEPARTMENT FOR THE CONDUCT OF THE STUDY AND THE HEARINGS.

On motion of Representative T. Moore and without objection, the bill is withdrawn from the Committee on Appropriations and pursuant to Rule 36(b), is placed on the Calendar for immediate consideration.

REPRESENTATIVE FOLWELL, SPEAKER PRO TEMPORE, PRESIDING.

Representative Gillespie offers Amendment No. 1 which is adopted by electronic vote (114-0).

SPEAKER TILLIS PRESIDING.

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.

H.B. 619 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STIMULATE ECONOMIC ACTIVITY AND JOB GROWTH BY TEMPORARILY REDUCING THE INCOME TAX BURDEN ON BUSINESS, which was temporarily displaced, is before the Body.

The bill passes its second reading, by electronic vote (78-36), and there being no objection is read a third time.

Representative Current requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (79-36).

The bill passes its third reading and is ordered sent to the Senate.

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INTRODUCTION OF PAGES

Pages for the week of May 30 are introduced to the membership. They are: Seth Bumgarner of Wilkes; Devin Burse of Wake; Zoe Rose Clarke of Buncombe; Leondra Holmes of Cumberland; Sarah Horne of Guilford; Aaron Horner of Wilkes; Tia Lyons of Wake; Erica Marion of Wilkes; Kelsie Maxwell of Carteret; Frances McDonald of Durham; Amy Miller of Wilkes; John Murawski, III, of Sampson; Kalen Perry of Carteret; Samuel Probert of Guilford; Wil Safrit of Rowan; Meredith Shaw of Forsyth; William Sutton, III, of Guilford; Joshua Swain of Stanly; Alexandra Toti of Gates; and Jacob Vowell of Mecklenburg.

Representative LaRoque moves, seconded by Representative Mobley, that the House adjourn, subject to the receipt of Committee Reports, to reconvene June 1 at 2:00 p.m.

The motion carries.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Holloway and Langdon, Chairs, for the Committee on Education:

H.B. 702, A BILL TO BE ENTITLED AN ACT TO PROVIDE EDUCATIONAL ASSISTANCE FOR MINIMUM WAGE WORKERS, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

H.B. 837, A BILL TO BE ENTITLED AN ACT TO MAKE SUCCESSFUL COMPLETION OF INSTRUCTION IN CPR A REQUIREMENT FOR HIGH SCHOOL GRADUATION, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of June 1. The original bill is placed on the Unfavorable Calendar.

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H.B. 855, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE PUBLIC SCHOOLS TO PROVIDE A PERSONAL EDUCATION PLAN FOR EVERY STUDENT, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of June 1. The original bill is placed on the Unfavorable Calendar.

By Representatives Brubaker, Barnhart, Gillespie, and Johnson, Chairs, for the Committee on Appropriations:

H.B. 642 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT CERTAIN RECOMMENDATIONS OF THE JUSTICE REINVESTMENT PROJECT AND TO PROVIDE THAT THE ACT SHALL BE ENTITLED "THE JUSTICE REINVESTMENT ACT OF 2011," 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 1. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representative Dockham, Chair, for the Committee on Insurance:

H.B. 373, A BILL TO BE ENTITLED AN ACT TO FACILITATE THE PAYMENT OF INSURANCE PREMIUMS USING CREDIT CARDS AND TO PERMIT THE COMMISSIONER OF INSURANCE TO APPROVE NONTRADITIONAL GROUPS FOR GROUP LIFE INSURANCE, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of June 1. The original bill is placed on the Unfavorable Calendar.

By Representatives Langdon and Sager, Chairs, for the Committee on Agriculture:

H.B. 755, A BILL TO BE ENTITLED AN ACT TO PROVIDE THE WILDLIFE RESOURCES COMMISSION AUTHORITY TO REGULATE THE TAKING OF FOXES AND COYOTES, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

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Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of June 1. The original bill is placed on the Unfavorable Calendar.

H.B. 816, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE ANIMAL WELFARE ADVISORY BOARD AND THE SPAY/NEUTER DONATION AND MEMORIAL 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 June 1. The original bill is placed on the Unfavorable Calendar.

S.B. 378 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE INTERAGENCY GROUP TO ESTABLISH AGRONOMIC RATES FOR ENERGY CROPS FOR UTILIZATION BY BIOFUELS FACILITIES, 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.

The House stands adjourned at 4:50 p.m.

SEVENTY-FOURTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, June 1, 2011

The House meets at 2:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Edgar Starnes.

Representative T. Moore, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 31 has been examined and found correct. Upon his motion, the Journal is approved as written.

A leave of absence is granted Representative Wilkins for today. Representatives K. Alexander, Burr, Cotham, Insko, Jackson, McElraft, and Mobley are excused for a portion of the Session.

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ENROLLED BILLS

The following bill is duly ratified and presented to the Governor:

H.B. 98, AN ACT TO ALLOW ALCOHOLIC BEVERAGE PERMITTEES WHO HAVE BEEN ISSUED BREWERY PERMITS TO SELL MALT BEVERAGES BREWED AT THE BREWERY ON THE PREMISES OF THE BREWERY.

The following bill is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 120, AN ACT AMENDING THE CHARTER OF THE CITY OF NEW BERN RELATING TO THE MAYOR AND MAYOR PRO TEM.

CHAPTERED BILLS

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

H.B. 474, AN ACT TO PROTECT ADULT CARE HOME RESIDENTS BY INCREASING MINIMUM CONTINUING EDUCATION, TRAINING, AND COMPETENCY EVALUATION REQUIREMENTS FOR ADULT CARE HOME MEDICATION AIDES, STRENGTHENING ADULT CARE HOME INFECTION CONTROL REQUIREMENTS, AND REQUIRING THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF HEALTH SERVICE REGULATION, TO ANNUALLY INSPECT ADULT CARE HOMES FOR COMPLIANCE WITH SAFE INFECTION CONTROL STANDARDS. (S.L. 2011-99)

H.B. 280, AN ACT TO CHANGE THE QUALIFICATION REQUIREMENT FOR A COUNTY SERVICE DISTRICT ESTABLISHED FOR LAW ENFORCEMENT. (S.L. 2011-100)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittee are presented:

By Representatives Brubaker, Barnhart, Gillespie, and Johnson, Chairs, for the Committee on Appropriations:

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H.B. 100, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A NONPROFIT CORPORATION IS ELIGIBLE TO RECEIVE A STATE-FUNDED GRANT ONLY IF IT MEETS CERTAIN CRITERIA, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 627, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE JOINT LEGISLATIVE EFFICIENCY AND COST-SAVINGS IN STATE GOVERNMENT STUDY COMMISSION, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 2.

H.B. 914, A BILL TO BE ENTITLED AN ACT TO PLACE AUTOMATIC EXTERNAL DEFIBRILLATORS (AEDS) IN ALL BUILDINGS AND FACILITIES THAT HOUSE STATE SERVICES, AGENCIES, AND INSTITUTIONS AND PROVIDE TRAINING FOR STATE EMPLOYEES IN THOSE FACILITIES, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 2.

By Representatives LaRoque and T. Moore, Chairs, for the Committee on Rules, Calendar, and Operations of the House:

H.B. 440, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A LIST OF THE E-MAIL ADDRESSES OF PERSONS SUBSCRIBING TO E-MAIL LISTS KEPT BY THE TOWN OF HUNTERSVILLE IS OPEN TO PUBLIC INSPECTION BUT IS NOT REQUIRED TO BE PROVIDED, AND TO PROVIDE THAT THE LOCAL GOVERNMENT MAY USE THAT LIST ONLY FOR THE PURPOSE THAT IT WAS SUBSCRIBED TO, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

The committee substitute changes the bill from local to public.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.R. 892, A HOUSE RESOLUTION HONORING THE LIVES AND MEMORIES OF WILLIAM DAVID NEWSOME AND PARKER D. ROBBINS, FORMER MEMBERS OF THE GENERAL ASSEMBLY, with recommendation that it be adopted.

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Pursuant to Rule 36(b), the resolution is placed on the Calendar.

By Representatives T. Moore and Rhyne, Chairs, for Judiciary Subcommittee C, with approval of standing committee Chair for report to be made directly to the floor of the House:

H.B. 706, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE LAW RELATING TO ALIMONY AND POSTSEPARATION SUPPORT, AS RECOMMENDED BY THE NORTH CAROLINA BAR ASSOCIATION, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of June 2. The original bill is placed on the Unfavorable Calendar.

CALENDAR

Action is taken on the following:

H.B. 97, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET ON FIRE PROTECTION FEES IN UNION COUNTY, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, M. Alexander, Avila, Barnhart, Bell, Blackwell, Blust, Boles, Bordsen, Bradley, Brandon, Brawley, Brisson, L. Brown, R. Brown, Brubaker, Bryant, Burr, Carney, Collins, Cook, Crawford, Current, Daughtry, Dixon, Dollar, Earle, Faircloth, Farmer-Butterfield, Fisher, Frye, Gill, Gillespie, Glazier, Goodman, Guice, Hackney, Hager, Haire, Hall, Hamilton, Harrison, Hastings, Hill, Hilton, Hollo, Holloway, Howard, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Jordan, Justice, Keever, Killian, Langdon, LaRoque, Lewis, Lucas, Luebke, Martin, McComas, McCormick, McGee, McGrady, McGuirt, McLawhorn, Michaux, Mills, Mobley, Moffitt, R. Moore, T. Moore, Murry, Owens, Parfitt, Parmon, Pierce, Pridgen, Randleman, Rhyne, Ross, Sager, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Tolson, Wainwright, E. Warren, H. Warren, Weiss, West, Womble, and Wray - 104.

Voting in the negative: Representatives Cleveland, Folwell, Horn, Hurley, and Stone - 5.

Excused absences: Representatives Cotham, McElraft, and Wilkins - 3.

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Representatives Dockham, Faison, Floyd, Graham, and Torbett request and are granted leave of the House to be recorded as voting "aye". Representative Hastings requests and is granted leave of the House to change his vote from "aye" to "no". The adjusted vote total is (108-6).

S.B. 19, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET ON FIRE PROTECTION FEES IN UNION COUNTY, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, M. Alexander, Avila, Barnhart, Bell, Blackwell, Blust, Boles, Bordsen, Bradley, Brandon, Brawley, Brisson, L. Brown, R. Brown, Brubaker, Bryant, Burr, Carney, Collins, Crawford, Current, Daughtry, Dixon, Dockham, Dollar, Earle, Faircloth, Faison, Farmer-Butterfield, Fisher, Floyd, Frye, Gill, Gillespie, Glazier, Goodman, Graham, Guice, Hackney, Hager, Haire, Hall, Hamilton, Harrison, Hastings, Hill, Hilton, Hollo, Holloway, Howard, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Jordan, Justice, Kever, Killian, Langdon, LaRoque, Lewis, Lucas, Luebke, Martin, McComas, McCormick, McGee, McGrady, McGuirt, McLawhorn, Michaux, Mills, Mobley, Moffitt, T. Moore, Murry, Owens, Parfitt, Parmon, Pierce, Pridgen, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Tolson, Torbett, Wainwright, E. Warren, H. Warren, Weiss, West, Womble, and Wray - 109.

Voting in the negative: Representatives Cleveland, Folwell, Horn, and Stone - 4.

Excused absences: Representatives Cotham, McElraft, and Wilkins - 3.

Representative Hastings requests and is granted leave of the House to change his vote from "aye" to "no". The adjusted vote total is (108-5).

H.B. 503 (Committee Substitute), A BILL TO BE ENTITLED AN ACT DIRECTING THE STATE BOARD OF EDUCATION TO ADOPT RULES FOR OTHER FOOD SALE OPERATIONS ON THE SCHOOL CAMPUS AND TO REQUIRE CHARTER SCHOOLS PARTICIPATING IN THE NATIONAL SCHOOL LUNCH PROGRAM AND LOCAL BOARDS OF EDUCATION TO IMPLEMENT THESE RULES BY THE 2012-2013 SCHOOL YEAR.

Representative LaRoque offers Amendment No. 3 which is adopted by electronic vote (113-2).

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The bill, as amended, passes its third reading, by electronic vote (90-24), and is ordered engrossed and sent to the Senate.

Representative Hastings requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (91-24).

H.B. 656 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT PHARMACIES TO REQUIRE PHOTO IDENTIFICATION PRIOR TO DISPENSING SCHEDULE II CONTROLLED SUBSTANCES, passes its third reading, by electronic vote (104-10), and is ordered sent to the Senate.

Representatives Adams and Womble request and are granted leave of the House to change their votes from "aye" to "no". The adjusted vote total is (102-12).

H.B. 644 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH PHARMACY AUDIT RIGHTS AND TO ESTABLISH STANDARDS FOR RECOUPMENT OF CLAIMS AND AUTHORIZING A THIRTY- DAY PERIOD TO SUBMIT A WRITTEN REQUEST FOR A RECONSIDERATION REVIEW TO THE DIVISION OF MEDICAL ASSISTANCE.

On motion of Representative Murry and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of June 2.

H.B. 709 (Committee Substitute), A BILL TO BE ENTITLED AN ACT PROTECTING AND PUTTING NORTH CAROLINA BACK TO WORK BY REFORMING THE WORKERS' COMPENSATION ACT, passes its third reading, by electronic vote (109-4), and is ordered sent to the Senate.

Pursuant to Rule 24.1A(c), the request that Representative Weiss be excused from voting on May 31 is continued.

Representative Steen requests and is granted leave of the House to change his vote from "no" to "aye". The adjusted vote total is (110-3).

H.B. 165 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE PLANNED COMMUNITY ACT AND THE CONDOMINIUM ACT CONCERNING THE TIME PERIOD FOR FORECLOSURE OF A CLAIM OF LIEN FOR UNPAID ASSESSMENTS, TO AMEND THE LAW CONCERNING DISCLOSURE OF INFORMATION ABOUT HOMEOWNERS ASSOCIATIONS TO POTENTIAL PURCHASERS, AND TO REQUIRE THE REAL ESTATE COMMISSION TO PREPARE AND MAKE AVAILABLE INFORMATION ABOUT RESTRICTIVE COVENANTS TO POTENTIAL PURCHASERS.

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Representative Weiss offers Amendment No. 1 which is adopted by electronic vote (115-0).

The bill, as amended, passes its second reading, by electronic vote (114-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H.B. 209, A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN FINANCIAL ASSURANCE REQUIREMENTS APPLICABLE TO OWNERS AND OPERATORS OF SANITARY LANDFILLS TO (1) DECREASE THE MINIMUM AMOUNT OF FINANCIAL ASSURANCE THAT MUST BE ESTABLISHED TO COVER COSTS FOR POTENTIAL ASSESSMENT AND CORRECTIVE ACTION AT A FACILITY; AND (2) AUTHORIZE THE USE OF A TRUST FUND PAY-IN PERIOD AS AN ALLOWABLE MECHANISM TO ESTABLISH THE FINANCIAL ASSURANCE NECESSARY FOR POTENTIAL ASSESSMENT AND CORRECTIVE ACTION AT A FACILITY, passes its second reading, by electronic vote (109-7), 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. 373 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE PAYMENT OF INSURANCE PREMIUMS USING DEBIT CARDS, TO FACILITATE THE PAYMENT OF INSURANCE PREMIUMS USING CREDIT AND DEBIT CARDS, AND TO PERMIT THE COMMISSIONER OF INSURANCE TO APPROVE NONTRADITIONAL GROUPS FOR GROUP LIFE INSURANCE, passes its second reading, by electronic vote (115-0), and there being no objection is read a third time.

Representative Faircloth requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (116-0).

The bill passes its third reading and is ordered sent to the Senate.

H.B. 542 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE TORT REFORM FOR NORTH CAROLINA CITIZENS AND BUSINESSES.

Representative Rhyne offers Amendment No. 1 which is adopted by electronic vote (110-0).

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Representative Killian requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (111-0).

Representative Rhyne offers Amendment No. 2 which is adopted by electronic vote (112-0).

Representative Rhyne offers Amendment No. 3 which is adopted by electronic vote (106-9).

Representative Daughtry offers Amendment No. 4 which is adopted by electronic vote (111-2).

Representative LaRoque offers Amendment No. 5 which is adopted by electronic vote (76-39).

Representative Hilton requests and is granted leave of the House to change his vote from "no" to "aye". The adjusted vote total is (77-38).

Representative Glazier offers Amendment No. 6 which fails of adoption by electronic vote (54-63).

Representative Mills offers Amendment No. 7 which is adopted by electronic vote (109-5).

Representative T. Moore offers Amendment No. 8 which is adopted by electronic vote (109-6).

Representative LaRoque offers Amendment No. 9.

Representative LaRoque withdraws Amendment No. 9.

Representative Jackson offers Amendment No. 10 which fails of adoption by electronic vote (46-71).

The bill, as amended, passes its second reading, by electronic vote (86-31), and there being no objection is read a third time.

Representative Bryant requests and is granted leave of the House to change her vote from "aye" to "no". The adjusted vote total is (85-32).

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

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H.B. 603 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO ADOPT RULES ALLOWING INDIVIDUALS WHO OWE CIVIL FINES FOR OVERWEIGHT VEHICLES TO MAKE PAYMENT ARRANGEMENTS AND TO PROVIDE NOTICE OF THOSE RULES.

Representative Justice offers Amendment No. 1 which is adopted by electronic vote (114-0).

Representative Wainwright requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (115-0).

The bill, as amended, passes its second reading, by electronic vote (114-1), and there being no objection is read a third time.

Representative Horn requests and is granted leave of the House to be recorded as voting "aye". Representative T. Moore requests and is granted leave of the House to change his vote from "no" to "aye". The adjusted vote total is (116-0).

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H.B. 661 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DIVISION OF MOTOR VEHICLES TO MAKE A COMMERCIAL DRIVERS LICENSE AND A HAZARDOUS MATERIALS ENDORSEMENT EXPIRE AT THE SAME TIME, passes its second reading, by electronic vote (114-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 755 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE WILDLIFE RESOURCES COMMISSION TO STUDY FOX AND COYOTE POPULATIONS AND REPORT ITS RECOMMENDATIONS ON MANAGEMENT METHODS AND CONTROLS TO THE 2012 GENERAL ASSEMBLY, passes its second reading, by electronic vote (111-3), 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. 816 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE SPAY/NEUTER ADVISORY BOARD AND

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THE SPAY/NEUTER DONATION AND MEMORIAL FUND, 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.

H.B. 837 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE SUCCESSFUL COMPLETION OF INSTRUCTION IN CPR AVAILABLE TO ALL STUDENTS WITH A PLAN TO PHASE IN COMPLETION OF CPR INSTRUCTION AS A HIGH SCHOOL GRADUATION REQUIREMENT BY 2014, passes its second reading, by electronic vote (110-4), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 855 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE PUBLIC SCHOOLS TO PROVIDE A PERSONAL LEARNING PLAN FOR EVERY STUDENT.

REPRESENTATIVE FOLWELL, SPEAKER PRO TEMPORE, PRESIDING.

The bill passes its second reading, by electronic vote (105-9), 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. 642 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT CERTAIN RECOMMENDATIONS OF THE JUSTICE REINVESTMENT PROJECT AND TO PROVIDE THAT THE ACT SHALL BE ENTITLED "THE JUSTICE REINVESTMENT ACT OF 2011."

Representative Bordsen offers Amendment No. 1 which is adopted by electronic vote (109-5).

Representative Guice offers Amendment No. 2 which is adopted by electronic vote (110-2).

SPEAKER TILLIS PRESIDING.

The bill, as amended, passes its second reading by electronic vote (106-9).

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Representative Brubaker requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (107-9).

Representative Faison objects to the third reading. The bill remains on the Calendar.

S.B. 307 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA SMART CARD PILOT PROGRAM TO COMBAT FRAUD, passes its second reading by electronic vote (114-2).

Representative Luebke objects to the third reading. The bill remains on the Calendar.

H.B. 916 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH REQUIREMENTS FOR THE DEPARTMENT OF HEALTH AND HUMAN SERVICES AND LOCAL MANAGEMENT ENTITIES WITH RESPECT TO STATEWIDE EXPANSION OF THE 1915(B)/(C) MEDICAID WAIVER.

Pursuant to Rule 24.1A, Representative Farmer-Butterfield requests that she be excused from voting on this bill due to a possible conflict of interest. This request is granted.

Representative Barnhart offers Amendment No. 1 which is adopted by electronic vote (114-0).

The bill, as amended, passes its second reading, by electronic vote (92-24), 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.

RE-REFERRALS

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **S.B. 187** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE THE USE OF PHOTOGRAPHIC CAMERA SYSTEMS TO REGULATE TRAFFIC UNLAWFUL, is withdrawn from Judiciary Subcommittee A and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 15**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF BEAUFORT TO USE PROCEEDS FROM

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PARKING METERS FOR THE ACQUISITION, DEVELOPMENT, AND OPERATION OF ON-STREET AND OFF-STREET PARKING FACILITIES, is withdrawn from the Committee on Government and re-referred to the Committee on Education.

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 260**, A BILL TO BE ENTITLED AN ACT TO ALLOW COMPANY POLICE OFFICERS WHO ARE OFF PRIVATE PROPERTY CONTRACTED BY THE COMPANY POLICE AGENCY AND IN TRANSIT TO ANOTHER PROPERTY UNDER CONTRACT WITH THE COMPANY POLICE AGENCY TO OPERATE EMERGENCY EQUIPMENT AT CRASH SCENES AND PUBLIC SAFETY EMERGENCIES THAT PRESENT A PUBLIC DANGER, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Commerce and Job Development.

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 757**, A BILL TO BE ENTITLED AN ACT TO IMPROVE SERVICES TO VICTIMS OF DOMESTIC VIOLENCE AND SEXUAL ASSAULT AND SERVICES TO DISPLACED HOMEMAKERS BY CONSOLIDATING THE NORTH CAROLINA COUNCIL FOR WOMEN AND THE DOMESTIC VIOLENCE COMMISSION INTO ONE COMMISSION, 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 T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 815**, A BILL TO BE ENTITLED AN ACT TO AMEND A BUDGET PROVISION ON TEACHERS IN GEOGRAPHICALLY ISOLATED K-12 SCHOOLS TO REMOVE A LIMITATION, 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 T. Moore, pursuant to Rule 39.2 and without objection, **S.B. 431**, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF FONTANA DAM, is withdrawn from the Committee on Government and re-referred to the Committee on Finance.

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 467**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS RELATED TO SCHOOL DISCIPLINE, is withdrawn from the Committee on Education and re-referred to the Committee on Rules, Calendar, and Operations of the House.

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WITHDRAWAL OF BILLS FROM CALENDAR

On motion of Representative T. Moore and without objection, **H.B. 100** (Committee Substitute), A BILL TO BE ENTITLED AN ACT CREATING THE HOUSE SELECT COMMITTEE ON NONPROFIT CORPORATIONS, is withdrawn from the Calendar pursuant to Rule 36(b) and re-referred to the Committee on Rules, Calendar, and Operations of the House.

Representative LaRoque moves, seconded by Representative Frye, that the House adjourn, subject to the receipt of Committee Reports and the re-referral of bills, to reconvene June 2 at 1:00 p.m.

The motion carries.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representative McCormick, Chair, for the Commerce and Job Development Subcommittee on Business and Labor, with approval of standing committee Chair for reports to be made directly to the floor of the House:

H.B. 450, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE AUTOMATIC RENEWAL OF MERCHANT CREDIT CARD PROCESSING CONTRACTS, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill and recommendation that the committee substitute bill be re-referred to the Committee on Rules, Calendar, and Operations of the House.

The committee substitute bill is re-referred to the Committee on Rules, Calendar, and Operations of the House. The original bill is placed on the Unfavorable Calendar.

H.B. 654, A BILL TO BE ENTITLED AN ACT AMENDING THE HOMEOWNER AND HOMEBUYER PROTECTION ACT, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 2.

H.B. 713, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE DEPARTMENT OF ADMINISTRATION TO USE MULTIPLE AWARD SCHEDULE CONTRACTS FOR THE PURCHASE OF ALL GROUND

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MAINTENANCE, CONSTRUCTION, AND FORESTRY EQUIPMENT, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of June 2. The original bill is placed on the Unfavorable Calendar.

H.B. 813, A BILL TO BE ENTITLED AN ACT TO REFORM THE EMPLOYMENT SECURITY LAWS OF NORTH CAROLINA BY CREATING THE DIVISION OF EMPLOYMENT SECURITY WITHIN THE DEPARTMENT OF COMMERCE, TRANSFERRING THE FUNCTIONS OF THE EMPLOYMENT SECURITY COMMISSION TO THAT DIVISION, MAKING THE DIVISION SUBJECT TO RULE MAKING UNDER ARTICLE 2 OF CHAPTER 150B OF THE GENERAL STATUTES, AND BY MAKING OTHER MODIFICATIONS AND CONFORMING CHANGES TO ALIGN THE EMPLOYMENT SECURITY FUNCTIONS OF STATE GOVERNMENT UNDER THE DIRECT LEADERSHIP OF THE SECRETARY OF COMMERCE, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of June 2. The original bill is placed on the Unfavorable Calendar.

By Representatives Stam and Stevens, Chairs, for Judiciary Subcommittee B, with approval of standing committee Chair for report to be made directly to the floor of the House:

H.B. 591, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A LIMITED DRIVING PRIVILEGE WITH AN IGNITION INTERLOCK REQUIREMENT FOR FIRST-TIME DWI OFFENDERS WITH A REFUSAL REVOCATION, TO AUTHORIZE A LIMITED DRIVING PRIVILEGE FOR CERTAIN EIGHTEEN-, NINETEEN-, AND TWENTY-YEAR OLDS, AND TO PROVIDE AN EXCLUSION FROM THE IGNITION INTERLOCK REQUIREMENT AFTER TWO YEARS OF NONOPERATION, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

Pursuant to Rule 38(b), the committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

H.B. 641, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A CERTIFICATE OF RESTORATION OF RIGHTS THAT WILL ASSIST INDIVIDUALS CONVICTED OF LESS SERIOUS CRIMES IN DEALING

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WITH COLLATERAL SANCTIONS AND DISQUALIFICATIONS THAT RESULT FROM A CRIMINAL CONVICTION AND A PROCEDURE FOR ISSUING THAT CERTIFICATE, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of June 2. The original bill is placed on the Unfavorable Calendar.

H.B. 696, A BILL TO BE ENTITLED AN ACT TO CREATE THE OFFENSE OF ASSAULT ON A LAW ENFORCEMENT OFFICER, PROBATION OFFICER, OR PAROLE OFFICER INFLICTING BODILY INJURY, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of June 2. The original bill is placed on the Unfavorable Calendar.

S.B. 9 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADD SYNTHETIC CANNABINOIDS TO THE LIST OF CONTROLLED SUBSTANCES, WHICH MAKES THE UNLAWFUL POSSESSION, MANUFACTURE, OR SALE OR DELIVERY OF SYNTHETIC CANNABINOIDS CRIMINAL OFFENSES AND TO CREATE THE CRIMINAL OFFENSE OF TRAFFICKING IN SYNTHETIC CANNABINOIDS, 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 2. The Senate committee substitute bill is placed on the Unfavorable Calendar.

S.B. 16 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT LAW ENFORCEMENT REQUEST A BLOOD SAMPLE UNDER THE STATE IMPLIED-CONSENT LAWS FROM ANY PERSON CRIMINALLY CHARGED IN ANY CASE INVOLVING DEATH BY VEHICLE AND CERTAIN OTHER OFFENSES AND TO SEEK A WARRANT IF THE DRIVER REFUSES AND THERE IS PROBABLE CAUSE TO BELIEVE THE OFFENSE INVOLVED IMPAIRED DRIVING OR IS ALCOHOL-RELATED, 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 June 2. The Senate committee substitute bill is placed on the Unfavorable Calendar.

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By Representative Steen, Chair, for the Committee on Public Utilities:

H.B. 117, A BILL TO BE ENTITLED AN ACT PROVIDING THAT A MUNICIPALITY OWNING OR OPERATING A MUNICIPAL ELECTRIC SYSTEM SHALL USE REVENUE DERIVED FROM RATES FOR ELECTRIC SERVICE FOR PAYING THE COSTS OF OPERATING THE ELECTRIC SYSTEM AND MAKING DEBT SERVICE PAYMENTS AND SHALL USE EXCESS REVENUE FOR LOWERING RATES, MAKING ADDITIONAL DEBT SERVICE PAYMENTS, AND REDUCING THE MUNICIPALITY'S COMMITMENT UNDER CONTRACTUAL OBLIGATIONS TO A JOINT MUNICIPAL POWER AGENCY, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

The committee substitute changes the bill from public to local.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of June 2. The original bill is placed on the Unfavorable Calendar.

H.B. 593, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COUNTIES TO ENTER INTO PUBLIC-PRIVATE PARTNERSHIPS AND TO ALLOW COUNTIES TO PROVIDE COMMUNICATIONS SERVICES THROUGH PUBLIC-PRIVATE PARTNERSHIPS, 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 changes the bill from public to local.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

H.J.R. 704, A JOINT RESOLUTION TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE LONG-TERM FUTURE ENERGY NEEDS OF THE STATE, INCLUDING ITS ENERGY NEEDS FOR VARIOUS MODES OF TRANSPORTATION, AND TO DEVELOP A LONG-TERM PLAN THAT ADDRESSES THE SOURCES OF ENERGY THAT ARE ABLE TO MEET THOSE NEEDS AND THE ENERGY INFRASTRUCTURE ASSOCIATED WITH THOSE SOURCES OF ENERGY, with a favorable report as to the committee substitute resolution, which changes the title, unfavorable as to the original resolution.

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Pursuant to Rule 36(b), the committee substitute resolution is placed on the Calendar of June 2. The original resolution is placed on the Unfavorable Calendar.

By Representative McGee, Chair, for the Committee on State Personnel:

H.B. 538, A BILL TO BE ENTITLED AN ACT TO REMOVE THE REQUIREMENT THAT LAW ENFORCEMENT OFFICERS HAVE ONE YEAR OF CREDITABLE SERVICE IN ORDER TO QUALIFY FOR DISABILITY RETIREMENT BENEFITS UNDER THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM FOR INJURIES INCURRED IN THE LINE OF DUTY, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

The serial referral to the Committee on Finance is stricken.

The bill is re-referred to the Committee on Appropriations.

H.B. 556, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF RETIREMENT TO CLARIFY THAT SERVICE AS AN UNPAID VOLUNTEER IS NOT CONSIDERED SERVICE FOR THE PURPOSE OF THAT DEFINITION, with a favorable report as to the 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), the committee substitute bill is placed on the Calendar of June 2. The original bill is placed on the Unfavorable Calendar.

By Representatives T. Moore and Rhyne, Chairs, for Judiciary Subcommittee C, with approval of standing committee Chair for report to be made directly to the floor of the House:

H.B. 227, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PERSON MAY BUY A FIREARM IN ANOTHER STATE, PROVIDED THE PERSON SATISFIES THE APPROPRIATE BACKGROUND CHECKS, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of June 2. The original bill is placed on the Unfavorable Calendar.

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By Representatives Howard, Folwell, Setzer, and Starnes, Chairs, for the Committee on Finance:

H.B. 340 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE UTILITIES COMMISSION TO OBTAIN CRIMINAL HISTORY RECORD CHECKS OF APPLICANTS FOR AND CURRENT HOLDERS OF A CERTIFICATE TO TRANSPORT HOUSEHOLD GOODS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 2.

H.B. 350, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CLASSES OF PROPERTY EXCLUDED FROM THE TAX BASE, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of June 2. The original bill is placed on the Unfavorable Calendar.

H.B. 417, A BILL TO BE ENTITLED AN ACT TO EXTEND THE TIME PERIOD FOR HOLDING REAL PROPERTY AS A FUTURE SITE FOR HOUSING FOR LOW- OR MODERATE-INCOME INDIVIDUALS AND FAMILIES, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 2.

H.B. 476 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE CERTAIN PROTECTIONS TO GALAX AND VENUS FLYTRAP UNDER THE PLANT PROTECTION AND CONSERVATION ACT, TO REQUIRE ANY PERSON WHO ACTS IN THE CAPACITY OF A DEALER OF EITHER OF THESE PLANTS TO OBTAIN A DEALER PERMIT, AND TO INCREASE THE CIVIL PENALTY FOR VIOLATIONS OF CERTAIN RULES OF THE WILDLIFE RESOURCES COMMISSION, with a favorable report as to Committee Substitute Bill No. 2, which changes the title, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(b), Committee Substitute Bill No. 2 is placed on the Calendar of June 2. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

H.B. 518, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE AN ADDITIONAL ONE PERCENT OCCUPANCY TAX FOR PERSON COUNTY, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

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Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of June 2. The original bill is placed on the Unfavorable Calendar.

H.B. 662, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COUNTIES THAT PROVIDE ELECTRONIC MONITORING FOR OFFENDERS TO COLLECT A FEE TO RECOVER THE ACTUAL COSTS OF PROVIDING THAT MONITORING, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of June 2. The original bill is placed on the Unfavorable Calendar.

S.B. 145, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF SOUTHERN SHORES TO IMPOSE A CANAL DREDGING AND MAINTENANCE FEE AND TO ASSESS FOR NAVIGATION PROJECTS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 2.

S.B. 321 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CONFORM PROVISIONS OF NORTH CAROLINA SURPLUS LINES INSURANCE LAWS TO THE FEDERAL NON-ADMITTED AND REINSURANCE REFORM ACT OF 2010, TO STREAMLINE APPLICATIONS FOR COMMERCIAL PURCHASERS, TO PREVENT ANY LOSS OF PREMIUM TAX REVENUE TO THE STATE, AND TO CONFORM THE DEFINITION OF RISK RETENTION GROUP TO FEDERAL LAW, 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 2. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representatives Brubaker, Barnhart, Gillespie, and Johnson, Chairs, for the Committee on Appropriations:

H.B. 659 (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 AND TO PROVIDE THAT INSANITY IS NOT AVAILABLE AS A DEFENSE TO A CRIMINAL ACTION IF PRIOR

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ALCOHOL OR DRUG USE OR BOTH ARE THE SOLE CAUSE OF THE PSYCHOSIS OR IF VOLUNTARY INTOXICATION, A VOLUNTARY DRUGGED CONDITION, OR BOTH COMBINED ARE THE SOLE SUPPORT FOR THE DEFENSE, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 2.

The House stands adjourned at 8:00 p.m.

SEVENTY-FIFTH DAY

HOUSE OF REPRESENTATIVES
Thursday, June 2, 2011

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 Representative Diane Parfitt:
(She requests that the people respond as indicated.)

"Almighty God, giver of all good things:

"We thank You for the natural majesty and beauty of this land. They restore us, though we often destroy them.

People: Heal us.

"We thank You for the great resources of this Nation. They make us rich, though we often exploit them.

People: Forgive us.

"We thank You for the men and women who have made this country strong. They are models for us, though we often fall short of them.

People: Inspire us.

"We thank you for the torch of liberty which has been lit in this land. It has drawn people from every nation, though we have often hidden from its light.

People: Enlighten us.

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"We thank You for the faith we have inherited in all its rich variety. It sustains our life, though we have been faithless again and again.

People: Renew us.

"Help us, O Lord, to finish the good work here begun. Strengthen our efforts to blot out ignorance and prejudice, and to abolish poverty and crime. And hasten the day when all our people, with many voices in one united chorus, will glorify Your holy name. Amen."

Representative T. Moore, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 1 has been examined and found correct. Upon his motion, the Journal is approved as written.

A leave of absence is granted Representative Wilkins for today. Representatives Bordsen, Folwell, LaRoque, and McElraft are excused for a portion of the Session.

ENROLLED BILLS

The following bill is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 19, AN ACT TO REPEAL THE SUNSET ON FIRE PROTECTION FEES IN UNION COUNTY.

CHAPTERED BILLS

The following bill is properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

S.B. 120, AN ACT AMENDING THE CHARTER OF THE CITY OF NEW BERN RELATING TO THE MAYOR AND MAYOR PRO TEM. (S.L. 2011-101)

SPECIAL MESSAGE FROM THE SENATE

The following Special Message is received from the Senate:

H.B. 200 (Senate Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO SPUR THE CREATION OF PRIVATE SECTOR JOBS; REORGANIZE AND REFORM STATE GOVERNMENT; MAKE BASE BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE

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DEPARTMENTS AND INSTITUTIONS; AND TO ENACT BUDGET RELATED AMENDMENTS, is returned for concurrence in the Senate committee substitute bill, as amended.

Pursuant to Rule 36(b), Senate Committee Substitute Bill No. 3 is placed on the Calendar of June 3.

Upon concurrence the Senate committee substitute bill changes the title.

The Speaker rules Senate Committee Substitute Bill No. 3 to be material, thus constituting its first reading.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Stam and without objection, **S.B. 9** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REFORM THE RACIAL JUSTICE ACT OF 2009 TO BE CONSISTENT WITH THE UNITED STATES SUPREME COURT'S RULING IN MCCLESKEY V. KEMP, is withdrawn from the Calendar and placed on the Calendar of June 15.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representatives Stam and Stevens, Chairs, for Judiciary Subcommittee B, with approval of standing committee Chair for report to be made directly to the floor of the House:

H.B. 607, A BILL TO BE ENTITLED AN ACT TO CLARIFY WHEN A PERSON MAY APPLY FOR A RESTORATION OF THE PERSON'S LICENSE AFTER A HABITUAL DWI CONVICTION, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of June 3. The original bill is placed on the Unfavorable Calendar.

H.B. 772, A BILL TO BE ENTITLED AN ACT TO COMPLY WITH THE FEDERAL SEX OFFENDER REGISTRATION AND NOTIFICATION ACT, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

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Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of June 3. The original bill is placed on the Unfavorable Calendar.

H.B. 778, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS AMENDMENTS TO THE LAWS REGARDING THE INNOCENCE INQUIRY COMMISSION, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 853, A BILL TO BE ENTITLED AN ACT NO LONGER REQUIRING A COURT ORDER TO ESTABLISH LOCAL INTAKE PROCEDURES FOR RECEIVING DELINQUENCY AND UNDISCIPLINED COMPLAINTS UNDER THE LAWS PERTAINING TO UNDISCIPLINED AND DELINQUENT JUVENILES AND AUTHORIZING THE DEPARTMENT OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION TO MONITOR COUNTY DETENTION CENTERS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

By Representatives T. Moore and Rhyne, Chairs, for Judiciary Subcommittee C, with approval of standing committee Chair for report to be made directly to the floor of the House:

H.B. 650, A BILL TO BE ENTITLED AN ACT TO AMEND VARIOUS LAWS REGARDING THE RIGHT TO OWN, POSSESS, OR CARRY A FIREARM IN NORTH CAROLINA, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representatives LaRoque and T. Moore, Chairs, for the Committee on Rules, Calendar, and Operations of the House:

H.R. 563, A HOUSE RESOLUTION HONORING THE LIFE AND MEMORY OF RALPH CAMPBELL, JR., FORMER STATE AUDITOR, with recommendation that it be adopted.

Pursuant to Rule 36(b), the resolution is placed on the Calendar of June 8.

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By Representatives Brubaker, Barnhart, Gillespie, and Johnson, Chairs, for the Committee on Appropriations:

H.B. 342 (Committee Substitute), A BILL TO BE ENTITLED AN ACT PROHIBITING ANY PUBLIC INSTITUTION OF HIGHER EDUCATION FROM SOLICITING OR USING INFORMATION REGARDING THE ACCREDITATION OF A SECONDARY SCHOOL LOCATED IN NORTH CAROLINA THAT IS ATTENDED BY A STUDENT AS A FACTOR AFFECTING ADMISSIONS, LOANS, SCHOLARSHIPS, OR OTHER EDUCATIONAL ACTIVITY AT THE PUBLIC INSTITUTION, UNLESS THE ACCREDITATION WAS CONDUCTED BY A STATE AGENCY; AUTHORIZING THE STATE BOARD OF EDUCATION TO ACCREDIT SCHOOLS IN A LOCAL SCHOOL ADMINISTRATIVE UNIT AT THE REQUEST OF AND AT THE EXPENSE OF THAT UNIT; AND MODIFYING THE BUDGET OF THE DEPARTMENT OF PUBLIC INSTRUCTION ACCORDINGLY, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(b), Committee Substitute Bill No. 2 is placed on the Calendar. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

SUBCOMMITTEE REFERRALS

Representative McComas, Chair, for the Standing Committee on Commerce and Job Development, refers the following bills to the Commerce and Job Development Subcommittee on Business and Labor:

H.B. 462, A BILL TO BE ENTITLED AN ACT TO STUDY THE ADEQUACY OF CURRENT CONSUMER PROTECTIONS FOR BUSINESS OPPORTUNITY AND FRANCHISE SALES.

H.B. 749, A BILL TO BE ENTITLED AN ACT TO ENSURE THAT THE NORTH CAROLINA STATE PORTS AUTHORITY DEVELOPS BUSINESSES RATHER THAN COMPETING WITH BUSINESSES; AND TO STUDY A PROJECT TO FACILITATE SHIPPING UP THE CAPE FEAR RIVER.

H.B. 832, A BILL TO BE ENTITLED AN ACT TO ALLOW NONATTORNEY OWNERSHIP OF PROFESSIONAL CORPORATION LAW FIRMS, SUBJECT TO CERTAIN REQUIREMENTS.

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H.B. 903, A BILL TO BE ENTITLED AN ACT TO PROVIDE TIER ONE TREATMENT FOR PORT ENHANCEMENT ZONES.

CALENDAR

Action is taken on the following:

H.B. 518 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE AN ADDITIONAL ONE PERCENT OCCUPANCY TAX FOR PERSON COUNTY, 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, Barnhart, Bell, Blackwell, Bordsen, Bradley, Brandon, Brisson, R. Brown, Brubaker, Bryant, Carney, Cook, Cotham, Crawford, Current, Daughtry, Dixon, Dockham, Earle, Faison, Farmer-Butterfield, Fisher, Floyd, Frye, Gill, Glazier, Goodman, Graham, Guice, Hackney, Haire, Hall, Hamilton, Harrison, Hill, Hilton, Horn, Howard, Iler, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Kever, Langdon, Lewis, Lucas, Luebke, Martin, McComas, McCormick, McGee, McGrady, McGuirt, McLawhorn, Michaux, Mobley, R. Moore, Murry, Owens, Parfitt, Parmon, Pierce, Pridgen, Rapp, Rhyne, Ross, Sager, Samuelson, Sanderson, Shepard, Spear, Stam, Starnes, Steen, Stevens, Tolson, Wainwright, E. Warren, Weiss, West, and Wray - 87.

Voting in the negative: Representatives Avila, Blust, Boles, Brawley, L. Brown, Burr, Cleveland, Collins, Dollar, Faircloth, Gillespie, Hager, Hastings, Hollo, Hurley, Ingle, Jordan, Killian, LaRoque, Mills, Moffitt, T. Moore, Randleman, Setzer, Stone, Torbett, and H. Warren - 27.

Excused absences: Representatives McElraft and Wilkins - 2.

Representative Womble requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (88-27).

S.B. 16 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT LAW ENFORCEMENT REQUEST A BLOOD SAMPLE UNDER THE STATE IMPLIED-CONSENT LAWS FROM ANY PERSON CRIMINALLY CHARGED IN ANY CASE INVOLVING DEATH BY VEHICLE AND CERTAIN OTHER OFFENSES AND TO SEEK A WARRANT IF THE DRIVER REFUSES AND THERE IS PROBABLE CAUSE TO BELIEVE THE OFFENSE INVOLVED IMPAIRED DRIVING OR IS ALCOHOL-RELATED, passes its second reading, by electronic vote (114-1), and there being no objection is read a third time.

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Representative Brandon requests and is granted leave of the House to change his vote from "no" to "aye". Representative Howard requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (116-0).

The bill passes its third reading and is ordered sent to the Senate for concurrence in the House committee substitute bill.

H.B. 350 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY WHEN LAND USED FOR CONSERVATION PURPOSES IS TO BE EXCLUDED FROM THE PROPERTY TAX BASE, 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, Barnhart, Bell, Blackwell, Blust, Boles, Bordsen, Bradley, Brandon, Brawley, Brisson, L. Brown, R. Brown, Brubaker, Bryant, Burr, Carney, Collins, Cook, Cotham, Crawford, Current, Daughtry, Dixon, Dockham, Dollar, Earle, Faison, Farmer-Butterfield, Fisher, Floyd, Frye, Gill, Gillespie, Glazier, Goodman, Graham, Guice, Hackney, Hager, Haire, Hall, Hamilton, Harrison, Hill, Hollo, Horn, Howard, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Jordan, Justice, Kever, Killian, Langdon, LaRoque, Lewis, Lucas, Luebke, Martin, McGee, McGrady, McGuiert, McLawhorn, Michaux, Mills, Mobley, Moffitt, R. Moore, T. Moore, Murry, Owens, Parfitt, Parmon, Pierce, Pridgen, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Sanderson, Setzer, Spear, Stam, Starnes, Steen, Stone, Tolson, Torbett, Wainwright, E. Warren, H. Warren, Weiss, Womble, and Wray - 105.

Voting in the negative: Representatives Avila, Cleveland, Faircloth, Hastings, Hilton, Holloway, McCormick, McElraft, Shepard, Stevens, and West - 11.

Excused absences: Representatives Folwell and Wilkins - 2.

Representative McComas requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (106-11).

H.B. 117 (Committee Substitute), A BILL TO BE ENTITLED AN ACT PROVIDING THAT THE TOWNS OF CLAYTON, SELMA, AND SMITHFIELD SHALL USE REVENUE DERIVED FROM RATES FOR ELECTRIC SERVICE FOR PAYING THE DIRECT AND INDIRECT COSTS OF OPERATING THE ELECTRIC SYSTEM, TRANSFERRING

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AMOUNTS THAT REPRESENT A RATE OF RETURN ON THE INVESTMENT IN THE ELECTRIC SYSTEM, AND MAKING DEBT SERVICE PAYMENTS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

S.B. 145, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF SOUTHERN SHORES TO IMPOSE A CANAL DREDGING AND MAINTENANCE FEE AND TO ASSESS FOR NAVIGATION PROJECTS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

H.B. 642 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT CERTAIN RECOMMENDATIONS OF THE JUSTICE REINVESTMENT PROJECT AND TO PROVIDE THAT THE ACT SHALL BE ENTITLED "THE JUSTICE REINVESTMENT ACT OF 2011."

Representative Haire offers Amendment No. 3 which fails of adoption by electronic vote (36-78).

Representative McCormick requests and is granted leave of the House to be recorded as voting "no". The adjusted vote total is (36-79).

The bill, as amended, passes its third reading, by electronic vote (110-6), and is ordered engrossed and sent to the Senate.

[Pursuant to the motion made by Representative Guice on June 3, 2011, and without objection, he is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (111-6).]

S.B. 307 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA SMART CARD PILOT PROGRAM TO COMBAT FRAUD, passes its third reading, by electronic vote (112-4), and is ordered enrolled and presented to the Governor.

Representative Bradley requests and is granted leave of the House to change his vote from "aye" to "no". The adjusted vote total is (111-5).

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H.B. 227 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE A CRIMINAL PENALTY FOR DISTURBING OR DISMEMBERING HUMAN REMAINS, passes its second reading, by electronic vote (117-0), and there being no objection is read a third time.

Representative Floyd requests and is granted leave of the House 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.

H.B. 340 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE UTILITIES COMMISSION TO OBTAIN CRIMINAL HISTORY RECORD CHECKS OF APPLICANTS FOR AND CURRENT HOLDERS OF A CERTIFICATE TO TRANSPORT HOUSE-HOLD GOODS, passes its second reading, by electronic vote (118-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 417, A BILL TO BE ENTITLED AN ACT TO EXTEND THE TIME PERIOD FOR HOLDING REAL PROPERTY AS A FUTURE SITE FOR HOUSING FOR LOW- OR MODERATE-INCOME INDIVIDUALS AND FAMILIES, passes its second reading, by electronic vote (113-3), and there being no objection is read a third time.

Representative Floyd requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (114-3).

The bill passes its third reading and is ordered sent to the Senate.

H.B. 476 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE CERTAIN PROTECTIONS TO GALAX AND VENUS FLYTRAP UNDER THE PLANT PROTECTION AND CONSERVATION ACT AND TO INCREASE THE CIVIL PENALTY FOR VIOLATIONS OF CERTAIN RULES OF THE WILDLIFE RESOURCES COMMISSION, passes its second reading by electronic vote (114-0).

Representative Killian requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (115-0).

Representative Stam objects to the third reading. The bill remains on the Calendar.

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H.B. 556 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF RETIREMENT TO CLARIFY THAT SERVICE AS A VOLUNTEER GUARDIAN AD LITEM IN THE GUARDIAN AD LITEM PROGRAM IS NOT CONSIDERED SERVICE FOR THE PURPOSE OF THAT DEFINITION.

On motion of Representative T. Moore and without objection, the bill is temporarily displaced.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

H.B. 586 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE STATUTES GOVERNING THE CLEAN WATER MANAGEMENT TRUST FUND TO PROVIDE THAT THE FUND MAY BE USED TO PRESERVE LANDS FOR THE DEVELOPMENT OF WATER SUPPLY RESERVOIRS, 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.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

H.B. 609 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROMOTE THE DEVELOPMENT OF WATER SUPPLY RESERVOIRS AND OTHER WATER SUPPLY RESOURCES, 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.

H.B. 627, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE JOINT LEGISLATIVE EFFICIENCY AND COST-SAVINGS IN STATE GOVERNMENT STUDY COMMISSION.

Representative Blackwell offers Amendment No. 1 which is adopted by electronic vote (116-0).

The bill, as amended, passes its second reading, by electronic vote (116-1), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

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H.B. 641 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A CERTIFICATE OF RELIEF THAT WILL ASSIST INDIVIDUALS CONVICTED OF LESS SERIOUS CRIMES IN DEALING WITH COLLATERAL SANCTIONS AND DISQUALIFICATIONS THAT RESULT FROM A CRIMINAL CONVICTION AND A PROCEDURE FOR ISSUING THAT CERTIFICATE, 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.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

H.B. 644 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH PHARMACY AUDIT RIGHTS AND TO ESTABLISH STANDARDS FOR RECOUPMENT OF CLAIMS AND AUTHORIZING A THIRTY-DAY PERIOD TO SUBMIT A WRITTEN REQUEST FOR A RECONSIDERATION REVIEW TO THE DIVISION OF MEDICAL ASSISTANCE.

Representative Howard offers Amendment No. 1 which is adopted by electronic vote (116-0).

Representative Murry offers Amendment No. 2 which is adopted by electronic vote (118-0).

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.

H.B. 659 (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 AND TO PROVIDE THAT INSANITY IS NOT AVAILABLE AS A DEFENSE TO A CRIMINAL ACTION IF PRIOR ALCOHOL OR DRUG USE OR BOTH ARE THE SOLE CAUSE OF THE PSYCHOSIS OR IF VOLUNTARY INTOXICATION, A VOLUNTARY DRUGGED CONDITION, OR BOTH COMBINED ARE THE SOLE SUPPORT FOR THE DEFENSE.

Representative Stevens offers Amendment No. 1 which is adopted by electronic vote (117-0).

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On motion of Representative Stevens and without objection, the bill is temporarily displaced.

H.B. 662 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COUNTIES THAT PROVIDE ELECTRONIC MONITORING FOR OFFENDERS TO COLLECT A FEE TO RECOVER THE ACTUAL COSTS OF PROVIDING THAT MONITORING.

Representative Weiss offers Amendment No. 1 which is adopted by electronic vote (114-0).

The bill, as amended, passes its second reading, by electronic vote (114-1), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H.B. 696 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADD A PENALTY FOR ASSAULT INFLICTING PHYSICAL INJURY ON LAW ENFORCEMENT, PROBATION OR PAROLE OFFICERS, OR DETENTION PERSONNEL, passes its second reading, by electronic vote (117-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.J.R. 704 (Committee Substitute), A JOINT RESOLUTION TO AUTHORIZE A STUDY OF THE STATE'S FUTURE ENERGY NEEDS, INCLUDING ALTERNATIVE FUEL FOR VEHICLES, 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.

WITHDRAWAL OF OBJECTION TO THIRD READING

Representative Stam withdraws his objection to the third reading of **H.B. 476** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE CERTAIN PROTECTIONS TO GALAX AND VENUS FLYTRAP UNDER THE PLANT PROTECTION AND CONSERVATION ACT AND TO INCREASE THE CIVIL PENALTY FOR VIOLATIONS OF CERTAIN RULES OF THE WILDLIFE RESOURCES COMMISSION, and the bill is before the Body.

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Representative Stam offers Amendment No. 1 which is adopted by electronic vote (117-0).

The bill, as amended, passes its third reading, by electronic vote (116-0), and is ordered engrossed and sent to the Senate.

H.B. 706 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE LAW RELATING TO ALIMONY AND POSTSEPARATION SUPPORT, AS RECOMMENDED BY THE NORTH CAROLINA BAR ASSOCIATION, passes its second reading, by electronic vote (115-1), and there being no objection is read a third time.

Representative Haire requests and is granted leave of the House to change his vote from "no" to "aye". The adjusted vote total is (116-0).

The bill passes its third reading and is ordered sent to the Senate.

H.B. 713 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE DEPARTMENT OF ADMINISTRATION TO USE MULTIPLE AWARD SCHEDULE CONTRACTS FOR THE PURCHASE OF ALL GROUND MAINTENANCE, CONSTRUCTION, AND FORESTRY EQUIPMENT.

Representative Murry 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.

H.B. 659 (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 AND TO PROVIDE THAT INSANITY IS NOT AVAILABLE AS A DEFENSE TO A CRIMINAL ACTION IF PRIOR ALCOHOL OR DRUG USE OR BOTH ARE THE SOLE CAUSE OF THE PSYCHOSIS OR IF VOLUNTARY INTOXICATION, A VOLUNTARY DRUGGED CONDITION, OR BOTH COMBINED ARE THE SOLE SUPPORT FOR THE DEFENSE, which was temporarily displaced, is before the Body.

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Representative T. Moore moves that the bill be withdrawn from the Calendar and placed on the Calendar of June 3. The motion carries by electronic vote (75-41).

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

H.B. 787 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPROVE THE EFFICIENCY OF USE OF NORTH CAROLINA'S WATER RESOURCES, passes its second reading, by electronic vote (116-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 813 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REFORM THE EMPLOYMENT SECURITY LAWS OF NORTH CAROLINA BY CREATING THE DIVISION OF EMPLOYMENT SECURITY WITHIN THE DEPARTMENT OF COMMERCE, TRANSFERRING THE FUNCTIONS OF THE EMPLOYMENT SECURITY COMMISSION TO THAT DIVISION, MAKING THE DIVISION SUBJECT TO RULE MAKING UNDER ARTICLE 2A OF CHAPTER 150B OF THE GENERAL STATUTES, AND BY MAKING OTHER MODIFICATIONS AND CONFORMING CHANGES TO ALIGN THE EMPLOYMENT SECURITY FUNCTIONS OF STATE GOVERNMENT UNDER THE DIRECT LEADERSHIP OF THE SECRETARY OF COMMERCE.

Representative Wainwright offers an amendment.

The Speaker rules the amendment out of order.

The bill passes its second reading, by electronic vote (80-37), and there being no objection is read a third time.

Representative Bryant requests and is granted leave of the House to change her vote from "aye" to "no". The adjusted vote total is (79-38).

The bill passes its third reading and is ordered sent to the Senate.

H.B. 654, A BILL TO BE ENTITLED AN ACT AMENDING THE HOMEOWNER AND HOMEBUYER PROTECTION ACT.

REPRESENTATIVE FOLWELL, SPEAKER PRO TEMPORE, PRESIDING.

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Representative Stam offers Amendment No. 1 which is adopted by electronic vote (72-44).

Representative Hall moves that the bill be withdrawn from the Calendar and re-referred to Judiciary Subcommittee A.

On motion of Representative LaRoque, seconded by Representative T. Moore, the motion is tabled by electronic vote (63-48).

Representatives Brandon and R. Moore request and are granted leave of the House to be recorded as voting "no". The adjusted vote total is (63-50).

The bill, as amended, passes its second reading by electronic vote (71-45).

Representative Stam objects to the third reading. The bill is ordered engrossed and remains on the Calendar.

H.B. 556 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF RETIREMENT TO CLARIFY THAT SERVICE AS A VOLUNTEER GUARDIAN AD LITEM IN THE GUARDIAN AD LITEM PROGRAM IS NOT CONSIDERED SERVICE FOR THE PURPOSE OF THAT DEFINITION, which was temporarily displaced, is before the Body.

Representative Hamilton offers Amendment No. 1 which is adopted by electronic vote (115-1).

The bill, as amended, passes its second reading by electronic vote (116-0).

On motion of Representative Hamilton, the bill is temporarily displaced.

H.B. 914, A BILL TO BE ENTITLED AN ACT TO PLACE AUTOMATIC EXTERNAL DEFIBRILLATORS (AEDS) IN ALL BUILDINGS AND FACILITIES THAT HOUSE STATE SERVICES, AGENCIES, AND INSTITUTIONS AND PROVIDE TRAINING FOR STATE EMPLOYEES IN THOSE FACILITIES, passes its second reading, by electronic vote (115-1), and there being no objection is read a third time.

Representative Michaux requests and is granted leave of the House to change his vote from "no" to "aye". The adjusted vote total is (116-0).

The bill passes its third reading and is ordered sent to the Senate.

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S.B. 321 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO CONFORM PROVISIONS OF NORTH CAROLINA SURPLUS LINES INSURANCE LAWS TO THE FEDERAL NONADMITTED AND REINSURANCE REFORM ACT OF 2010, TO STREAMLINE APPLICATIONS FOR COMMERCIAL PURCHASERS, TO PREVENT ANY LOSS OF PREMIUM TAX REVENUE TO THE STATE, AND TO CONFORM THE DEFINITION OF RISK RETENTION GROUP TO FEDERAL LAW, 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.

H.B. 810 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS AMENDMENTS TO THE NORTH CAROLINA CONSUMER FINANCE ACT TO INCREASE CONSUMER ACCESS AND CREDIT MARKET PARITY.

Representative K. Alexander offers Amendment No. 1 which is adopted by electronic vote (100-11).

Representative K. Alexander offers Amendment No. 2 which is adopted by electronic vote (113-1).

SPEAKER TILLIS PRESIDING.

Representative Brubaker offers Amendment No. 3 which is adopted by electronic vote (70-42).

Representative T. Moore calls the previous question on the passage of the bill and the call is sustained by electronic vote (80-35).

The bill, as amended, passes its second reading, by electronic vote (61-54), and there being no objection is read a third time.

[Pursuant to the request made by Representative Folwell on June 16, 2011, his vote is changed from "aye" to "no". The adjusted vote total is (60-55).]

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H.B. 556 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF RETIREMENT TO CLARIFY THAT SERVICE AS A VOLUNTEER GUARDIAN AD LITEM IN THE

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GUARDIAN AD LITEM PROGRAM IS NOT CONSIDERED SERVICE FOR THE PURPOSE OF THAT DEFINITION, which was temporarily displaced, is before the Body.

Representative Hamilton offers Amendment No. 2 which is adopted by electronic vote (115-0). This amendment changes the title.

The caption having been amended, the bill remains on the Calendar.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Stam and without objection, **S.B. 9** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REFORM THE RACIAL JUSTICE ACT OF 2009 TO BE CONSISTENT WITH THE UNITED STATES SUPREME COURT'S RULING IN MCCLESKEY V. KEMP, is withdrawn from the Calendar of June 15 and placed on the Calendar of June 14.

BILL PLACED ON CALENDAR

On motion of Representative T. Moore and pursuant to Rule 36(b), **H.R. 892**, A HOUSE RESOLUTION HONORING THE LIVES AND MEMORIES OF WILLIAM DAVID NEWSOME AND PARKER D. ROBBINS, FORMER MEMBERS OF THE GENERAL ASSEMBLY, is placed on the Calendar of June 8.

RE-REFERRAL

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 730**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF STATE TREASURER TO CREATE A CENTRALIZED 403(B) RETIREMENT ANNUITY PLAN AS AN OPTION FOR EMPLOYEES OF LOCAL BOARDS OF EDUCATION, is withdrawn from the Committee on Finance and re-referred to the Committee on State Personnel.

Representative T. Moore moves, seconded by Representative Brubaker, that the House adjourn, subject to the receipt of Committee Reports, the receipt of Conference Reports, and the referral of bills to committees, to reconvene June 3 at 2:00 p.m.

The motion carries.

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**REPORTS OF STANDING COMMITTEES AND PERMANENT
SUBCOMMITTEES**

The following reports from standing committees and permanent subcommittees are presented:

By Representatives L. Brown and Ingle, Chairs, for the Committee on Government:

H.B. 281, A BILL TO BE ENTITLED AN ACT TO ELIMINATE EXTRATERRITORIAL PLANNING JURISDICTION WHEN COUNTY-WIDE ZONING IS IN EFFECT, AND WHEN COUNTYWIDE ZONING IS NOT IN EFFECT, TO ALLOW RESIDENTS OF THE ETJ TO RUN FOR MUNICIPAL OFFICE AND VOTE IN ELECTIONS FOR MUNICIPAL OFFICE, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Rules, Calendar, and Operations of the House.

The committee substitute bill is re-referred to the Committee on Rules, Calendar, and Operations of the House. The original bill is placed on the Unfavorable Calendar.

H.B. 733, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT MULTIPLE PAYEE CHECKS MAY BE PRESUMED ABANDONED WITH RESPECT TO AN OWNER NOT CLAIMING THE CHECK WITHIN THREE YEARS AND TO LIMIT THE SCOPE OF THE REGULATION OF PROPERTY FINDER AGREEMENTS TO ONLY THOSE AGREEMENTS THAT INVOLVE PROPERTY THAT IS PRESUMED ABANDONED, reported without prejudice as to the committee substitute bill, which changes the title, unfavorable as to the original bill, and with 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. 887, A BILL TO BE ENTITLED AN ACT RELATING TO ZONING PROVISIONS FOR TEMPORARY HEALTH CARE STRUCTURES, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

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The bill is re-referred to the Committee on Finance.

By Representatives LaRoque and T. Moore, Chairs, for the Committee on Rules, Calendar, and Operations of the House:

H.B. 622, A BILL TO BE ENTITLED AN ACT DIRECTING THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE TO STUDY HOW TO RECONCILE AND HARMONIZE ADMINISTRATIVE HEARINGS IN CONTESTED CASES ARISING UNDER ARTICLE 3A OF CHAPTER 150B OF THE GENERAL 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 Health and Human Services.

The committee substitute bill is re-referred to the Committee on Health and Human Services. The original bill is placed on the Unfavorable Calendar.

By Representative Rhyne, Chair, for the Committee on Banking:

H.B. 203, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN ALTERNATIVE MORTGAGE SATISFACTION FORM THAT ALLOWS A SECURED CREDITOR TO INDICATE THAT THE UNDERLYING OBLIGATION HAS BEEN EXTINGUISHED, with a favorable report.

Pursuant to Rule 32(a), the bill is re-referred to Judiciary Subcommittee A.

S.B. 513, A BILL TO BE ENTITLED AN ACT TO ALLOW CREDIT UNIONS TO CONDUCT SAVINGS PROMOTION RAFFLES, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

By Representatives Howard, Folwell, Setzer, and Starnes, Chairs, for the Committee on Finance:

H.B. 384, A BILL TO BE ENTITLED AN ACT TO SIMPLIFY THE FEES CHARGED FOR REGISTERING INSTRUMENTS WITH A REGISTER OF DEEDS IN THIS STATE, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

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Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of June 3. The original bill is placed on the Unfavorable Calendar.

H.B. 552 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE GREATER ASHEVILLE REGIONAL AIRPORT AUTHORITY, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(b), Committee Substitute Bill No. 2 is placed on the Calendar. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

H.B. 571 (Committee Substitute), A BILL TO BE ENTITLED AN ACT IMPOSING A SERVICE CHARGE ON EACH PURCHASE OF PREPAID WIRELESS TELECOMMUNICATIONS SERVICE FOR ANY PURPOSE OTHER THAN RESALE OCCURRING IN THIS STATE, REQUIRING THAT THE SERVICE CHARGE BE COLLECTED BY THE SELLER OF PREPAID WIRELESS TELECOMMUNICATIONS SERVICE AND REMITTED TO THE DEPARTMENT OF REVENUE, AND PROVIDING THAT THE DEPARTMENT OF REVENUE SHALL TRANSFER ALL SERVICE CHARGES COLLECTED, MINUS THE COSTS OF COLLECTION, TO THE 911 FUND TO SUPPORT 911 SERVICES IN THE STATE, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(b), Committee Substitute Bill No. 2 is placed on the Calendar. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

H.B. 896, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE COUNTIES TO ACCEPT ELECTRONIC LISTING OF PROPERTY FOR PROPERTY TAX PURPOSES, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representatives McElraft, Samuelson, and West, Chairs, for the Committee on Environment:

H.B. 119, A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN ENVIRONMENTAL AND NATURAL RESOURCES LAWS TO (1) CLARIFY THE PROHIBITION ON DISPOSAL IN LANDFILLS OR

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BY INCINERATION OF BEVERAGE CONTAINERS THAT ARE REQUIRED TO BE RECYCLED BY CERTAIN ABC PERMITTEES; (2) DIRECT THE ENVIRONMENTAL MANAGEMENT COMMISSION AND THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO INCORPORATE STORMWATER CAPTURE AND REUSE STANDARDS AND BEST MANAGEMENT PRACTICES INTO STORMWATER RUNOFF RULES AND PROGRAMS; AND (3) AMEND THE WATER USE STANDARD FOR PUBLIC MAJOR FACILITY CONSTRUCTION AND RENOVATION PROJECTS TO REQUIRE THE INSTALLATION OF WEATHER-BASED IRRIGATION CONTROLLERS AND AUDITS OF EXISTING IRRIGATION SYSTEMS BY AN IRRIGATION CONTRACTOR LICENSED UNDER CHAPTER 89G OF THE GENERAL STATUTES, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of June 3. The original bill is placed on the Unfavorable Calendar.

H.B. 177, A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL AMENDMENTS TO VARIOUS LAWS RELATED TO THE ENVIRONMENT, ENERGY, AND NATURAL RESOURCES, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of June 3. The original bill is placed on the Unfavorable Calendar.

By Representatives Stam and Stevens, Chairs, for Judiciary Subcommittee B, with approval of standing committee Chair for report to be made directly to the floor of the House:

H.B. 850, A BILL TO BE ENTITLED AN ACT TO MAKE THE USE OF A MOBILE PHONE WHEN INVOLVED IN A REPORTABLE CRASH RESULTING IN DEATH OR SERIOUS INJURY AN AGGRAVATING FACTOR IN SENTENCING FOR THE UNDERLYING OFFENSE COMMITTED WHICH RESULTED IN THE REPORTABLE CRASH, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

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CONFERENCE REPORT

Representative Stevens sends forth the Conference Report on **S.B. 31** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PENALTY FOR THE UNAUTHORIZED PRACTICE OF MEDICINE. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of June 3.

The House stands adjourned at 6:15 p.m.

SEVENTY-SIXTH DAY

HOUSE OF REPRESENTATIVES
Friday, June 3, 2011

The House meets at 2:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative John Blust.

Representative T. Moore, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 2 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Parmon and Wilkins for today. Representatives Folwell and Wainwright are excused for a portion of the Session.

CHAPTERED BILLS

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

S.B. 316, AN ACT TO AUTHORIZE DHHS TO IMPLEMENT ADDITIONAL 1915(B)(C) MEDICAID WAIVER SITES AND TO ALLOW STATE FACILITIES TO DISCLOSE CERTAIN INFORMATION FOR PURPOSES OF COLLECTING PAYMENT AND TO DIRECT THE DISTRIBUTION OF A FUND BALANCE UPON THE DISSOLUTION OF AN AREA AUTHORITY. (S.L. 2011-102)

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S.B. 608, AN ACT TO EXEMPT HEALTH CARE SHARING ORGANIZATIONS FROM THE HEALTH INSURANCE REGULATORY LAWS. (S.L. 2011-103)

S.B. 512, AN ACT TO AUTHORIZE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO PILOT AN OVERNIGHT RESPITE PROGRAM IN FACILITIES THAT OFFER ADULT DAY CARE. (S.L. 2011-104)

S.B. 19, AN ACT TO REPEAL THE SUNSET ON FIRE PROTECTION FEES IN UNION COUNTY. (S.L. 2011-105)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Lewis, Chair, for the Committee on Elections:

H.B. 452, A BILL TO BE ENTITLED AN ACT TO ELIMINATE "INSTANT RUNOFF" VOTING FOR JUDICIAL OFFICES WHEN LATE VACANCIES OCCUR AND INSTEAD DETERMINE THE RESULTS OF THE VACANCY ELECTION BY PLURALITY, AND TO REPEAL PUBLIC CAMPAIGN FINANCING FOR JUDICIAL AND COUNCIL OF STATE RACES, 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) and without objection, the committee substitute bill is placed on today's Supplemental Calendar. The original bill is placed on the Unfavorable Calendar.

By Representatives Howard, Folwell, Setzer, and Starnes, Chairs, for the Committee on Finance:

H.B. 617 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE REGULATION OF PORTABLE ELECTRONICS INSURANCE, with a favorable report.

Pursuant to Rule 36(b) and without objection, the bill is placed on today's Supplemental Calendar.

H.B. 799, A BILL TO BE ENTITLED AN ACT TO ALLOW LICENSURE BY ENDORSEMENT FOR MILITARY PERSONNEL AND MILITARY SPOUSES, with a favorable report.

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Pursuant to Rule 36(b) and without objection, the bill is placed on today's Supplemental Calendar.

S.B. 155 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWNS OF GARNER, KNIGHTDALE, MORRISVILLE, WENDELL, AND ZEBULON AND THE CITIES OF DURHAM AND WINSTON-SALEM TO COLLECT DELINQUENT STORMWATER UTILITY FEES IN THE SAME MANNER AS THEY MAY COLLECT DELINQUENT PERSONAL AND REAL PROPERTY TAXES, with a favorable report.

Pursuant to Rule 36(b) and without objection, the bill is placed on today's Supplemental Calendar.

S.B. 431, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF FONTANA DAM, with a favorable report.

Pursuant to Rule 36(b) and without objection, the bill is placed on today's Supplemental Calendar.

By Representative Rhyne, Chair, for the Committee on Banking:

H.B. 707, A BILL TO BE ENTITLED AN ACT TO MODERNIZE AND ENACT CERTAIN PROVISIONS REGARDING DEEDS OF TRUST, INCLUDING RELEASES, SHORT SALES, FUTURE ADVANCE PROVISION TERMINATIONS AND SATISFACTIONS, TERMINATIONS AND SATISFACTIONS FOR EQUITY LINE LIENS, RELEASE OF ANCILLARY DOCUMENTS, ELIMINATING TRUSTEE OF DEED OF TRUST AS NECESSARY PARTY FOR CERTAIN TRANSACTIONS AND LITIGATION, AND INDEXING OF SUBSEQUENT INSTRUMENTS RELATED THERETO, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b) and without objection, the committee substitute bill is placed on today's Supplemental Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative McGee, Chair, for the Committee on State Personnel:

H.B. 376, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE STATUTES GOVERNING THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE LOCAL

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GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, 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.

VOTE ADJUSTED

Without objection, Representative Guice is granted leave of the House to be recorded as voting "aye" on June 2, 2011, on the third reading of **H.B. 642** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT CERTAIN RECOMMENDATIONS OF THE JUSTICE REINVESTMENT PROJECT AND TO PROVIDE THAT THE ACT SHALL BE ENTITLED "THE JUSTICE REINVESTMENT ACT OF 2011." The adjusted vote total is (111-6).

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Howard, Folwell, Setzer, and Starnes, Chairs, for the Committee on Finance:

H.B. 344, A BILL TO BE ENTITLED AN ACT TO ALLOW AN INDIVIDUAL INCOME TAX CREDIT FOR CHILDREN WITH DISABILITIES WHO REQUIRE SPECIAL EDUCATION AND TO CREATE A FUND FOR SPECIAL EDUCATION AND RELATED SERVICES, with a favorable report as to the committee substitute bill, unfavorable as to the original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

H.B. 469, A BILL TO BE ENTITLED AN ACT TO INCREASE THE AUTHORIZATION TO LEVY AN OCCUPANCY TAX IN THE CITY OF LUMBERTON, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of June 6. The original bill is placed on the Unfavorable Calendar.

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CALENDAR

Action is taken on the following:

H.B. 200 (Senate Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO SPUR THE CREATION OF PRIVATE SECTOR JOBS; REORGANIZE AND REFORM STATE GOVERNMENT; MAKE BASE BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS AND INSTITUTIONS; AND TO ENACT BUDGET RELATED AMENDMENTS.

On motion of the Speaker and without objection, the bill is temporarily displaced.

REPRESENTATIVE FOLWELL, SPEAKER PRO TEMPORE, PRESIDING.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittee are presented:

By Representatives Howard, Folwell, Setzer, and Starnes, Chairs, for the Committee on Finance:

H.B. 96, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ALLEGHANY COUNTY TO LEVY AN ADDITIONAL THREE PERCENT ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on Calendar of June 6. The original bill is placed on the Unfavorable Calendar.

By Representative McCormick, Chair, for the Commerce and Job Development Subcommittee on Business and Labor, with approval of standing committee Chair for reports to be made directly to the floor of the House:

H.B. 462, A BILL TO BE ENTITLED AN ACT TO STUDY THE ADEQUACY OF CURRENT CONSUMER PROTECTIONS FOR BUSINESS OPPORTUNITY AND FRANCHISE SALES, with a favorable report.

June 3, 2011

Pursuant to Rule 36(b) and without objection, the bill is placed on today's Supplemental Calendar.

H.B. 749, A BILL TO BE ENTITLED AN ACT TO ENSURE THAT THE NORTH CAROLINA STATE PORTS AUTHORITY DEVELOPS BUSINESSES RATHER THAN COMPETING WITH BUSINESSES; AND TO STUDY A PROJECT TO FACILITATE SHIPPING UP THE CAPE FEAR RIVER, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b) and without objection, the committee substitute bill is placed on today's Supplemental Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 832, A BILL TO BE ENTITLED AN ACT TO ALLOW NON-ATTORNEY OWNERSHIP OF PROFESSIONAL CORPORATION LAW FIRMS, SUBJECT TO CERTAIN REQUIREMENTS, with a favorable report.

Pursuant to Rule 36(b) and without objection, the bill is placed on today's Supplemental Calendar.

H.B. 903, A BILL TO BE ENTITLED AN ACT TO PROVIDE TIER ONE TREATMENT FOR PORT ENHANCEMENT ZONES, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b) and without objection, the committee substitute bill is placed on today's Supplemental Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Lewis, Chair, for the Committee on Elections:

H.B. 32, A BILL TO BE ENTITLED AN ACT TO AMEND THE STATUTORY REQUIREMENT FOR A POLITICAL PARTY TO MAINTAIN BALLOT ELIGIBILITY; TO PROVIDE THAT THE RESULTS OF PRIMARIES OF POLITICAL PARTIES WITH LESS THAN TEN PERCENT OF THE REGISTERED VOTERS ARE DETERMINED BY A PLURALITY UNLESS THE PARTY CHOOSES TO NOMINATE BY CONVENTION; TO CHANGE THE DEFINITION OF A "POLITICAL PARTY" BY REDUCING THE NUMBER OF SIGNATURES REQUIRED FOR THE FORMATION OF A NEW POLITICAL PARTY; TO REDUCE THE NUMBER OF SIGNATURES REQUIRED FOR UNAFFILIATED CANDIDATES TO OBTAIN BALLOT ACCESS ELIGIBILITY; AND TO ELIMINATE THE NEED FOR PETITIONS FOR WRITE-IN CANDIDACY, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

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Pursuant to Rule 36(b) and without objection, the committee substitute bill is placed on today's Supplemental Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 824, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NONPARTISAN REDISTRICTING PROCESS, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b) and without objection, the committee substitute bill is placed on today's Supplemental Calendar. The original bill is placed on the Unfavorable Calendar.

CALENDAR (continued)

H.B. 200 (Senate Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO SPUR THE CREATION OF PRIVATE SECTOR JOBS; REORGANIZE AND REFORM STATE GOVERNMENT; MAKE BASE BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS AND INSTITUTIONS; AND TO ENACT BUDGET RELATED AMENDMENTS, which was temporarily displaced, is before the Body.

SPEAKER TILLIS PRESIDING.

On motion of Representative Brubaker, the House concurs in the material Senate Committee Substitute Bill No. 3, as amended, on its second roll call reading, by the following vote, and the bill remains on the Calendar.

Those voting in the affirmative are: Speaker Tillis; Representatives Avila, Barnhart, Blackwell, Blust, Boles, Bradley, Brawley, Brisson, L. Brown, R. Brown, Brubaker, Burr, Cleveland, Collins, Cook, Crawford, Current, Daughtry, Dixon, Dockham, Dollar, Faircloth, Folwell, Frye, Gillespie, Guice, Hager, Hastings, Hill, Hilton, Hollo, Holloway, Horn, Howard, Hurley, Iler, Ingle, Johnson, Jones, Jordan, Justice, Killian, Langdon, LaRoque, Lewis, McComas, McCormick, McElraft, McGee, McGrady, Mills, Moffitt, T. Moore, Murry, Owens, Pridgen, Randleman, Rhyne, Sager, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Torbett, H. Warren, and West - 73.

Voting in the negative: Representatives Adams, K. Alexander, M. Alexander, Bell, Bordsen, Brandon, Bryant, Carney, Cotham, Earle, Faison, Farmer-Butterfield, Fisher, Floyd, Gill, Glazier, Goodman, Graham, Hackney, Haire, Hall, Hamilton, Harrison, Insko, Jackson, Jeffus, Kever, Lucas, Luebke, Martin, McGuirt, McLawhorn, Michaux, Mobley, R. Moore, Parfitt, Pierce, Rapp, Ross, Tolson, E. Warren, Weiss, Womble, and Wray - 44.

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Excused absences: Representatives Parmon, Wainwright, and Wilkins - 3.

CONFERENCE REPORT

Representative Stevens moves the adoption of the following Conference Report.

Committee Substitute for S.B. 31

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 31, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PENALTY FOR THE UNAUTHORIZED PRACTICE OF MEDICINE, Judiciary I Committee Substitute Adopted 3/3/11, submit the following report:

The House recedes from House Amendment #1 and the House and Senate agree to the following amendment:

on page 1, lines 12-19, by rewriting the lines to read:

" collect any fee for such services. ~~The~~Any person so practicing without ~~license being duly licensed and registered in this State~~ shall be guilty of a ~~Class 1 misdemeanor, except that if the person so practicing without a license is an out of state practitioner who has not been licensed and registered to practice medicine or surgery in this State, the person~~ Class 1 misdemeanor. Any person so practicing without being duly licensed and registered in this State and who is falsely representing himself or herself in a manner as being licensed or registered under this Article or any Article of this Chapter shall be guilty of a Class I felony. Any person so practicing without being duly licensed and registered in this State and who is an out-of-state practitioner shall be guilty of a Class I felony."

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: May 25, 2011.

*Conferees for the
Senate*

S/ Mansfield, Chair
S/ William R. Purcell
S/ Ralph E. Hise, Jr.

*Conferees for the
House of Representatives*

S/ Sarah Stevens, Chair
S/ John Faircloth
S/ Rick Glazier
S/ Stam

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The Conference Report is adopted, by electronic vote (104-10), and the Senate is so notified by Special Message.

Representative Holloway requests and is granted leave of the House to change his vote from "aye" to "no". The adjusted vote total is (103-11).

H.B. 518 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE AN ADDITIONAL ONE PERCENT OCCUPANCY TAX FOR PERSON COUNTY, 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, M. Alexander, Barnhart, Bell, Blackwell, Boles, Bordsen, Bradley, Brandon, Brawley, Brisson, R. Brown, Bryant, Carney, Cook, Cotham, Crawford, Current, Daughtry, Dixon, Dockham, Dollar, Earle, Faircloth, Faison, Farmer-Butterfield, Fisher, Floyd, Frye, Gill, Glazier, Goodman, Graham, Guice, Hackney, Haire, Hall, Hamilton, Harrison, Hill, Horn, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Keever, Langdon, Lewis, Lucas, Luebke, Martin, McComas, McCormick, McElraft, McGee, McGrady, McGuirt, McLawhorn, Michaux, Mills, Mobley, R. Moore, Owens, Parfitt, Pierce, Pridgen, Rapp, Rhyne, Ross, Sager, Samuelson, Sanderson, Shepard, Spear, Stam, Starnes, Stevens, Tolson, E. Warren, H. Warren, Weiss, West, Womble, and Wray - 89.

Voting in the negative: Representatives Avila, Blust, L. Brown, Brubaker, Burr, Cleveland, Collins, Folwell, Gillespie, Hager, Hastings, Hilton, Hollo, Holloway, Howard, Hurley, Jordan, Killian, LaRoque, Moffitt, T. Moore, Murry, Randleman, Setzer, Steen, Stone, and Torbett - 27.

Excused absences: Representatives Parmon, Wainwright, and Wilkins - 3.

Representatives Boles, Brawley, Dollar, Horn, and Mills request and are granted leave of the House to change their votes from "aye" to "no". Representative Torbett requests and is granted leave of the House to change his vote from "no" to "aye". The adjusted vote total is (85-31).

H.B. 350 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY WHEN LAND USED FOR CONSERVATION PURPOSES IS TO BE EXCLUDED FROM THE PROPERTY TAX BASE.

Representative Stevens offers Amendment No. 1, which is ruled to be material. The amendment is adopted by the following vote, thus constituting its first reading.

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Those voting in the affirmative are: Representatives Avila, Blackwell, Blust, Boles, Brawley, Brisson, L. Brown, Burr, Cleveland, Crawford, Current, Dixon, Dockham, Dollar, Faircloth, Floyd, Folwell, Frye, Gillespie, Hager, Hastings, Hill, Hilton, Hollo, Holloway, Horn, Howard, Hurley, Iler, Ingle, Johnson, Jones, Jordan, Justice, Killian, Langdon, LaRoque, Lewis, McComas, McCormick, McElraft, McGee, McLawhorn, T. Moore, Owens, Pridgen, Randleman, Sager, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, H. Warren, and West - 61.

Voting in the negative: Representatives Adams, K. Alexander, M. Alexander, Barnhart, Bell, Bordsen, Bradley, Brandon, R. Brown, Bryant, Carney, Collins, Cook, Cotham, Daughtry, Earle, Faison, Farmer-Butterfield, Fisher, Gill, Glazier, Goodman, Graham, Guice, Hackney, Haire, Hall, Hamilton, Harrison, Insko, Jackson, Jeffus, Keever, Lucas, Luebke, Martin, McGrady, McGuirt, Michaux, Mills, Mobley, Moffitt, Murry, Parfitt, Pierce, Rapp, Rhyne, Ross, Samuelson, E. Warren, Weiss, Womble, and Wray - 53.

Excused absences: Representatives Parmon, Wainwright, and Wilkins - 3.

Without objection, the bill, as amended, is placed on the Calendar of June 7.

WITHDRAWAL OF BILL FROM COMMITTEE

On motion of Representative T. Moore and without objection, **H.B. 538**, A BILL TO BE ENTITLED AN ACT TO REMOVE THE REQUIREMENT THAT LAW ENFORCEMENT OFFICERS HAVE ONE YEAR OF CREDITABLE SERVICE IN ORDER TO QUALIFY FOR DISABILITY RETIREMENT BENEFITS UNDER THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM FOR INJURIES INCURRED IN THE LINE OF DUTY, is withdrawn from the Committee on Appropriations and pursuant to Rule 36(b), is placed on today's Supplemental Calendar.

On motion of Representative T. Moore and without objection, **S.B. 709** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE ENERGY PRODUCTION IN NORTH CAROLINA TO DEVELOP A SECURE, STABLE, AND PREDICTABLE ENERGY SUPPLY TO FACILITATE ECONOMIC GROWTH, JOB CREATION, AND EXPANSION OF BUSINESS AND INDUSTRY OPPORTUNITIES AND TO ASSIGN FUTURE REVENUE FROM ENERGY EXPLORATION, DEVELOPMENT, AND PRODUCTION OF ENERGY RESOURCES IN ORDER TO PROTECT AND PRESERVE THE STATE'S NATURAL RESOURCES, CULTURAL HERITAGE, AND QUALITY OF LIFE, is withdrawn from the Committee on Public Utilities and pursuant to Rule 36(b), is placed on today's Supplemental Calendar.

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On motion of the Speaker, the House recesses, subject to the receipt of Committee Reports, at 5:56 p.m.

RECESS

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives LaRoque and T. Moore, Chairs, for the Committee on Rules, Calendar, and Operations of the House:

H.B. 87 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR GOVERNMENT IN THE SUNSHINE BY AMENDING THE NORTH CAROLINA CONSTITUTION, with a favorable report as to Committee Substitute Bill No. 2A, which changes the title, unfavorable as to Committee Substitute Bill No. 2, and recommendation that Committee Substitute Bill No. 2A be re-referred to Judiciary Subcommittee A.

Committee Substitute Bill No. 2A is re-referred to Judiciary Subcommittee A. Committee Substitute Bill No. 2 is placed on the Unfavorable Calendar.

By Representative McGee, Chair, for the Committee on State Personnel:

H.B. 473, A BILL TO BE ENTITLED AN ACT TO PROVIDE EQUAL INCOME TAX TREATMENT OF GOVERNMENT RETIREES' BENEFITS, 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.

The House reconvenes pursuant to recess and is called to order by the Speaker.

On motion of the Speaker, the House recesses at 7:53 p.m.

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RECESS

The House reconvenes pursuant to recess and is called to order by the Speaker.

ADJOURNMENT EXTENDED

On motion of the Speaker and without objection, the House continues its Session past the 9:00 p.m. hour of adjournment.

CALENDAR (continued)

H.B. 556 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF RETIREMENT TO CLARIFY THAT SERVICE AS A VOLUNTEER GUARDIAN AD LITEM IN THE GUARDIAN AD LITEM PROGRAM OR AS A VOLUNTEER FOR A STATE HISTORICAL AND CULTURAL ORGANIZATION IS NOT CONSIDERED SERVICE FOR THE PURPOSE OF THAT DEFINITION.

The bill, as amended, passes its third reading, by electronic vote (110-0), and is ordered engrossed and sent to the Senate.

Representative Cook requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (111-0).

H.B. 654, A BILL TO BE ENTITLED AN ACT AMENDING THE HOMEOWNER AND HOMEBUYER PROTECTION ACT.

The bill passes its third reading, by electronic vote (65-49), and is ordered sent to the Senate.

Representative Guice requests and is granted leave of the House to change his vote from "no" to "aye". The adjusted vote total is (66-48).

H.B. 772 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE JOINT LEGISLATIVE STUDY COMMITTEE ON FEDERAL SEX OFFENDER REGISTRATION AND NOTIFICATION ACT (SORNA) COMPLIANCE, 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.

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H.B. 119 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN ENVIRONMENTAL AND NATURAL RESOURCES LAWS, passes its second reading, by electronic vote (115-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 177 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL AMENDMENTS TO VARIOUS LAWS RELATED TO THE ENVIRONMENT, AND NATURAL RESOURCES, passes its second reading, by electronic vote (114-0), and there being no objection is read a third time.

Representative Torbett requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (115-0).

The bill passes its third reading and is ordered sent to the Senate.

H.B. 384 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO SIMPLIFY THE FEES CHARGED FOR REGISTERING INSTRUMENTS WITH A REGISTER OF DEEDS IN THIS STATE AND TO MODIFY THE INSTRUMENT PAGE REQUIREMENTS.

Representative Howard offers Amendment No. 1 which is adopted by electronic vote (112-1).

Representative Martin requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (113-1).

The bill, as amended, passes its second reading, by electronic vote (110-4), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H.B. 440, A BILL TO BE ENTITLED AN ACT DESIGNATING THE SHELBY LIVERMUSH FESTIVAL AS THE OFFICIAL FALL LIVERMUSH FESTIVAL OF THE STATE OF NORTH CAROLINA AND DESIGNATING THE MARION COMMUNITY AND MCDOWELL COUNTY LIVERMUSH FESTIVAL AS THE OFFICIAL SPRING LIVERMUSH FESTIVAL OF THE STATE OF NORTH CAROLINA.

Representative Gillespie offers Amendment No. 1 which is adopted by electronic vote (110-4). This amendment changes the title.

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Representative Lucas requests and is granted leave of the House to change his vote from "no" to "aye". The adjusted vote total is (111-3).

The bill passes its second reading by electronic vote (107-8). The caption having been amended, the bill remains on the Calendar.

Representatives Bradley, Glazier, and Weiss request and are granted leave of the House to change their votes from "aye" to "no". The adjusted vote total is (104-11).

H.B. 607 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY WHEN A PERSON MAY APPLY FOR A RESTORATION OF THE PERSON'S LICENSE AFTER A HABITUAL DWI CONVICTION, passes its second reading, by electronic vote (111-5), and there being no objection is read a third time.

Representative Pridgen requests and is granted leave of the House to change his vote from "no" to "aye". The adjusted vote total is (112-4).

The bill passes its third reading and is ordered sent to the Senate.

H.B. 659 (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 AND TO PROVIDE THAT INSANITY IS NOT AVAILABLE AS A DEFENSE TO A CRIMINAL ACTION IF PRIOR ALCOHOL OR DRUG USE OR BOTH ARE THE SOLE CAUSE OF THE PSYCHOSIS OR IF VOLUNTARY INTOXICATION, A VOLUNTARY DRUGGED CONDITION, OR BOTH COMBINED ARE THE SOLE SUPPORT FOR THE DEFENSE.

Representative T. Moore offers Amendment No. 2.

Representative T. Moore withdraws Amendment No. 2.

The bill passes its second reading by electronic vote (84-30).

Representative Hastings requests and is granted leave of the House to change his vote from "aye" to "no". Representative Blust requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (84-31).

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Representative T. Moore objects to the third reading. The bill remains on the Calendar.

H.B. 350 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY WHEN LAND USED FOR CONSERVATION PURPOSES IS TO BE EXCLUDED FROM THE PROPERTY TAX BASE.

Having voted with the prevailing side, Representative Jordan moves that the vote by which Amendment No. 1 was adopted, be reconsidered. The motion carries by electronic vote (112-3).

On motion of Representative McGrady and without objection, the bill, with Amendment No. 1 pending, is withdrawn from the Calendar of June 7 and placed on the Calendar of June 8.

WITHDRAWAL OF OBJECTION TO THIRD READING

Representative T. Moore withdraws his objection to the third reading of **H.B. 659** (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 AND TO PROVIDE THAT INSANITY IS NOT AVAILABLE AS A DEFENSE TO A CRIMINAL ACTION IF PRIOR ALCOHOL OR DRUG USE OR BOTH ARE THE SOLE CAUSE OF THE PSYCHOSIS OR IF VOLUNTARY INTOXICATION, A VOLUNTARY DRUGGED CONDITION, OR BOTH COMBINED ARE THE SOLE SUPPORT FOR THE DEFENSE, and the bill is before the Body.

The bill, as amended, passes its third reading, and is ordered engrossed and sent to the Senate.

H.B. 552 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO CREATE THE GREATER ASHEVILLE REGIONAL AIRPORT AUTHORITY.

Representative McGrady offers Amendment No. 1 which is adopted by electronic vote (111-0).

The bill, as amended, passes its second reading by the following vote:

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Avila, Barnhart, Bell, Blackwell, Blust, Boles, Bordsen, Bradley, Brandon, Brawley, Brisson, L. Brown, R. Brown, Brubaker, Bryant, Burr, Carney, Cleveland, Collins, Cook, Cotham, Crawford, Current, Daughtry, Dixon, Dockham, Dollar, Earle, Faircloth, Faison,

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Farmer-Butterfield, Floyd, Folwell, Frye, Gill, Gillespie, Glazier, Goodman, Graham, Guice, Hackney, Hager, Haire, Hall, Hamilton, Harrison, Hastings, Hill, Hilton, Hollo, Holloway, Horn, Howard, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Jordan, Justice, Keever, Killian, Langdon, LaRoque, Lewis, Lucas, Luebke, Martin, McComas, McCormick, McElraft, McGee, McGrady, McGuirt, McLawhorn, Michaux, Mills, Mobley, Moffitt, R. Moore, T. Moore, Murry, Owens, Parfitt, Pierce, Pridgen, Randleman, Rapp, Ross, Sager, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, E. Warren, H. Warren, Weiss, West, Womble, and Wray - 114.

Voting in the negative: None.

Excused absences: Representatives Parmon, Wainwright, and Wilkins - 3.

Without objection, the bill is placed on the Calendar of June 6.

S.B. 431, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF FONTANA DAM, passes its second reading, by the following vote, and without objection, is placed on the Calendar of June 7.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Avila, Barnhart, Bell, Blackwell, Blust, Boles, Bordsen, Bradley, Brandon, Brawley, Brisson, L. Brown, R. Brown, Brubaker, Bryant, Burr, Carney, Cleveland, Collins, Cook, Cotham, Crawford, Current, Daughtry, Dixon, Dockham, Dollar, Earle, Faircloth, Faison, Farmer-Butterfield, Fisher, Floyd, Folwell, Frye, Gill, Gillespie, Glazier, Goodman, Graham, Guice, Hackney, Hager, Haire, Hall, Hamilton, Harrison, Hastings, Hill, Hilton, Hollo, Holloway, Horn, Howard, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Jordan, Justice, Keever, Killian, Langdon, LaRoque, Lewis, Lucas, Luebke, Martin, McCormick, McElraft, McGee, McGrady, McGuirt, McLawhorn, Michaux, Mills, Mobley, Moffitt, R. Moore, T. Moore, Murry, Owens, Parfitt, Pierce, Pridgen, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, E. Warren, H. Warren, Weiss, West, Womble, and Wray - 115.

Voting in the negative: Representative McComas.

Excused absences: Representatives Parmon, Wainwright, and Wilkins - 3.

H.B. 32 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE STATUTORY REQUIREMENT FOR A POLITICAL PARTY TO MAINTAIN BALLOT ELIGIBILITY; TO PROVIDE THAT

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THE RESULTS OF PRIMARIES OF POLITICAL PARTIES WITH LESS THAN TEN PERCENT OF THE REGISTERED VOTERS ARE DETERMINED BY A PLURALITY UNLESS THE PARTY CHOOSES TO NOMINATE BY CONVENTION; TO CHANGE THE DEFINITION OF A "POLITICAL PARTY" BY REDUCING THE NUMBER OF SIGNATURES REQUIRED FOR THE FORMATION OF A NEW POLITICAL PARTY; AND TO REDUCE THE NUMBER OF SIGNATURES REQUIRED FOR UNAFFILIATED CANDIDATES TO OBTAIN BALLOT ACCESS ELIGIBILITY.

On motion of Representative T. Moore and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of June 7.

H.B. 778 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND LAWS RELATING TO THE NORTH CAROLINA INNOCENCE INQUIRY COMMISSION AND THE PRESERVATION OF BIOLOGICAL EVIDENCE.

On motion of Representative T. Moore and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of June 7.

H.B. 824 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NONPARTISAN REDISTRICTING PROCESS.

On motion of Representative T. Moore and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of June 7.

S.B. 709 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE ENERGY PRODUCTION IN NORTH CAROLINA TO DEVELOP A SECURE, STABLE, AND PREDICTABLE ENERGY SUPPLY TO FACILITATE ECONOMIC GROWTH, JOB CREATION, AND EXPANSION OF BUSINESS AND INDUSTRY OPPORTUNITIES AND TO ASSIGN FUTURE REVENUE FROM ENERGY EXPLORATION, DEVELOPMENT, AND PRODUCTION OF ENERGY RESOURCES IN ORDER TO PROTECT AND PRESERVE THE STATE'S NATURAL RESOURCES, CULTURAL HERITAGE, AND QUALITY OF LIFE.

On motion of Representative T. Moore and without objection, the bill is withdrawn from the Calendar and re-referred to the Committee on Public Utilities.

S.B. 155 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWNS OF GARNER, KNIGHTDALE, MORRISVILLE, WENDELL, AND ZEBULON AND THE CITIES OF

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DURHAM AND WINSTON-SALEM TO COLLECT DELINQUENT STORMWATER UTILITY FEES IN THE SAME MANNER AS THEY MAY COLLECT DELINQUENT PERSONAL AND REAL PROPERTY TAXES, 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.

H.B. 571 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT IMPOSING A SERVICE CHARGE ON EACH RETAIL TRANSACTION OF PREPAID WIRELESS TELECOMMUNICATIONS SERVICE FOR ANY PURPOSE OTHER THAN RESALE OCCURRING IN THIS STATE, REQUIRING THAT THE SERVICE CHARGE BE COLLECTED BY THE SELLER OF PREPAID WIRELESS TELECOMMUNICATIONS SERVICE AND REMITTED TO THE DEPARTMENT OF REVENUE, AND PROVIDING THAT THE DEPARTMENT OF REVENUE SHALL TRANSFER ALL SERVICE CHARGES COLLECTED, MINUS THE COSTS OF COLLECTION, TO THE 911 FUND TO SUPPORT 911 SERVICES IN THE STATE, passes its second reading, by the following vote, and without objection is placed on the Calendar of June 6.

Those voting in the affirmative are: Representatives Adams, K. Alexander, Avila, Barnhart, Bell, Blackwell, Blust, Boles, Bordsen, Bradley, Brandon, Brawley, Brisson, L. Brown, R. Brown, Brubaker, Bryant, Burr, Carney, Collins, Cook, Cotham, Crawford, Current, Daughtry, Dixon, Dockham, Dollar, Earle, Faircloth, Faison, Farmer-Butterfield, Fisher, Floyd, Frye, Gill, Gillespie, Glazier, Goodman, Graham, Guice, Hackney, Hager, Haire, Hall, Hamilton, Hastings, Hill, Hilton, Hollo, Holloway, Horn, Howard, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Jordan, Justice, Keever, Killian, Langdon, LaRoque, Lewis, Lucas, Martin, McComas, McCormick, McElraft, McGee, McGrady, McGuiert, McLawhorn, Michaux, Mills, Mobley, Moffitt, R. Moore, T. Moore, Murry, Owens, Parfitt, Pierce, Pridgen, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Tolson, Torbett, E. Warren, H. Warren, West, Womble, and Wray - 109.

Voting in the negative: Representatives M. Alexander, Cleveland, Harrison, Luebke, Stone, and Weiss - 6.

Excused absences: Representatives Parmon, Wainwright, and Wilkins - 3.

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H.B. 342 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT PROHIBITING ANY PUBLIC INSTITUTION OF HIGHER EDUCATION FROM SOLICITING OR USING INFORMATION REGARDING THE ACCREDITATION OF A SECONDARY SCHOOL LOCATED IN NORTH CAROLINA THAT IS ATTENDED BY A STUDENT AS A FACTOR AFFECTING ADMISSIONS, LOANS, SCHOLARSHIPS, OR OTHER EDUCATIONAL ACTIVITY AT THE PUBLIC INSTITUTION, UNLESS THE ACCREDITATION WAS CONDUCTED BY A STATE AGENCY; AUTHORIZING THE STATE BOARD OF EDUCATION TO ACCREDIT SCHOOLS IN A LOCAL SCHOOL ADMINISTRATIVE UNIT AT THE REQUEST OF AND AT THE EXPENSE OF THAT UNIT; AND MODIFYING THE BUDGET OF THE DEPARTMENT OF PUBLIC INSTRUCTION ACCORDINGLY.

On motion of Representative Blackwell and without objection, the bill is temporarily displaced.

H.B. 462, A BILL TO BE ENTITLED AN ACT TO STUDY THE ADEQUACY OF CURRENT CONSUMER PROTECTIONS FOR BUSINESS OPPORTUNITY AND FRANCHISE SALES, 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.

H.B. 538, A BILL TO BE ENTITLED AN ACT TO REMOVE THE REQUIREMENT THAT LAW ENFORCEMENT OFFICERS HAVE ONE YEAR OF CREDITABLE SERVICE IN ORDER TO QUALIFY FOR DISABILITY RETIREMENT BENEFITS UNDER THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM FOR INJURIES INCURRED IN THE LINE OF DUTY, passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 617 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE REGULATION OF PORTABLE ELECTRONICS INSURANCE, passes its second reading, by electronic vote (114-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

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H.B. 707 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODERNIZE AND ENACT CERTAIN PROVISIONS REGARDING DEEDS OF TRUST, INCLUDING RELEASES, SHORT SALES, FUTURE ADVANCE PROVISION TERMINATIONS AND SATISFACTIONS, TERMINATIONS AND SATISFACTIONS FOR EQUITY LINE LIENS, RELEASE OF ANCILLARY DOCUMENTS, ELIMINATING TRUSTEE OF DEED OF TRUST AS NECESSARY PARTY FOR CERTAIN TRANSACTIONS AND LITIGATION, AND INDEXING OF SUBSEQUENT INSTRUMENTS RELATED THERETO, 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.

H.B. 749 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENSURE THAT THE NORTH CAROLINA STATE PORTS AUTHORITY DEVELOPS BUSINESSES RATHER THAN COMPETING WITH BUSINESSES; AND TO STUDY A PROJECT TO FACILITATE SHIPPING UP THE CAPE FEAR RIVER, passes its second reading, by electronic vote (114-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 799, A BILL TO BE ENTITLED AN ACT TO ALLOW LICENSURE BY ENDORSEMENT FOR MILITARY PERSONNEL AND MILITARY SPOUSES.

Representative Stam offers Amendment No. 1 which is adopted by electronic vote (116-0).

On motion of Representative Martin and without objection, the bill is temporarily displaced.

H.B. 850 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE A PERMISSIVE INFERENCE OF PROXIMATE CASE FOR THE USE OF A MOBILE PHONE WHEN INVOLVED IN A REPORTABLE CRASH.

Representative Stam offers Amendment No. 1 which is adopted by electronic vote (112-1).

On motion of Representative Folwell and without objection, the bill is withdrawn from the Calendar, ordered engrossed, and placed on the Calendar of June 7.

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H.B. 853, A BILL TO BE ENTITLED AN ACT NO LONGER REQUIRING A COURT ORDER TO ESTABLISH LOCAL INTAKE PROCEDURES FOR RECEIVING DELINQUENCY AND UNDISCIPLINED COMPLAINTS UNDER THE LAWS PERTAINING TO UNDISCIPLINED AND DELINQUENT JUVENILES AND AUTHORIZING THE DEPARTMENT OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION TO MONITOR COUNTY DETENTION CENTERS, passes its second reading by electronic vote (114-0).

On motion of Representative Mobley and without objection, the bill is temporarily displaced.

H.B. 896 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO FACILITATE ELECTRONIC LISTING OF PERSONAL PROPERTY FOR PROPERTY TAX PURPOSES, passes its second reading, by electronic vote (113-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 903 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE TIER ONE TREATMENT FOR PORT ENHANCEMENT ZONES.

On motion of Representative T. Moore and without objection, the bill is withdrawn from the Calendar and re-referred to the Committee on Finance.

H.B. 799, A BILL TO BE ENTITLED AN ACT TO ALLOW LICENSURE BY ENDORSEMENT FOR MILITARY PERSONNEL AND MILITARY SPOUSES, which was temporarily displaced, is before the Body.

The bill, as amended, passes its second reading by electronic vote (111-4).

Representative Faison objects to the third reading. Without objection, the bill is placed on the Calendar of June 6.

H.B. 853, A BILL TO BE ENTITLED AN ACT NO LONGER REQUIRING A COURT ORDER TO ESTABLISH LOCAL INTAKE PROCEDURES FOR RECEIVING DELINQUENCY AND UNDISCIPLINED COMPLAINTS UNDER THE LAWS PERTAINING TO UNDISCIPLINED AND DELINQUENT JUVENILES AND AUTHORIZING THE DEPARTMENT OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION TO MONITOR COUNTY DETENTION CENTERS, which was temporarily displaced, is before the Body.

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On motion of Representative Mobley, the bill is withdrawn from the Calendar, and placed on the Calendar of June 7.

BILL PLACED ON CALENDAR

H.B. 778 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND LAWS RELATING TO THE NORTH CAROLINA INNOCENCE INQUIRY COMMISSION AND THE PRESERVATION OF BIOLOGICAL EVIDENCE.

On motion of Representative T. Moore and without objection, the bill is withdrawn from the Calendar of June 7 and placed on the Calendar for immediate consideration.

Representative Glazier offers Amendment No. 1 which is adopted by electronic vote (116-0).

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.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from permanent subcommittee are presented:

By Representative Blust, Chair, for Judiciary Subcommittee A, with approval of standing committee Chair for reports to be made directly to the floor of the House:

H.B. 36 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE COUNTIES, MUNICIPALITIES, ENTITIES WHO CONTRACT WITH A GOVERNMENT AGENCY IN THIS STATE, AND THEIR SUBCONTRACTORS TO USE THE FEDERAL E-VERIFY PROGRAM TO VERIFY THE WORK AUTHORIZATION OF NEWLY HIRED EMPLOYEES, 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.

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H.B. 374, A BILL TO BE ENTITLED AN ACT TO PROTECT THOSE IMPACTED BY THE NORTH CAROLINA EUGENICS BOARD PROGRAM FROM 1929 TO 1975 BY PROVIDING THAT CERTAIN INFORMATION PERTAINING TO THEM IS NOT A PUBLIC RECORD, with a favorable report.

Without objection, the bill is placed on today's Calendar for immediate consideration.

The bill passes its second reading, by electronic vote (114-1), and there being no objection is read a third time.

Representative Boles requests and is granted leave of the House to change his vote from "no" to "aye". The adjusted vote total is (115-0).

The bill passes its third reading and is ordered sent to the Senate by Special Message.

CALENDAR (continued)

H.B. 342 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT PROHIBITING ANY PUBLIC INSTITUTION OF HIGHER EDUCATION FROM SOLICITING OR USING INFORMATION REGARDING THE ACCREDITATION OF A SECONDARY SCHOOL LOCATED IN NORTH CAROLINA THAT IS ATTENDED BY A STUDENT AS A FACTOR AFFECTING ADMISSIONS, LOANS, SCHOLARSHIPS, OR OTHER EDUCATIONAL ACTIVITY AT THE PUBLIC INSTITUTION, UNLESS THE ACCREDITATION WAS CONDUCTED BY A STATE AGENCY; AUTHORIZING THE STATE BOARD OF EDUCATION TO ACCREDIT SCHOOLS IN A LOCAL SCHOOL ADMINISTRATIVE UNIT AT THE REQUEST OF AND AT THE EXPENSE OF THAT UNIT; AND MODIFYING THE BUDGET OF THE DEPARTMENT OF PUBLIC INSTRUCTION ACCORDINGLY, which was temporarily displaced, is before the Body.

Representative Holloway calls the previous question on the passage of the bill and the call is sustained by electronic vote (67-44).

The bill passes its second reading by electronic vote (73-40).

Representative Carney requests and is granted leave of the House to be recorded as voting "no". The adjusted vote total is (73-41).

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Representative Hackney objects to the third reading. Without objection, the bill is placed on the Calendar of June 6.

On motion of Representative LaRoque, seconded by Representative Brubaker, the House adjourns to reconvene June 4 at 12:05 a.m.

SEVENTY-SEVENTH DAY

HOUSE OF REPRESENTATIVES
Saturday, June 4, 2011

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:

"This is the day the Lord has made. Let us rejoice and be glad in it! Now, may the words of our mouths and the meditations of our hearts be acceptable in Your sight, O Lord, our Rock and our Redeemer. Amen."

Representative T. Moore, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 3 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Parmon and Wilkins for today.

WITHDRAWAL OF BILL FROM COMMITTEE

On motion of Representative T. Moore and without objection, **H.B. 320**, A BILL TO BE ENTITLED AN ACT TO CONTINUE THE STUDY OF PUBLIC-PRIVATE PARTNERSHIPS BY A LEGISLATIVE STUDY COMMISSION, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and pursuant to Rule 36(b), is placed on the Calendar.

RE-REFERRAL

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **S.B. 183** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ESTABLISH CERTAIN STATUTORY STAN-

June 4, 2011

DARDS FOR SELECTIVE VEGETATION REMOVAL WITHIN THE RIGHTS-OF-WAY OF THE STATE HIGHWAY SYSTEM, is withdrawn from the Committee on Transportation and re-referred to the Commerce and Job Development Subcommittee on Business and Labor.

CALENDAR

Action is taken on the following:

H.B. 200 (Senate Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO SPUR THE CREATION OF PRIVATE SECTOR JOBS; REORGANIZE AND REFORM STATE GOVERNMENT; MAKE BASE BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS AND INSTITUTIONS; AND TO ENACT BUDGET RELATED AMENDMENTS.

On motion of Representative Brubaker, the House concurs in the material Senate Committee Substitute Bill No. 3, which changes the title, on its third roll call reading, by the following vote, and the bill is ordered enrolled and presented to the Governor by Special Message.

Those voting in the affirmative are: Speaker Tillis; Representatives Avila, Barnhart, Blackwell, Blust, Boles, Bradley, Brawley, Brisson, L. Brown, R. Brown, Brubaker, Burr, Cleveland, Collins, Cook, Crawford, Current, Daughtry, Dixon, Dockham, Dollar, Faircloth, Folwell, Frye, Gillespie, Guice, Hager, Hastings, Hill, Hilton, Hollo, Holloway, Horn, Howard, Hurley, Iler, Ingle, Johnson, Jones, Jordan, Justice, Killian, Langdon, LaRoque, Lewis, McComas, McCormick, McElraft, McGee, McGrady, Mills, Moffitt, T. Moore, Murry, Owens, Pridgen, Randleman, Rhyne, Sager, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Torbett, H. Warren, and West - 73.

Voting in the negative: Representatives Adams, K. Alexander, M. Alexander, Bell, Bordsen, Brandon, Bryant, Carney, Cotham, Earle, Faison, Farmer-Butterfield, Fisher, Floyd, Gill, Glazier, Goodman, Graham, Hackney, Haire, Hall, Hamilton, Harrison, Insko, Jackson, Jeffus, Keever, Lucas, Luebke, Martin, McGuirt, McLawhorn, Michaux, Mobley, R. Moore, Parfitt, Pierce, Rapp, Ross, Tolson, Wainwright, E. Warren, Weiss, Womble, and Wray - 45.

Excused absences: Representatives Parmon and Wilkins - 2.

June 4, 2011

Representative LaRoque moves, seconded by Representative Stam, that the House adjourn, subject to the ratification of bills, to reconvene Monday, June 6, 2011 at 7:00 p.m.

The motion carries.

ENROLLED BILLS

The following bills are duly ratified and presented to the Governor:

S.B. 307, AN ACT TO ESTABLISH THE NORTH CAROLINA SMART CARD PILOT PROGRAM TO COMBAT FRAUD.

S.B. 501, AN ACT TO FACILITATE IMPROVED OPERATIONS AND CONDITIONS AT CERTAIN PREEXISTING SWINE FARMS BY PROVIDING FOR THE CONSTRUCTION OR RENOVATION OF SWINE HOUSES AT THOSE FARMS.

H.B. 200, AN ACT TO SPUR THE CREATION OF PRIVATE SECTOR JOBS; REORGANIZE AND REFORM STATE GOVERNMENT; MAKE BASE BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS AND INSTITUTIONS; AND TO ENACT BUDGET RELATED AMENDMENTS.

The following bill is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 145, AN ACT TO ALLOW THE TOWN OF SOUTHERN SHORES TO IMPOSE A CANAL DREDGING AND MAINTENANCE FEE AND TO ASSESS FOR NAVIGATION PROJECTS.

CHAPTERED BILLS

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

S.B. 247, AN ACT TO ELIMINATE THE INCOME THRESHOLD FOR CONTRIBUTIONS TO AN ACCOUNT IN THE PARENTAL SAVINGS TRUST FUND OF THE STATE EDUCATION ASSISTANCE AUTHORITY. (S.L. 2011-106)

June 4, 2011

H.B. 98, AN ACT TO ALLOW ALCOHOLIC BEVERAGE PERMITTEES WHO HAVE BEEN ISSUED BREWERY PERMITS TO SELL MALT BEVERAGES BREWED AT THE BREWERY ON THE PREMISES OF THE BREWERY. (S.L. 2011-107)

The House stands adjourned at 12:22 a.m.

SEVENTY-EIGHTH DAY

HOUSE OF REPRESENTATIVES
Monday, June 6, 2011

The House meets at 7:00 p.m. pursuant to adjournment and is called to order by Representative Folwell, Speaker Pro Tempore.

Prayer is offered by Representative John Torbett.

The Chair leads the Body in the Pledge of Allegiance.

Representative T. Moore, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 4 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Dixon, Farmer-Butterfield, and Wilkins for today.

CHAPTERED BILLS

The following bill is properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

S.B. 145, AN ACT TO ALLOW THE TOWN OF SOUTHERN SHORES TO IMPOSE A CANAL DREDGING AND MAINTENANCE FEE AND TO ASSESS FOR NAVIGATION PROJECTS. (S.L. 2011-108)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from permanent subcommittee are presented:

June 6, 2011

By Representative Blust, Chair, for Judiciary Subcommittee A, with approval of standing committee Chair for report to be made directly to the floor of the House:

H.B. 174 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE COMMERCIAL REAL ESTATE BROKER LIEN ACT, 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 7. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

H.B. 714, A BILL TO BE ENTITLED AN ACT TO ALLOW NONPROFIT CORPORATIONS OPERATING AS A PROFESSIONAL AND TRADE ASSOCIATION OR A BUSINESS LEAGUE TO PROVIDE LEGAL SERVICES TO ITS MEMBERS USING ATTORNEYS DULY LICENSED TO PRACTICE LAW IN THIS STATE, 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. 252, A BILL TO BE ENTITLED AN ACT TO APPLY THROUGHOUT THE GENERAL STATUTES THE DEFINITION OF "DEVISEE" FOUND IN CHAPTER 28A OF THE GENERAL STATUTES RELATING TO THE ADMINISTRATION OF DECEDENTS' ESTATES AND TO DEFINE "DEVISE" CONSISTENTLY WITH THAT DEFINITION, TO MAKE THE USAGE OF THESE TERMS MORE UNIFORM THROUGHOUT THE GENERAL STATUTES, AND TO MAKE TECHNICAL CHANGES TO SECTIONS OF THE GENERAL STATUTES OTHERWISE AMENDED BY THIS ACT, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

SUBCOMMITTEE REFERRAL

Representative McComas, Chair, for the Standing Committee on Commerce and Job Development, refers **H.B. 237**, A BILL TO BE ENTITLED AN ACT TO REQUIRE ECONOMIC IMPACT STATEMENTS ON ALL BILLS THAT PROPOSE REGULATORY CHANGES, SIMILAR

June 6, 2011

TO THE FISCAL NOTES THAT AGENCIES MUST PREPARE DURING RULE MAKING, to the Commerce and Job Development Subcommittee on Business and Labor.

CROSSOVER DEADLINE AGREEMENT

June 6, 2011

AGREEMENT TO COVER BILLS AND RESOLUTIONS PASSED FOLLOWING ADJOURNMENT OF EITHER CHAMBER PRIOR TO THE OTHER ON JUNE 9, 2011, THE CROSSOVER DEADLINE.

It is agreed that all bills and resolutions passed by the House of Representatives or the Senate on June 9, 2011, and ordered sent to the other chamber, but not read as a message on the floor of either Body, shall be considered to have met the provisions of House Rule 31.1(h) and Senate Rule 41.

S/ Philip E. Berger
Senate President Pro Tempore

S/ Thom Tillis
Speaker of the House of Representatives

CALENDAR

Action is taken on the following:

H.B. 832, A BILL TO BE ENTITLED AN ACT TO ALLOW NON-ATTORNEY OWNERSHIP OF PROFESSIONAL CORPORATION LAW FIRMS, SUBJECT TO CERTAIN REQUIREMENTS.

Representative Daughtry moves that the bill be withdrawn from the Calendar and re-referred to Judiciary Subcommittee A.

Representative Brubaker moves, seconded by Representative Howard, that the motion to re-refer the bill do lie upon the table. The motion fails by electronic vote (26-87).

The motion to withdraw the bill from the Calendar and re-refer it to Judiciary Subcommittee A carries by electronic vote (87-28).

The bill is withdrawn from the Calendar and re-referred to Judiciary Subcommittee A.

June 6, 2011

H.B. 552 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO CREATE THE GREATER ASHEVILLE REGIONAL AIRPORT AUTHORITY.

Representative McGrady offers Amendment No. 2 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.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Avila, Barnhart, Bell, Blackwell, Blust, Boles, Bordsen, Bradley, Brandon, Brawley, Brisson, L. Brown, R. Brown, Brubaker, Bryant, Burr, Cleveland, Collins, Cotham, Crawford, Current, Daughtry, Dockham, Dollar, Earle, Faircloth, Faison, Floyd, Frye, Gill, Gillespie, Glazier, Goodman, Graham, Guice, Hackney, Hager, Haire, Hall, Hamilton, Harrison, Hastings, Hill, Hilton, Hollo, Holloway, Horn, Howard, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Jordan, Justice, Keever, Killian, Langdon, LaRoque, Lucas, Luebke, Martin, McCormick, McElraft, McGee, McGrady, McGuirt, McLawhorn, Michaux, Mills, Mobley, Moffitt, R. Moore, T. Moore, Murry, Owens, Parfitt, Parmon, Pierce, Pridgen, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Wainwright, E. Warren, H. Warren, Weiss, West, Womble, and Wray - 110.

Voting in the negative: None.

Excused absences: Representatives Dixon, Farmer-Butterfield, and Wilkins - 3.

Representative Carney requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (111-0).

H.B. 96 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ALLEGHANY AND JACKSON COUNTIES TO LEVY AN ADDITIONAL THREE PERCENT ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX AND TO MAKE OTHER ADMINISTRATIVE 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, Barnhart, Bell, Blackwell, Blust, Bordsen, Bradley, Brandon, Brisson, R. Brown, Bryant, Carney, Cook, Cotham, Crawford, Current, Daughtry, Dockham, Earle, Faircloth, Faison, Fisher, Floyd, Gill, Glazier,

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Goodman, Graham, Hackney, Haire, Hall, Hamilton, Harrison, Hill, Hilton, Iler, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Keever, Langdon, Lucas, Luebke, Martin, McComas, McElraft, McGee, McGrady, McGuirt, McLawhorn, Michaux, Mobley, R. Moore, Owens, Parfitt, Parmon, Pierce, Pridgen, Rapp, Rhyne, Ross, Sager, Samuelson, Sanderson, Spear, Stam, Starnes, Stevens, Tolson, Wainwright, E. Warren, Weiss, West, Womble, and Wray - 79.

Voting in the negative: Representatives Avila, Boles, Brawley, L. Brown, Brubaker, Burr, Cleveland, Collins, Dollar, Frye, Gillespie, Guice, Hager, Hastings, Hollo, Holloway, Horn, Howard, Hurley, Ingle, Jordan, Killian, LaRoque, McCormick, Mills, Moffitt, T. Moore, Murry, Randleman, Setzer, Shepard, Steen, Stone, Torbett, and H. Warren - 35.

Excused absences: Representatives Dixon, Farmer-Butterfield, and Wilkins - 3.

Representative Guice requests and is granted leave of the House to change his vote from "no" to "aye". Representative Hilton requests and is granted leave of the House to change his vote from "aye" to "no". The adjusted vote total is (79-35).

H.B. 469 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE AUTHORIZATION TO LEVY AN OCCUPANCY TAX IN THE CITY OF LUMBERTON AND THE TOWN OF ST. PAULS, 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, Barnhart, Bell, Blackwell, Bordsen, Bradley, Brandon, Brisson, R. Brown, Bryant, Carney, Cleveland, Cotham, Crawford, Current, Daughtry, Dockham, Earle, Faircloth, Faison, Fisher, Floyd, Gill, Glazier, Goodman, Graham, Guice, Hackney, Haire, Hall, Hamilton, Harrison, Hill, Iler, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Keever, Langdon, Lucas, Luebke, Martin, McComas, McCormick, McElraft, McGee, McGuirt, McLawhorn, Michaux, Mobley, R. Moore, Owens, Parfitt, Parmon, Pierce, Pridgen, Rapp, Rhyne, Ross, Sager, Samuelson, Sanderson, Spear, Stam, Starnes, Stevens, Tolson, Wainwright, E. Warren, Weiss, West, Womble, and Wray - 78.

Voting in the negative: Representatives Avila, Blust, Boles, Brawley, L. Brown, Brubaker, Burr, Collins, Dollar, Frye, Gillespie, Hager, Hastings, Hilton, Hollo, Holloway, Horn, Howard, Hurley, Ingle, Jordan, Killian, LaRoque, Mills, Moffitt, T. Moore, Murry, Randleman, Setzer, Shepard, Steen, Stone, Torbett, and H. Warren - 34.

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Excused absences: Representatives Dixon, Farmer-Butterfield, and Wilkins - 3.

H.B. 571 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT IMPOSING A SERVICE CHARGE ON EACH RETAIL TRANSACTION OF PREPAID WIRELESS TELECOMMUNICATIONS SERVICE FOR ANY PURPOSE OTHER THAN RESALE OCCURRING IN THIS STATE, REQUIRING THAT THE SERVICE CHARGE BE COLLECTED BY THE SELLER OF PREPAID WIRELESS TELECOMMUNICATIONS SERVICE AND REMITTED TO THE DEPARTMENT OF REVENUE, AND PROVIDING THAT THE DEPARTMENT OF REVENUE SHALL TRANSFER ALL SERVICE CHARGES COLLECTED, MINUS THE COSTS OF COLLECTION, TO THE 911 FUND TO SUPPORT 911 SERVICES IN THE STATE, 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, Avila, Barnhart, Bell, Blackwell, Blust, Boles, Bordsen, Bradley, Brawley, Brisson, L. Brown, R. Brown, Brubaker, Bryant, Burr, Carney, Collins, Cook, Cotham, Crawford, Current, Daughtry, Dockham, Dollar, Earle, Faircloth, Faison, Fisher, Floyd, Frye, Gill, Gillespie, Glazier, Goodman, Graham, Guice, Hackney, Haire, Hall, Hamilton, Hastings, Hill, Hilton, Hollo, Holloway, Horn, Howard, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Jordan, Justice, Keever, Killian, Langdon, LaRoque, Lewis, Lucas, Martin, McComas, McCormick, McElraft, McGee, McGrady, McGuirt, McLawhorn, Michaux, Mills, Mobley, Moffitt, R. Moore, T. Moore, Murry, Owens, Parfitt, Parmon, Pierce, Pridgen, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Tolson, Torbett, Wainwright, E. Warren, H. Warren, West, Womble, and Wray - 107.

Voting in the negative: Representatives M. Alexander, Cleveland, Hager, Harrison, Luebke, Stone, and Weiss - 7.

Excused absences: Representatives Dixon, Farmer-Butterfield, and Wilkins - 3.

Representative Brandon requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (108-7).

H.B. 342 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT PROHIBITING ANY PUBLIC INSTITUTION OF HIGHER EDUCATION FROM SOLICITING OR USING INFORMATION REGARDING THE ACCREDITATION OF A SECONDARY SCHOOL LOCATED IN

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NORTH CAROLINA THAT IS ATTENDED BY A STUDENT AS A FACTOR AFFECTING ADMISSIONS, LOANS, SCHOLARSHIPS, OR OTHER EDUCATIONAL ACTIVITY AT THE PUBLIC INSTITUTION, UNLESS THE ACCREDITATION WAS CONDUCTED BY A STATE AGENCY; AUTHORIZING THE STATE BOARD OF EDUCATION TO ACCREDIT SCHOOLS IN A LOCAL SCHOOL ADMINISTRATIVE UNIT AT THE REQUEST OF AND AT THE EXPENSE OF THAT UNIT; AND MODIFYING THE BUDGET OF THE DEPARTMENT OF PUBLIC INSTRUCTION ACCORDINGLY, passes its third reading, by electronic vote (66-46), and is ordered sent to the Senate.

H.B. 440, A BILL TO BE ENTITLED AN ACT DESIGNATING THE SHELBY LIVERMUSH FESTIVAL AS THE OFFICIAL FALL LIVERMUSH FESTIVAL OF THE STATE OF NORTH CAROLINA AND DESIGNATING THE MARION LIVERMUSH FESTIVAL AS THE OFFICIAL SPRING LIVERMUSH FESTIVAL OF THE STATE OF NORTH CAROLINA.

The bill, as amended, passes its third reading, by electronic vote (101-9), and is ordered engrossed and sent to the Senate.

RE-REFERRALS

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 800**, A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA JOBS AND COMMERCE CORPORATION TASK FORCE TO STUDY THE IMPLEMENTATION OF THE TRANSFERRING OF ECONOMIC DEVELOPMENT ACTIVITIES INTO A SINGLE ENTITY, is withdrawn from the Committee on Commerce and Job Development and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 741**, A BILL TO BE ENTITLED AN ACT PROVIDING FOR AN ENTERPRISE APPROACH FOR DETECTION OF FRAUD, WASTE, ABUSE, AND IMPROPER PAYMENTS IN STATE GOVERNMENT PROGRAMS AND APPROPRIATING FUNDS FOR THAT PURPOSE, is withdrawn from the Committee on Appropriations and re-referred to Judiciary Subcommittee B.

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **S.B. 484** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE ADDITIONAL CREDITS ASSIGNED TO THE FIRST TEN MEGAWATTS OF BIOMASS RENEWABLE

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ENERGY FACILITY GENERATION CAPACITY PURSUANT TO S.L. 2010-195 (CLEANFIELDS ACT OF 2010) ARE ELIGIBLE TO SATISFY THE POULTRY WASTE SET-ASIDE, is withdrawn from the Committee on Finance and re-referred to the Committee on Agriculture.

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 134**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CARTERET COUNTY OCCUPANCY TAX, is withdrawn from the Committee on Finance and re-referred to the Committee on Education.

On motion of Representative LaRoque, pursuant to Rule 39.2 and without objection, **S.B. 581**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT A SECURITY INTEREST IN A TITLE SHALL BE RELEASED AFTER SATISFACTION AND TO RESTRICT FRANCHISED MOTOR VEHICLE DEALERS PLATES TO AN OFFICER, SALES REPRESENTATIVE, OR OTHER EMPLOYEE OF A FRANCHISED MOTOR VEHICLE DEALER OR AN IMMEDIATE FAMILY MEMBER OF AN OFFICER, SALES REPRESENTATIVE, OR OTHER EMPLOYEE OF A FRANCHISED MOTOR VEHICLE DEALER, is withdrawn from the Committee on Finance and re-referred to the Committee on Transportation.

WITHDRAWAL OF BILL FROM COMMITTEE

On motion of Representative T. Moore and without objection, **H.B. 773**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR STUDIES BY THE HOUSE OF REPRESENTATIVES AND THE SENATE, STATUTORY OVERSIGHT COMMITTEES AND COMMISSIONS, AND OTHER AGENCIES, COMMITTEES, AND COMMISSIONS, 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 June 7.

SERIAL REFERRAL STRICKEN

On motion of Representative T. Moore, and without objection, the serial referral to the Committee on Agriculture for **H.B. 882**, A BILL TO BE ENTITLED AN ACT TO REQUIRE ALL-TERRAIN VEHICLES AND MOTORCYCLES MEETING CERTAIN CRITERIA TO BE REGISTERED WITH THE WILDLIFE RESOURCES COMMISSION, TO CHARGE A REGISTRATION FEE FOR ALL-TERRAIN VEHICLES OR MOTORCYCLES REGISTERED FOR OFF-ROAD USE, TO CREATE A SPECIAL REVENUE FUND IN THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES DESIGNATED AS THE ALL-TERRAIN VEHICLE AND MOTORCYCLE OFF-ROAD FUND TO BE USED FOR ACQUISITION, CONSTRUCTION, MAINTENANCE, AND

June 6, 2011

OPERATION OF ALL-TERRAIN VEHICLE AND MOTORCYCLE RECREATION TRAILS, AND TO PROVIDE SAFETY TRAINING FOR OPERATORS OF ALL-TERRAIN VEHICLES AND MOTORCYCLES REGISTERED FOR OFF-ROAD USE, is stricken.

INTRODUCTION OF PAGES

Pages for the week of June 6 are introduced to the membership. They are: Madison Bell of Wake; Ryan Buchanan of Avery; Daniel Burnette of Vance; Hannah Cowell of Pamlico; James Finch, II, of Mecklenburg; Andrew Fried of Cabarrus; Carolyn Hawkes of Wake; Garrett Heath of Gaston; Jenna Hutcheson of Durham; Meredith Kuznar of Cumberland; Lucy Manning of Lenoir; Daniel Nelli of Gaston; Kevin Ortiz of Cabarrus; Philip Pate of Duplin; Casey Patillo of Cumberland; Dillon Ragusa of Wake; Rohan Rajeev of Wake; Johnathan Rhyne, III, of Gaston; Grayson Russell of Wake; Tyler Stohlman of Wake; Savannah Story of Wake; Jake Ward of Rowan; and Thomas Whitman of New Hanover.

CALENDAR (continued)

H.B. 799, A BILL TO BE ENTITLED AN ACT TO ALLOW LICENSURE BY ENDORSEMENT FOR MILITARY PERSONNEL AND MILITARY SPOUSES.

Representative Martin offers Amendment No. 2 which is adopted by electronic vote (113-1).

Representative R. Moore requests and is granted leave of the House to change his vote from "no" to "aye". The adjusted vote total is (114-0).

The bill, as amended, passes its third reading, by electronic vote (112-2), and is ordered engrossed and sent to the Senate.

Representative Insko requests and is granted leave of the House to change her vote from "no" to "aye". The adjusted vote total is (113-1).

NOTICE GIVEN OF DISCHARGE PETITION FOR BILL

Representative Bradley gives notice, pursuant to Rule 39(a), that he will file a petition with the Principal Clerk's office for the discharge of **H.B. 587**, A BILL TO BE ENTITLED AN ACT TO PROMOTE NORTH CAROLINA JOB GROWTH THROUGH REGULATORY REFORM, from the Commerce and Job Development Subcommittee on Business and Labor. The petition, with fiscal note attached, will be on file in the House Principal Clerk's office.

June 6, 2011

SPECIAL MESSAGE FROM THE SENATE

The following Special Message is received from the Senate:

S.J.R. 778, A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF THE APPOINTMENT OF EDWARD S. FINLEY, JR., TO THE UTILITIES COMMISSION, is read the first time.

Pursuant to Rule 32(a), the resolution is placed on the Calendar of June 7.

Representative LaRoque moves, seconded by Representative Cleveland, that the House adjourn, subject to the receipt of Messages from the Senate, to reconvene June 7 at 2:00 p.m.

The motion carries.

No Messages from the Senate having been received, the House stands adjourned at 8:45 p.m.

SEVENTY-NINTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, June 7, 2011

The House meets at 2:00 p.m. pursuant to adjournment and is called to order by Representative Folwell, Speaker Pro Tempore.

Prayer is offered by Representative Rosa Gill.

The Chair leads the Body in the Pledge of Allegiance.

Representative T. Moore, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 6 has been examined and found correct. Upon his motion, the Journal is approved as written.

A leave of absence is granted Representative Wilkins for today. Representative Cotham is excused for a portion of the Session.

June 7, 2011

**REPORTS OF STANDING COMMITTEES AND PERMANENT
SUBCOMMITTEES**

The following reports from standing committees and permanent subcommittees are presented:

By Representatives T. Moore and Rhyne, Chairs, for Judiciary Subcommittee C, with approval of standing committee Chair for report to be made directly to the floor of the House:

H.B. 176, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR REVIEW OF A DEFENDANT'S PARTICIPATION IN A COURT-ORDERED ABUSER TREATMENT PROGRAM, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMITTEE ON DOMESTIC VIOLENCE, 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) and without objection, the committee substitute bill is placed on today's Supplemental Calendar. The original bill is placed on the Unfavorable Calendar.

By Representatives Howard, Folwell, Setzer, and Starnes, Chairs, for the Committee on Finance:

H.B. 289 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE VARIOUS SPECIAL REGISTRATION PLATES, with a favorable report as to Committee Substitute Bill No. 2, 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 Supplemental Calendar. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

H.B. 409, A BILL TO BE ENTITLED AN ACT TO ALLOW GUILFORD TECHNICAL COMMUNITY COLLEGE TO LEASE A PORTION OF ITS PROPERTY TO THE NORTH CAROLINA CENTER FOR GLOBAL LOGISTICS, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b) and without objection, the committee substitute bill is placed on today's Supplemental Calendar. The original bill is placed on the Unfavorable Calendar.

June 7, 2011

H.B. 895, A BILL TO BE ENTITLED AN ACT TO MAKE MODIFICATIONS TO THE BUTNER PUBLIC SAFETY DIVISION, 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. 118, A BILL TO BE ENTITLED AN ACT TO EXPAND THE DEFINITION OF DOWNTOWN REVITALIZATION IN THE MUNICIPAL SERVICE DISTRICT LAW, with a favorable report as to the House committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b) and without objection, the House committee substitute bill is placed on today's Supplemental Calendar. The original bill is placed on the Unfavorable Calendar.

S.B. 590, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT TERMINAL RENTAL ADJUSTMENT CLAUSES DO NOT CREATE A SALE OR SECURITY INTEREST IN THE LEASED VEHICLE, with a favorable report.

Pursuant to Rule 36(b) and without objection, the bill is placed on today's Supplemental Calendar.

By Representatives Burr and Dollar, Chairs, for the Appropriations Subcommittee on Health and Human Services, with approval of standing committee Chair for report to be made directly to the floor of the House:

H.B. 854 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE A TWENTY-FOUR-HOUR WAITING PERIOD AND THE INFORMED CONSENT OF A PREGNANT WOMAN BEFORE AN ABORTION MAY BE PERFORMED, with a favorable report as to Committee Substitute Bill No. 2, 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 Supplemental Calendar. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representatives LaRoque and T. Moore, Chairs, for the Committee on Rules, Calendar, and Operations of the House:

June 7, 2011

S.B. 727 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE DUES CHECKOFF OPTION FOR ACTIVE AND RETIRED PUBLIC SCHOOL EMPLOYEES, with a favorable report.

Pursuant to Rule 36(b) and without objection, the bill is placed on today's Supplemental Calendar.

By Representatives Iler and Mills, Chairs, for the Committee on Transportation:

H.B. 507, A BILL TO BE ENTITLED AN ACT AUTHORIZING PROPERTY OWNERS ASSOCIATIONS THAT OWN STREETS THAT ARE LOCATED OUTSIDE INCORPORATED MUNICIPALITIES AND THAT HAVE NOT BEEN ACCEPTED FOR MAINTENANCE BY THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION FOR A PERIOD OF THIRTY YEARS TO FILE, WITH THE APPROVAL OF THE COUNTY COMMISSIONERS, A DECLARATION WITHDRAWING THE DEDICATION TO PUBLIC USE OF SUCH STREETS, with a favorable report.

Pursuant to Rule 36(b) and without objection, the bill is placed on today's Supplemental Calendar.

By Representatives Brubaker, Barnhart, Gillespie, and Johnson, Chairs, for the Committee on Appropriations:

H.B. 14 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE SIGNAGE DIRECTING TRAFFIC TO THE VIETNAM VETERANS MEMORIAL, THE BEIRUT MEMORIAL, AND THE COASTAL CAROLINA STATE VETERANS CEMETERY, with a favorable report.

Pursuant to Rule 36(b) and without objection, the bill is placed on today's Supplemental Calendar.

By Representative Dockham, Chair, for the Committee on Insurance:

H.B. 232, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THERE SHALL BE NO PREMIUM SURCHARGE OR ASSESSMENT OF POINTS UNDER THE SAFE DRIVER INCENTIVE PLAN FOR ANY CONVICTION OF SPEEDING FIFTEEN MILES PER HOUR OR LESS OVER THE SPEED LIMIT, with a favorable report.

June 7, 2011

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 8.

SUBCOMMITTEE REFERRALS

Representative McComas, Chair, for the Standing Committee on Commerce and Job Development, refers the following bills to the Commerce and Job Development Subcommittee on Business and Labor:

S.B. 194 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PLUG-IN ELECTRIC VEHICLES TO OPERATE IN HIGH OCCUPANCY VEHICLE LANES AND TO EXEMPT PLUG-IN ELECTRIC VEHICLES FROM THE EMISSIONS INSPECTION REQUIREMENT.

S.B. 346, A BILL TO BE ENTITLED AN ACT TO EXEMPT BONA FIDE COOKING SCHOOLS FROM REGULATIONS GOVERNING THE SANITATION OF ESTABLISHMENTS THAT PREPARE OR SERVE FOOD OR DRINK TO THE PUBLIC.

RE-REFERRAL

On motion of Representative LaRoque, pursuant to Rule 39.2 and without objection, **H.B. 66**, A BILL TO BE ENTITLED AN ACT TO PROVIDE GEOGRAPHIC PARITY IN REPRESENTATION ON THE GREENE COUNTY BOARD OF COMMISSIONERS, is withdrawn from the Committee on Government and re-referred to the Committee on Rules, Calendar, and Operations of the House.

SPECIAL MESSAGES FROM THE SENATE

The following Special Messages are received from the Senate:

S.B. 148, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE GENERAL STATUTES AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 438 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY MOTOR VEHICLE DEALERS AND MANUFACTURERS LICENSING LAW, is read the first time and referred to the Commerce and Job Development Subcommittee on Business and Labor.

June 7, 2011

S.B. 446 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT COMMUNITY COLLEGES TO INCLUDE THE COSTS OF TEXTBOOKS IN THE TUITION CHARGED FOR MEMBERS OF THE ARMED SERVICES, is read the first time and referred to the Committee on Education.

S.B. 562 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT EVERY COMMUNITY APPEARANCE COMMISSION, CITY, AND COUNTY FROM REQUIRING THAT NURSERY STOCK THAT IS PURCHASED WITHIN THE JURISDICTION OF THE COMMISSION, CITY, OR COUNTY RESPECTIVELY MEET ANY STANDARD FOR NURSERY STOCK THAT IS STRICTER THAN THE AMERICAN STANDARD FOR NURSERY STOCK ADOPTED BY THE AMERICAN NURSERY AND LANDSCAPE ASSOCIATION, UNLESS THE STRICTER STANDARD IS NECESSARY TO PROTECT PUBLIC HEALTH OR SAFETY, is read the first time and referred to the Committee on Agriculture.

S.B. 659 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXEMPT TAXICAB DRIVERS WHO ARE INDEPENDENT CONTRACTORS FROM COVERAGE UNDER THE WORKERS' COMPENSATION ACT, is read the first time and referred to Judiciary Subcommittee A.

S.B. 684 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY AND AMEND THE LAW PROVIDING FOR A FIVE-YEAR PERIOD OF POST-RELEASE SUPERVISION FOR SEX OFFENDERS BY INCREASING THE MAXIMUM SENTENCE FOR SEX OFFENDERS AND PROVIDING FOR THEIR RELEASE ON POST-RELEASE SUPERVISION WITH FIVE YEARS REMAINING ON THEIR SENTENCES AND TO PROVIDE THAT WILLFUL REFUSAL TO ACCEPT OR COMPLY WITH THE TERMS OF POST-RELEASE SUPERVISION IS PUNISHABLE AS CONTEMPT OF COURT, is read the first time and referred to Judiciary Subcommittee B.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 499, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT IT IS THE DUTY OF THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES TO ADMINISTER AND SUPERVISE THE AGRICULTURAL DEVELOPMENT AND FARMLAND PRESERVATION ENABLING ACT, is read the first time and referred to the Committee on Agriculture.

June 7, 2011

S.B. 532 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REFORM THE EMPLOYMENT SECURITY LAWS OF NORTH CAROLINA BY CREATING THE DIVISION OF EMPLOYMENT SECURITY WITHIN THE DEPARTMENT OF COMMERCE, TRANSFERRING THE FUNCTIONS OF THE EMPLOYMENT SECURITY COMMISSION TO THAT DIVISION, MAKING THE DIVISION SUBJECT TO RULE MAKING UNDER ARTICLE 2A OF CHAPTER 150B OF THE GENERAL STATUTES, AND BY MAKING OTHER MODIFICATIONS AND CONFORMING CHANGES TO ALIGN THE EMPLOYMENT SECURITY FUNCTIONS OF STATE GOVERNMENT UNDER THE DIRECT LEADERSHIP OF THE SECRETARY OF COMMERCE, is read the first time and referred to the Committee on Finance.

S.B. 710, A BILL TO BE ENTITLED AN ACT TO ALLOW RENEWABLE ENERGY CERTIFICATES (RECS) DERIVED FROM THE THERMAL ENERGY OUTPUT OF COMBINED HEAT AND POWER FACILITIES THAT USE SWINE WASTE OR POULTRY WASTE AS A FUEL TO MEET THE REQUIREMENTS OF THE SWINE WASTE SET-ASIDE AND THE POULTRY WASTE SET-ASIDE, is read the first time and referred to the Committee on Public Utilities.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following is introduced, read the first time and referred to committee:

By Representatives Avila and McElraft (Primary Sponsors); and Murry:

H.B. 933, A BILL TO BE ENTITLED AN ACT TO INCREASE REGULATORY EFFICIENCY IN ORDER TO BALANCE JOB CREATION AND ENVIRONMENTAL PROTECTION, is referred to the Commerce and Job Development Subcommittee on Business and Labor.

CALENDAR

Action is taken on the following:

H.B. 96 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ALLEGHANY AND JACKSON COUNTIES TO LEVY AN ADDITIONAL THREE PERCENT ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX AND TO MAKE OTHER ADMINISTRATIVE CHANGES, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

June 7, 2011

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Barnhart, Bell, Blackwell, Bordsen, Bradley, Brandon, Brawley, R. Brown, Bryant, Carney, Cook, Cotham, Crawford, Current, Daughtry, Dockham, Earle, Faircloth, Faison, Fisher, Floyd, Frye, Gill, Glazier, Goodman, Graham, Guice, Hackney, Haire, Hall, Hamilton, Harrison, Hill, Hilton, Horn, Howard, Iler, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Keever, Langdon, LaRoque, Lewis, Lucas, Luebke, Martin, McComas, McElraft, McGee, McGrady, McGuirt, McLawhorn, Michaux, Mobley, R. Moore, Owens, Parfitt, Parmon, Pierce, Pridgen, Rapp, Rhyne, Ross, Sager, Samuelson, Sanderson, Spear, Stam, Starnes, Stevens, Tolson, Wainwright, E. Warren, Weiss, West, Womble, and Wray - 84.

Voting in the negative: Representatives Avila, Blust, Boles, L. Brown, Brubaker, Burr, Cleveland, Collins, Dixon, Dollar, Gillespie, Hager, Hastings, Hollo, Holloway, Hurley, Ingle, Jordan, Killian, McCormick, Mills, Moffitt, T. Moore, Murry, Randleman, Shepard, Steen, Stone, Torbett, and H. Warren - 30.

Excused absence: Representative Wilkins.

Representatives Brawley, Hilton and Horn request and are granted leave of the House to change their votes from "aye" to "no". Representative McCormick requests and is granted leave of the House to change his vote from "no" to "aye". The adjusted vote total is (82-32).

H.B. 469 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE AUTHORIZATION TO LEVY AN OCCUPANCY TAX IN THE CITY OF LUMBERTON AND THE TOWN OF ST. PAULS, 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, Barnhart, Bell, Blackwell, Bordsen, Bradley, Brandon, R. Brown, Bryant, Carney, Cook, Cotham, Crawford, Current, Daughtry, Dockham, Earle, Faircloth, Faison, Farmer-Butterfield, Fisher, Floyd, Gill, Glazier, Goodman, Graham, Guice, Hackney, Haire, Hall, Hamilton, Harrison, Hill, Iler, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Keever, Langdon, Lewis, Lucas, Luebke, Martin, McComas, McCormick, McElraft, McGee, McGrady, McGuirt, McLawhorn, Michaux, Mobley, R. Moore, Murry, Owens, Parfitt, Parmon, Pierce, Pridgen, Rapp, Rhyne, Ross, Sager, Samuelson, Sanderson, Spear, Stam, Starnes, Stevens, Tolson, Wainwright, E. Warren, Weiss, West, Womble, and Wray - 81.

June 7, 2011

Voting in the negative: Representatives Avila, Blust, Boles, Brawley, L. Brown, Brubaker, Burr, Cleveland, Collins, Dixon, Dollar, Frye, Gillespie, Hager, Hastings, Hilton, Hollo, Holloway, Horn, Howard, Hurley, Ingle, Jordan, Killian, LaRoque, Mills, Moffitt, T. Moore, Randleman, Setzer, Shepard, Steen, Stone, Torbett, and H. Warren - 35.

Excused absence: Representative Wilkins.

S.B. 431, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF FONTANA DAM, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Avila, Barnhart, Bell, Blackwell, Blust, Boles, Bordsen, Bradley, Brandon, Brawley, L. Brown, R. Brown, Brubaker, Bryant, Burr, Carney, Cleveland, Collins, Cook, Cotham, Crawford, Current, Daughtry, Dixon, Dockham, Dollar, Earle, Faircloth, Faison, Farmer-Butterfield, Fisher, Floyd, Frye, Gill, Gillespie, Glazier, Goodman, Graham, Guice, Hackney, Hager, Haire, Hall, Hamilton, Harrison, Hastings, Hill, Hilton, Hollo, Holloway, Horn, Howard, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Jordan, Justice, Keever, Killian, Langdon, LaRoque, Lewis, Lucas, Luebke, Martin, McComas, McCormick, McElraft, McGee, McGrady, McGuirt, McLawhorn, Michaux, Mills, Mobley, Moffitt, R. Moore, T. Moore, Murry, Owens, Parfitt, Parmon, Pierce, Pridgen, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Wainwright, E. Warren, H. Warren, Weiss, West, Womble, and Wray - 116.

Voting in the negative: None.

Excused absence: Representative Wilkins.

SPEAKER TILLIS PRESIDING.

H.B. 853, A BILL TO BE ENTITLED AN ACT NO LONGER REQUIRING A COURT ORDER TO ESTABLISH LOCAL INTAKE PROCEDURES FOR RECEIVING DELINQUENCY AND UNDISCIPLINED COMPLAINTS UNDER THE LAWS PERTAINING TO UNDISCIPLINED AND DELINQUENT JUVENILES AND AUTHORIZING THE DEPARTMENT OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION TO MONITOR COUNTY DETENTION CENTERS, passes its third reading, by electronic vote (115-1), and is ordered sent to the Senate by Special Message.

June 7, 2011

H.B. 32 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE STATUTORY REQUIREMENT FOR A POLITICAL PARTY TO MAINTAIN BALLOT ELIGIBILITY; TO PROVIDE THAT THE RESULTS OF PRIMARIES OF POLITICAL PARTIES WITH LESS THAN TEN PERCENT OF THE REGISTERED VOTERS ARE DETERMINED BY A PLURALITY UNLESS THE PARTY CHOOSES TO NOMINATE BY CONVENTION; TO CHANGE THE DEFINITION OF A "POLITICAL PARTY" BY REDUCING THE NUMBER OF SIGNATURES REQUIRED FOR THE FORMATION OF A NEW POLITICAL PARTY; AND TO REDUCE THE NUMBER OF SIGNATURES REQUIRED FOR UNAFFILIATED CANDIDATES TO OBTAIN BALLOT ACCESS ELIGIBILITY, passes its second reading, by electronic vote (66-50), and there being no objection is read a third time.

Representative Cook requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (67-50).

[Pursuant to the motion made by Representative H. Warren on June 8, 2011, and without objection, he is granted leave of the House to change his vote from "no" to "aye". The adjusted vote total is (68-49).]

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. 36 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REQUIRE EMPLOYERS IN THIS STATE, AND ENTITIES WHO CONTRACT WITH A GOVERNMENT AGENCY IN THIS STATE, AND THEIR SUBCONTRACTORS TO USE THE FEDERAL E-VERIFY PROGRAM TO VERIFY THE WORK AUTHORIZATION OF NEWLY HIRED EMPLOYEES, passes its second reading by electronic vote (75-43).

Representative Faison objects to the third reading. The bill remains on the Calendar.

H.B. 174 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ENACT THE COMMERCIAL REAL ESTATE BROKER LIEN ACT.

Representative Stam offers Amendment No. 1 which is adopted by electronic vote (116-0).

June 7, 2011

Representatives Faircloth and Torbett request and are granted leave of the House to be recorded as voting "aye". The adjusted vote total is (118-0).

The bill, as amended, passes its second reading, by electronic vote (107-11), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate by Special Message.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

H.B. 320, A BILL TO BE ENTITLED AN ACT TO CONTINUE THE STUDY OF PUBLIC-PRIVATE PARTNERSHIPS BY A LEGISLATIVE STUDY COMMISSION, 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.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

H.B. 452 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ELIMINATE "INSTANT RUNOFF" VOTING FOR JUDICIAL OFFICES WHEN LATE VACANCIES OCCUR AND INSTEAD DETERMINE THE RESULTS OF THE VACANCY ELECTION BY PLURALITY, TO REPEAL PUBLIC CAMPAIGN FINANCING FOR COUNCIL OF STATE RACES, AND TO RESTORE JUDICIAL ELECTIONS TO A PARTISAN BASIS, passes its second reading by electronic vote (67-51).

Representative Stam objects to the third reading. The bill remains on the Calendar.

H.B. 824 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NONPARTISAN REDISTRICTING PROCESS.

On motion of Representative Lewis and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of June 8.

H.B. 850 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE A PERMISSIVE INFERENCE OF PROXIMATE CAUSE FOR THE USE OF A MOBILE PHONE WHEN INVOLVED IN A REPORTABLE CRASH.

June 7, 2011

On motion of Representative Folwell and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of June 15.

S.J.R. 778, A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF THE APPOINTMENT OF EDWARD S. FINLEY, JR., TO THE UTILITIES COMMISSION.

On motion of Representative LaRoque and without objection, the bill is withdrawn from the Calendar and re-referred to the Committee on Public Utilities.

RE-REFERRALS

On motion of Representative LaRoque, pursuant to Rule 39.2 and without objection, **S.B. 710**, A BILL TO BE ENTITLED AN ACT TO ALLOW RENEWABLE ENERGY CERTIFICATES (RECS) DERIVED FROM THE THERMAL ENERGY OUTPUT OF COMBINED HEAT AND POWER FACILITIES THAT USE SWINE WASTE OR POULTRY WASTE AS A FUEL TO MEET THE REQUIREMENTS OF THE SWINE WASTE SET-ASIDE AND THE POULTRY WASTE SET-ASIDE, is withdrawn from the Committee on Public Utilities and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative LaRoque, pursuant to Rule 39.2 and without objection, **H.B. 841**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE PROGRAM EVALUATION DIVISION OF THE NORTH CAROLINA GENERAL ASSEMBLY SHALL CONDUCT A COMPREHENSIVE PROGRAM AND FINANCIAL REVIEW OF THE NORTH CAROLINA GLOBAL TRANSPARK AUTHORITY, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Finance.

On motion of Representative LaRoque, a serial referral to the Appropriations Subcommittee on Health and Human Services for **H.B. 12**, A BILL TO BE ENTITLED AN ACT TO ADD SYNTHETIC CANNABINOIDS TO THE LIST OF CONTROLLED SUBSTANCES, WHICH MAKES THE UNLAWFUL POSSESSION, MANUFACTURE, OR SALE OR DELIVERY OF SYNTHETIC CANNABINOIDS CRIMINAL OFFENSES AND TO CREATE THE CRIMINAL OFFENSE OF TRAFFICKING IN SYNTHETIC CANNABINOIDS, is added.

June 7, 2011

**REPORTS OF STANDING COMMITTEES AND PERMANENT
SUBCOMMITTEES**

The following reports from standing committees and permanent subcommittee are presented:

By Representatives Holloway and Langdon, Chairs, for the Committee on Education:

H.B. 134, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CARTERET COUNTY OCCUPANCY TAX, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of June 8. The original bill is placed on the Unfavorable Calendar.

H.B. 541, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF MEDICAL ASSISTANCE, TO AMEND THE CAP-MR/DD WAIVER TO EXPAND THE TYPE OF FACILITIES IN WHICH A RECIPIENT MAY RECEIVE RESIDENTIAL SUPPORTS, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

The committee substitute changes the bill from public to local.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of June 8. The original bill is placed on the Unfavorable Calendar.

By Representatives Current, Dollar, and Hollo, Chairs, for the Committee on Health and Human Services:

H.B. 622 (Committee Substitute), A BILL TO BE ENTITLED AN ACT PROVIDING THAT NURSING HOMES AND NURSING HOME BEDS LICENSED UNDER CHAPTER 131E OF THE GENERAL STATUTES THAT ARE ALSO CERTIFIED BY MEDICARE AND MEDICAID SHALL BE LIMITED TO ONE INSPECTION PER YEAR UNLESS THE FACILITY RECEIVES A GRADE "B" OR LOWER ON ITS ANNUAL INSPECTION, with a favorable report as to Committee Substitute Bill No. 2, as amended, which changes the title, unfavorable as to Committee Substitute Bill No. 1.

June 7, 2011

Pursuant to Rule 36(b) and without objection, Committee Substitute Bill No. 2 is placed on today's Supplemental Calendar. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

H.B. 666, A BILL TO BE ENTITLED AN ACT TO AMEND THE INSURANCE LAWS IN ORDER TO FACILITATE THE USE OF LOCUM TENENS PHYSICIANS TO ENSURE NORTH CAROLINA'S MEDICAL PROFESSIONALS ARE CAPABLE OF SERVING THE STATE'S EXPANDING POPULATION, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b) and without objection, the committee substitute bill is placed on today's Supplemental Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 809, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF PUBLIC HEALTH, TO ESTABLISH A HEALTHCARE-ASSOCIATED INFECTION SURVEILLANCE, PREVENTION, AND CONTROL PROGRAM, TO ESTABLISH A REGULATORY FEE FOR THE PROGRAM, AND TO AUTHORIZE THE DEPARTMENT TO ASSESS AN ADMINISTRATIVE PENALTY AGAINST HEALTH CARE FACILITIES THAT FAIL TO COMPLY WITH PROGRAM REQUIREMENTS, 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 serial referral to the Committee on Finance is stricken.

Pursuant to Rule 36(b) and without objection, the committee substitute bill is placed on today's Supplemental Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Dockham, Chair, for the Committee on Insurance:

H.B. 244, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE STERLING MONTESSORI ACADEMY AND CHARTER SCHOOL TO ELECT TO PARTICIPATE IN THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of June 8. The original bill is placed on the Unfavorable Calendar.

June 7, 2011

By Representatives Stam and Stevens, Chairs, for Judiciary Subcommittee B, with approval of standing committee Chair for report to be made directly to the floor of the House:

H.B. 636, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE CRIMINAL PENALTY FOR THE THEFT OF ANY FINANCIAL TRANSACTION CARD SHALL BE THE SAME AS THE CRIMINAL PENALTY FOR THE THEFT OF A CREDIT CARD WHICH IS A CLASS I FELONY, with a favorable report.

Pursuant to Rule 36(b) and without objection, the bill is placed on today's Supplemental Calendar.

H.B. 742, A BILL TO BE ENTITLED AN ACT TO CONFORM THE DEFINITION OF MARIJUANA USED IN THE GENERAL STATUTES SO THAT IT IS THE SAME IN CIVIL AND CRIMINAL STATUTES AND TO FURTHER CONFORM THE DEFINITION OF MARIJUANA WITH FEDERAL GUIDELINES ON THE WEIGHING OF MARIJUANA PLANTS, 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) and without objection, the committee substitute bill is placed on today's Supplemental Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 761, A BILL TO BE ENTITLED AN ACT TO MAKE TAMPERING WITH AN IGNITION INTERLOCK SYSTEM AN UNLAWFUL ACT AND TO ALLOW THE DIVISION OF MOTOR VEHICLES TO CONDUCT BACKGROUND INVESTIGATIONS ON EVERY PERSON APPLYING FOR A DEALER'S LICENSE, MECHANIC'S LICENSE, OR ANY OTHER LICENSE ISSUED BY THE DIVISION EXCEPT FOR A DRIVERS LICENSE, 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 (continued)

H.B. 491 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REPEAL THE STATE CAPITAL FACILITIES FINANCE ACT.

June 7, 2011

Representative R. Brown offers Amendment No. 1 which is adopted by electronic vote (115-0).

Representative Folwell requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (116-0).

The bill, as amended, passes its second reading, by electronic vote (65-52), 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. 597 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT AN INDIVIDUAL WHO HAS BEEN AWARDED UNEMPLOYMENT INSURANCE BENEFITS BY THE EMPLOYMENT SECURITY COMMISSION, BUT DOES NOT RECEIVE THOSE BENEFITS AS THE RESULT OF AN ACT OR OMISSION OF THE COMMISSION, IS DEEMED AN AGGRIEVED PARTY FOR THE PURPOSES OF JUDICIAL REVIEW WITHOUT THE REQUIREMENT TO EXHAUST ADMINISTRATIVE REMEDIES, 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 by Special Message.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

H.B. 650 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE WHEN A PERSON MAY USE DEFENSIVE FORCE AND TO AMEND VARIOUS LAWS REGARDING THE RIGHT TO OWN, POSSESS, OR CARRY A FIREARM IN NORTH CAROLINA.

Representative Hilton offers Amendment No. 1 which is adopted by electronic vote (116-0).

Representative Hilton offers Amendment No. 2 which is adopted by electronic vote (112-3).

Representative McGrady offers Amendment No. 3 which is adopted by electronic vote (59-57).

The bill, as amended, passes its second reading by electronic vote (77-38).

June 7, 2011

Representative Hall requests and is granted leave of the House to change his vote from "aye" to "no". The adjusted vote total is (76-39).

Representative Hackney objects to the third reading. The bill remains on the Calendar.

APPOINTMENTS BY THE SPEAKER

Pursuant to Rule 26, the Speaker makes the following appointments to the Select Committee on State-Owned Assets: Representative Brubaker, Chair; Representatives Barnhart, Brandon, Brawley, Brisson, Carney, Crawford, Folwell, Hager, Howard, Lewis, Moffitt, Owens, Setzer, Spear, Starnes, West, and Wray.

NOTICE GIVEN OF DISCHARGE PETITION FOR BILL

Representative K. Alexander gives notice, pursuant to Rule 39(a), that he will file a petition with the Principal Clerk's office for the discharge of **H.B. 577**, A BILL TO BE ENTITLED AN ACT TO ENACT THE NORTH CAROLINA MEDICAL CANNABIS ACT, from the Committee on Rules, Calendar, and Operations of the House. The petition, with fiscal note attached, will be on file in the House Principal Clerk's office.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Current, Dollar, and Hollo, Chairs, for the Committee on Health and Human Services:

H.B. 590, A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING CHANGES REGARDING CUED SPEECH UNDER THE LAWS REGULATING THE PRACTICE OF INTERPRETERS AND TRANSLITERATORS, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b) and without objection, the committee substitute bill is placed on today's Supplemental Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 677, A BILL TO BE ENTITLED AN ACT TO PROVIDE ADULT CARE HOMES WITH GREATER FLEXIBILITY IN THE TRANSFER AND DISCHARGE OF RESIDENTS, TO MAKE COUNTY

June 7, 2011

DEPARTMENTS OF SOCIAL SERVICES RESPONSIBLE FOR PLACING CERTAIN DISCHARGED RESIDENTS, AND TO ENACT APPEAL RIGHTS FOR ADULT CARE HOME RESIDENTS AND ADULT CARE HOMES WITH RESPECT TO DISCHARGE DECISIONS, 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) and without objection, the committee substitute bill is placed on today's Supplemental Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 678, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, IN COLLABORATION WITH THE DEPARTMENT OF CORRECTION, TO ESTABLISH A PILOT PROGRAM TO ALLOW CERTAIN INMATES RELEASED FROM CONFINEMENT TO BE PLACED IN ADULT CARE HOMES TO RECEIVE PERSONAL CARE SERVICES AND MEDICATION MANAGEMENT, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b) and without objection, the committee substitute bill is placed on today's Supplemental Calendar. The original bill is placed on the Unfavorable Calendar.

By Representatives Iler and Mills, Chairs, for the Committee on Transportation:

H.B. 229, A BILL TO BE ENTITLED AN ACT TO ALLOW A REGIONAL PUBLIC TRANSPORTATION AUTHORITY TO APPLY FOR ELDERLY AND DISABLED TRANSPORTATION AND ASSISTANCE FUNDS ON BEHALF OF THE COUNTIES THAT THE REGIONAL PUBLIC TRANSPORTATION AUTHORITY SERVES, 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) and without objection, the committee substitute bill is placed on today's Supplemental Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 665, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE COMPLETION OF AN APPROVED DRIVERS EDUCATION COURSE BEFORE A PERSON MAY BE ISSUED A DRIVERS LICENSE AND TO PROVIDE THAT A PERSON WHO MOVES TO THIS STATE WHO HAS A VALID DRIVERS LICENSE ISSUED FROM ANOTHER STATE

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THAT REQUIRED A DRIVERS EDUCATION COURSE BEFORE THE ISSUANCE OF A DRIVERS LICENSE MAY RECEIVE A NORTH CAROLINA DRIVERS LICENSE, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Rules, Calendar, and Operations of the House.

The committee substitute bill is re-referred to the Committee on Rules, Calendar, and Operations of the House. The original bill is placed on the Unfavorable Calendar.

H.B. 693, A BILL TO BE ENTITLED AN ACT TO ALLOW THE DIVISION OF MOTOR VEHICLES TO ISSUE TRANSPORTER PLATES TO AN INDIVIDUAL OR BUSINESS THAT HAS A CONTRACT TO REPOSSESS VEHICLES FOR A FINANCIAL INSTITUTION THAT HOLDS A SECURITY INTEREST IN THE VEHICLES BEING REPOSSESSED, 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) and without objection, the committee substitute bill is placed on today's Supplemental Calendar. The original bill is placed on the Unfavorable Calendar.

By Representatives Langdon and Sager, Chairs, for the Committee on Agriculture:

H.B. 459, A BILL TO BE ENTITLED AN ACT TO REGULATE HUNTING WHILE IMPAIRED ON PRIVATE LAND IN ROCKINGHAM COUNTY, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b) and without objection, the committee substitute bill is placed on today's Supplemental Calendar. The original bill is placed on the Unfavorable Calendar.

SUBCOMMITTEE REFERRAL

Representative McComas, Chair, for the Standing Committee on Commerce and Job Development, refers **H.B. 24**, A BILL TO BE ENTITLED AN ACT TO MODIFY AND EXPAND THE DUTIES OF THE JOINT LEGISLATIVE ECONOMIC DEVELOPMENT OVERSIGHT COMMITTEE, to the Commerce and Job Development Subcommittee on Business and Labor.

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On motion of the Speaker, the House recesses, subject to the receipt of Committee Reports, the receipt of Messages from the Senate, the referral of bills to committees, and the placement of bills on the Supplemental Calendar, at 7:15 p.m.

RECESS

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Brubaker, Barnhart, Gillespie, and Johnson, Chairs, for the Committee on Appropriations:

H.B. 344 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW AN INDIVIDUAL INCOME TAX CREDIT FOR CHILDREN WITH DISABILITIES WHO REQUIRE SPECIAL EDUCATION AND TO CREATE A FUND FOR SPECIAL EDUCATION AND RELATED SERVICES, with a favorable report as to Committee Substitute Bill No. 2, 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 Supplemental Calendar. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representatives Holloway and Langdon, Chairs, for the Committee on Education:

H.B. 744, A BILL TO BE ENTITLED AN ACT TO ENACT THE SAFE STUDENTS ACT, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b) and without objection, the committee substitute bill is placed on today's Supplemental Calendar. The original bill is placed on the Unfavorable Calendar.

SPECIAL MESSAGES FROM THE SENATE

The following Special Messages are received from the Senate:

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S.B. 237 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF CASTLE HAYNE, SUBJECT TO A REFERENDUM, is read the first time and referred to the Committee on Finance.

S.B. 315 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT CAMPAIGN SIGNS IN HIGHWAY RIGHTS-OF-WAY WITH REASONABLE TIME, PLACE, AND MANNER RESTRICTIONS, is read the first time and referred to the Committee on Transportation.

S.B. 496 (Committee Substitute), A BILL TO BE ENTITLED AN ACT RELATING TO REQUIREMENTS OF MEDICAID AND HEALTH CHOICE PROVIDERS, is read the first time and referred to the Committee on Health and Human Services.

S.B. 578 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO FACILITATE THE TRANSFER OF BEDS FROM A STATE PSYCHIATRIC HOSPITAL TO A COMMUNITY FACILITY WITHIN CERTAIN LMES, is read the first time and referred to the Committee on Health and Human Services.

S.B. 743 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENCOURAGE THE PROVISION OF MEDICAL SERVICES TO INDIGENT PERSONS BY PROVIDING FOR A RETIRED LIMITED VOLUNTEER LICENSE AND BY BROADENING THE APPLICABILITY OF A LIMITED VOLUNTEER LICENSE AND BY LIMITING LIABILITY FOR NONPROFIT COMMUNITY HEALTH REFERRAL SERVICES, is read the first time and referred to the Committee on Health and Human Services.

The House reconvenes pursuant to recess and is called to order by the Speaker.

ADJOURNMENT EXTENDED

On motion of the Speaker and without objection, the House continues its Session past the 9:00 p.m. hour of adjournment.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

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By Representatives LaRoque and T. Moore, Chairs, for the Committee on Rules, Calendar, and Operations of the House:

H.B. 183 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE GENERAL ASSEMBLY TO STUDY ISSUES RELATED TO HOMEOWNERS ASSOCIATION FORECLOSURE OF PROPERTY WHERE THE DEBT SECURING THE ASSOCIATION ASSESSMENT LIEN CONSISTS OF UNPAID HOMEOWNERS ASSOCIATION DUES OR OTHER COSTS ASSOCIATED WITH UNPAID HOMEOWNERS ASSOCIATION DUES, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 8.

H.B. 281 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STUDY ELIMINATING EXTRATERRITORIAL PLANNING JURISDICTION WHEN COUNTYWIDE ZONING IS IN EFFECT AND WHEN COUNTYWIDE ZONING IS NOT IN EFFECT AND TO ALLOW RESIDENTS OF THE ETJ TO RUN FOR MUNICIPAL OFFICE AND VOTE IN ELECTIONS FOR MUNICIPAL OFFICE, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 8.

H.B. 389, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE TO STUDY THE NEED FOR A MOTOR VEHICLE REGISTRATION, INSPECTION, AND FINANCIAL RESPONSIBILITY PROGRAM FOR MOPEDS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 8.

H.B. 450 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE AUTOMATIC RENEWAL OF MERCHANT CREDIT CARD PROCESSING CONTRACTS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 8.

H.B. 555, 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.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 8.

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H.R. 560, A HOUSE RESOLUTION HONORING THE LIFE AND MEMORY OF JEANNE TUCKER FENNER, FORMER MEMBER OF THE GENERAL ASSEMBLY, with recommendation that it be adopted.

Pursuant to Rule 36(b), the resolution is placed on the Calendar of June 14.

H.B. 592, A BILL TO BE ENTITLED AN ACT TO STUDY WHETHER TO AUTHORIZE COUNTIES TO ENTER INTO PUBLIC-PRIVATE PARTNERSHIPS AND TO PROVIDE COMMUNICATIONS SERVICES THROUGH PUBLIC-PRIVATE PARTNERSHIPS, with a favorable report.

Pursuant to Rule 32(a), the bill is re-referred to the Committee on Finance.

H.J.R. 612, A JOINT RESOLUTION TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE CURRENT CRIMINAL AND MENTAL HEALTH LAWS AND PROCEDURES REGARDING INCAPACITY TO PROCEED TO TRIAL AND INVOLUNTARY COMMITMENT, with a favorable report.

Pursuant to Rule 36(b), the resolution is placed on the Calendar of June 8.

H.R. 731, A HOUSE RESOLUTION HONORING THE LIFE AND MEMORY OF IKE FRANKLIN ANDREWS, FORMER MEMBER OF CONGRESS AND THE GENERAL ASSEMBLY, with recommendation that it be adopted.

Pursuant to Rule 36(b), the resolution is placed on the Calendar.

H.R. 767, A HOUSE RESOLUTION HONORING THE LIFE AND MEMORY OF SUSAN MECUM BURGESS, with recommendation that it be adopted.

Pursuant to Rule 36(b), the resolution is placed on the Calendar.

H.R. 858, A HOUSE RESOLUTION HONORING THE LIFE AND MEMORY OF R. PHILIP HANES, JR., with recommendation that it be adopted.

Pursuant to Rule 36(b), the resolution is placed on the Calendar.

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CALENDAR (continued)

H.B. 773, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR STUDIES BY THE HOUSE OF REPRESENTATIVES AND THE SENATE, STATUTORY OVERSIGHT COMMITTEES AND COMMISSIONS, AND OTHER AGENCIES, COMMITTEES, AND COMMISSIONS, passes its second reading, by electronic vote (112-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

S.B. 513, A BILL TO BE ENTITLED AN ACT TO ALLOW CREDIT UNIONS TO CONDUCT SAVINGS PROMOTION RAFFLES, 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.

RE-REFERRAL

On motion of Representative LaRoque, pursuant to Rule 39.2 and without objection, **S.B. 749** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR INCREASED TRANSPORTATION EFFICIENCY FOR BRINGING AGRICULTURAL PRODUCTS TO A MARKETPLACE BY MODIFYING THE TYPES OF ITEMS THAT MAY BE TRANSPORTED BY A FARMER WITHOUT HAVING TO PAY A REGISTRATION FEE FOR A TRAILER OR SEMITRAILER; TO MODIFY THE REGISTRATION REQUIREMENTS FOR PROPERTY HAULING VEHICLES TO ENSURE THEY ARE REGISTERED FOR THE MAXIMUM WEIGHT ALLOWABLE FOR THE VEHICLE BEING OPERATED; AND TO MODIFY THE EXCEPTIONS TO THE MAXIMUM WEIGHT ALLOWED ON LIGHT ROADS FOR A PERSON TRANSPORTING AGRICULTURAL PRODUCTS AND RESIDUALS, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Transportation.

WITHDRAWAL OF BILL FROM COMMITTEE

On motion of Representative T. Moore and without objection, **H.B. 895** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE

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MODIFICATIONS TO THE BUTNER PUBLIC SAFETY DIVISION, is withdrawn from the Committee on Appropriations and pursuant to Rule 36(b), is placed on the Calendar.

CALENDAR (continued)

H.B. 409 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW GUILFORD TECHNICAL COMMUNITY COLLEGE TO LEASE A PORTION OF ITS PROPERTY TO THE NORTH CAROLINA CENTER FOR GLOBAL LOGISTICS, passes its second reading, by electronic vote (116-0), and there being no objection is read a third time.

Representative Blust requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (117-0).

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 459 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REGULATE HUNTING WHILE IMPAIRED ON PRIVATE LAND IN ROCKINGHAM COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 14 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE SIGNAGE DIRECTING TRAFFIC TO THE VIETNAM VETERANS MEMORIAL, THE BEIRUT MEMORIAL, AND THE COASTAL CAROLINA STATE VETERANS CEMETERY, passes its second reading by electronic vote (118-0).

On motion of the Speaker and without objection, the bill is temporarily displaced.

H.B. 176 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR REVIEW OF A DEFENDANT'S PARTICIPATION IN A COURT-ORDERED ABUSER TREATMENT PROGRAM, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMITTEE ON DOMESTIC VIOLENCE, AND TO EXPAND THE TYPES OF OFFENSES REPORTED BY THE CLERK, passes its second reading, by electronic vote (116-0), and there being no objection is read a third time.

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The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 229 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW A PUBLIC TRANSPORTATION AUTHORITY OR REGIONAL PUBLIC TRANSPORTATION AUTHORITY TO APPLY FOR ELDERLY AND DISABLED TRANSPORTATION AND ASSISTANCE FUNDS ON BEHALF OF THE COUNTIES THAT THE PUBLIC TRANSPORTATION AUTHORITY OR REGIONAL PUBLIC TRANSPORTATION AUTHORITY SERVES, passes its second reading, by electronic vote (115-0), and there being no objection is read a third time.

Representative Graham requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (116-0).

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 289 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE VARIOUS SPECIAL REGISTRATION PLATES.

Representative Luebke offers Amendment No. 1 which fails of adoption by electronic vote (51-67).

Representative Blackwell requests and is granted leave of the House to change his vote from "aye" to "no". The adjusted vote total is (50-68).

Representative K. Alexander offers Amendment No. 2.

Representative Burr raises a point of order and asks if the amendment is in order since another bill passed by the House may be in conflict with this amendment.

The Speaker rules that the amendment is in order.

Representative T. Moore calls the previous question on the amendment and the call is sustained by electronic vote (62-54).

Amendment No. 2 fails of adoption by electronic vote (47-69).

Representative McComas requests and is granted leave of the House to change his vote from "aye" to "no". Representative Luebke requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (47-70).

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Representative Gillespie calls the previous question on the passage of the bill and the call is sustained by electronic vote (63-48).

The bill passes its second reading by electronic vote (70-44).

Representative Collins requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (71-44).

Representative Faison objects to the third reading. The bill remains on the Calendar.

WITHDRAWAL OF OBJECTION TO THIRD READING

Representative Glazier withdraws his objection to the third reading of **H.B. 452** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ELIMINATE "INSTANT RUNOFF" VOTING FOR JUDICIAL OFFICES WHEN LATE VACANCIES OCCUR AND INSTEAD DETERMINE THE RESULTS OF THE VACANCY ELECTION BY PLURALITY, TO REPEAL PUBLIC CAMPAIGN FINANCING FOR COUNCIL OF STATE RACES, AND TO RESTORE JUDICIAL ELECTIONS TO A PARTISAN BASIS, and the bill is before the Body.

Representative Michaux offers Amendment No. 1 which fails of adoption by electronic vote (51-66).

The bill passes its third reading, by electronic vote (67-50), and is ordered sent to the Senate by Special Message.

H.B. 507, A BILL TO BE ENTITLED AN ACT AUTHORIZING PROPERTY OWNERS ASSOCIATIONS THAT OWN STREETS THAT ARE LOCATED OUTSIDE INCORPORATED MUNICIPALITIES AND THAT HAVE NOT BEEN ACCEPTED FOR MAINTENANCE BY THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION FOR A PERIOD OF THIRTY YEARS TO FILE, WITH THE APPROVAL OF THE COUNTY COMMISSIONERS, A DECLARATION WITHDRAWING THE DEDICATION TO PUBLIC USE OF SUCH STREETS, 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.

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H.B. 590 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING CHANGES REGARDING CUED SPEECH UNDER THE LAWS REGULATING THE PRACTICE OF INTERPRETERS AND TRANSLITERATORS, passes its second reading, by electronic vote (115-1), and there being no objection is read a third time.

Representative Brisson requests and is granted leave of the House to change his vote from "no" to "aye". The adjusted vote total is (116-0).

[Pursuant to the motion made by Representative Faison on June 8, 2011, and without objection, he is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (117-0).]

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 622 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT RELATING TO THE FREQUENCY OF FOOD SERVICE INSPECTIONS IN NURSING HOMES AND NURSING HOME BEDS LICENSED UNDER CHAPTER 131E OF THE GENERAL STATUTES THAT ARE ALSO CERTIFIED BY MEDICARE AND MEDICAID.

On motion of Representative Weiss, Committee Amendment No. 1 is adopted by electronic vote (117-1).

The bill, as amended, passes its second reading, by electronic vote (116-2), 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 by Special Message.

H.B. 636, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE CRIMINAL PENALTY FOR THE THEFT OF ANY FINANCIAL TRANSACTION CARD SHALL BE THE SAME AS THE CRIMINAL PENALTY FOR THE THEFT OF A CREDIT CARD WHICH IS A CLASS I FELONY, 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. 666 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE INSURANCE LAWS IN ORDER TO FACILITATE THE USE OF LOCUM TENENS PHYSICIANS TO ENSURE NORTH

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CAROLINA'S MEDICAL PROFESSIONALS ARE CAPABLE OF SERVING THE STATE'S EXPANDING POPULATION, passes its second reading, by electronic vote (115-0), and there being no objection is read a third time.

Representative Stevens requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (116-0).

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 677 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE ADULT CARE HOMES WITH GREATER FLEXIBILITY IN THE TRANSFER AND DISCHARGE OF RESIDENTS AND TO ENACT APPEAL RIGHTS FOR ADULT CARE HOME RESIDENTS AND ADULT CARE HOMES WITH RESPECT TO DISCHARGE DECISIONS AND TO CREATE ADULT CARE HOME RESIDENT DISCHARGE TEAMS WITHIN EVERY COUNTY WHICH CONTAINS AN ADULT CARE HOME LICENSED UNDER CHAPTER 131D OF THE GENERAL STATUTES.

Representative Blackwell offers Amendment No. 1 which is adopted by electronic vote (117-0).

Representative Blackwell offers Amendment No. 2 which is adopted by electronic vote (116-0).

The bill, as amended, passes its second reading, by electronic vote (116-2), 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 by Special Message.

H.B. 678 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, IN COLLABORATION WITH THE DEPARTMENT OF CORRECTION, TO ESTABLISH A PILOT PROGRAM TO ALLOW CERTAIN INMATES RELEASED FROM CONFINEMENT TO BE PLACED IN ADULT CARE HOMES TO RECEIVE PERSONAL CARE SERVICES AND MEDICATION MANAGEMENT, passes its second reading, by electronic vote (115-2), 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. 14 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE SIGNAGE DIRECTING TRAFFIC TO THE VIETNAM VETERANS MEMORIAL, THE BEIRUT MEMORIAL, AND THE COASTAL CAROLINA STATE VETERANS CEMETERY, which was temporarily displaced, is before the Body.

Representative Lucas offers Amendment No. 1 which is adopted by electronic vote (117-0). This amendment changes the title.

The caption having been amended, the bill remains on the Calendar.

H.B. 693 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE DIVISION OF MOTOR VEHICLES TO ISSUE TRANSPORTER PLATES TO AN INDIVIDUAL OR BUSINESS THAT HAS A CONTRACT TO REPOSSESS VEHICLES FOR A FINANCIAL INSTITUTION THAT HOLDS A SECURITY INTEREST IN THE VEHICLES BEING REPOSSESSED OR TO A BUSINESS OR DEALER TO MOVE A BOAT TRAILER BEING USED TO TRANSPORT A NEWLY MANUFACTURED BOAT BETWEEN A MANUFACTURER AND DEALER, passes its second reading, by electronic vote (118-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 742 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE WEIGHT OF MARIJUANA AND CONTROLLED SUBSTANCES AND TO INCLUDE ANYTHING MANUFACTURED FROM A MARIJUANA PLANT FOR THE PURPOSES OF TAX COLLECTION, passes its second reading, by electronic vote (107-9), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 344 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ALLOW AN INDIVIDUAL INCOME TAX CREDIT FOR CHILDREN WITH DISABILITIES WHO REQUIRE SPECIAL EDUCATION AND TO CREATE A FUND FOR SPECIAL EDUCATION AND RELATED SERVICES.

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REPRESENTATIVE FOLWELL, SPEAKER PRO TEMPORE, PRESIDING.

Representative Daughtry offers Amendment No. 1 which is adopted by electronic vote (65-48).

On motion of the Chair and without objection, the bill is temporarily displaced.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Brubaker, Barnhart, Gillespie, and Johnson, Chairs, for the Committee on Appropriations:

H.B. 351 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO RESTORE CONFIDENCE IN GOVERNMENT BY REQUIRING THAT VOTERS PROVIDE PHOTO IDENTIFICATION BEFORE VOTING AND ALLOWING VOTERS MORE FLEXIBILITY IN APPLYING FOR ABSENTEE BALLOTS, 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 8. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representatives Holloway and Langdon, Chairs, for the Committee on Education:

H.B. 15, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF BEAUFORT TO USE PROCEEDS FROM PARKING METERS FOR THE ACQUISITION, DEVELOPMENT, AND OPERATION OF ON-STREET AND OFF-STREET PARKING FACILITIES, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of June 8. The original bill is placed on the Unfavorable Calendar.

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H.B. 58, A BILL TO BE ENTITLED AN ACT TO ENSURE THAT ALL COMMUNITY COLLEGE MULTICAMPUS CENTERS RECEIVE FUNDING UNDER THE SAME FORMULA, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

The committee substitute changes the bill from public to local.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of June 8. The original bill is placed on the Unfavorable Calendar.

H.B. 588, A BILL TO BE ENTITLED AN ACT TO ENACT THE FOUNDING PRINCIPLES ACT, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of June 8. The original bill is placed on the Unfavorable Calendar.

H.B. 720, A BILL TO BE ENTITLED AN ACT TO ENACT THE SCHOOL AND TEACHER PAPERWORK REDUCTION ACT, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of June 8. The original bill is placed on the Unfavorable Calendar.

H.B. 822, A BILL TO BE ENTITLED AN ACT DIRECTING THE STATE BOARD OF EDUCATION TO IMPLEMENT A DROPOUT RECOVERY PILOT PROGRAM, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of June 8. The original bill is placed on the Unfavorable Calendar.

By Representatives LaRoque and T. Moore, Chairs, for the Committee on Rules, Calendar, and Operations of the House:

H.B. 66, A BILL TO BE ENTITLED AN ACT TO PROVIDE GEOGRAPHIC PARITY IN REPRESENTATION ON THE GREENE COUNTY BOARD OF COMMISSIONERS, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of June 8. The original bill is placed on the Unfavorable Calendar.

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H.B. 333, A BILL TO BE ENTITLED AN ACT TO ADOPT STOCK CAR RACING AS THE OFFICIAL SPORT OF NORTH CAROLINA, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

H.B. 467, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS RELATED TO SCHOOL DISCIPLINE, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

The committee substitute changes the bill from public to local.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of June 8. The original bill is placed on the Unfavorable Calendar.

H.B. 628, A BILL TO BE ENTITLED AN ACT TO DIRECT THE REVENUE LAWS STUDY COMMITTEE TO STUDY POLICIES AND INCENTIVES THAT CAN BE ESTABLISHED TO STIMULATE THE CREATION OF DEVELOPMENT READY SITES TO AID IN JOB RECRUITMENT AND RETENTION EFFORTS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 8.

H.B. 757, A BILL TO BE ENTITLED AN ACT TO IMPROVE SERVICES TO VICTIMS OF DOMESTIC VIOLENCE AND SEXUAL ASSAULT AND SERVICES TO DISPLACED HOMEMAKERS BY CONSOLIDATING THE NORTH CAROLINA COUNCIL FOR WOMEN AND THE DOMESTIC VIOLENCE COMMISSION INTO ONE COMMISSION, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of June 8. The original bill is placed on the Unfavorable Calendar.

H.B. 759, A BILL TO BE ENTITLED AN ACT TO CREATE THE COMMERCIAL POULTRY HOUSE FIRE CODE LEGISLATIVE STUDY COMMISSION, 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.

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H.J.R. 760, A JOINT RESOLUTION TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE OBSTACLES ENCOUNTERED IN SEEKING EMPLOYMENT BY PERSONS WHO HAVE COMMITTED RELATIVELY MINOR CRIMINAL OFFENSES, THE NEED FOR EMPLOYERS TO HAVE ACCURATE CRIMINAL INFORMATION ABOUT POTENTIAL EMPLOYEES, AND THE FEASIBILITY OF DEVELOPING AND IMPLEMENTING AN EXPUNCTION PROCEDURE THAT STRIKES THE APPROPRIATE BALANCE BETWEEN THOSE CONCERNS, with a favorable report.

Pursuant to Rule 36(b), the resolution is placed on the Calendar of June 8.

H.B. 765, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A BLUE RIBBON COMMISSION TO STUDY THE CURRENT LENGTH OF THE SCHOOL YEAR IN NORTH CAROLINA AND TO DETERMINE HOW LONG THE SCHOOL YEAR SHOULD BE, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 8.

H.B. 774, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENTS OF AGRICULTURE AND INSURANCE TO STUDY OPTIONS FOR AGRICULTURAL CONTRACT GROWERS TO PROTECT THEMSELVES AGAINST FINANCIAL LOSSES DUE TO WEATHER, NATURAL DISASTERS, OR OTHER ACTS OF GOD, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 8.

H.B. 796, A BILL TO BE ENTITLED AN ACT TO DIRECT THE REVENUE LAWS STUDY COMMITTEE TO STUDY THE METHODOLOGY OF VALUATION OF PROPERTY FOR PROPERTY TAX PURPOSES TO ENSURE THE PROCESS IS BOTH UNIFORM AND FAIR, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 8.

H.B. 825, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE JOINT LEGISLATIVE STUDY COMMISSION ON METHAMPHETAMINE LAB PREVENTION, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 8.

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H.B. 836, A BILL TO BE ENTITLED AN ACT CREATING THE STUDY COMMITTEE ON THE COMPENSATION OF STATE BOARD AND COMMISSION EMPLOYEES, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 8.

H.B. 901, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE PROTECTION OF MASONBORO ISLAND IN ORDER TO ASSURE THAT THE ECOLOGICAL SYSTEMS OF THE ISLAND ARE MAINTAINED AND PRESERVED AND TO ASSURE THAT THE PUBLIC RETAINS ACCESS TO THE ISLAND, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

The bill is re-referred to the Committee on Appropriations.

H.B. 925 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE LEGISLATIVE RESEARCH COMMISSION TO STUDY WHETHER THE EFFICIENCY OF PROVIDING WATER AND SEWER SERVICES CAN BE IMPROVED BY REQUIRING LARGE CITIES LOCATED ENTIRELY WITHIN A METROPOLITAN SEWERAGE DISTRICT TO CONVEY THEIR WATER SYSTEM TO THAT DISTRICT WHICH CAN THEN OPERATE BOTH WATER AND SEWER, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 8.

CONFEREES APPOINTED

The Speaker appoints the following additional conferees on **S.B. 110** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE PERMITTING AND CONSTRUCTION OF UP TO THREE TERMINAL GROINS AT INLETS UNDER CERTAIN CONDITIONS: Representatives Shepard and Owens.

The Senate is so notified by Special Message.

CALENDAR (continued)

H.B. 344 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ALLOW AN INDIVIDUAL INCOME TAX CREDIT FOR CHILDREN WITH DISABILITIES WHO REQUIRE SPECIAL EDUCATION AND TO CREATE A FUND FOR SPECIAL EDUCATION AND RELATED SERVICES, which was temporarily displaced, is before the Body.

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Representative Goodman offers Amendment No. 2 which fails of adoption by electronic vote (46-63).

Representative Brandon offers Amendment No. 3 which is adopted by electronic vote (102-12).

The bill, as amended, passes its second reading, by electronic vote (73-39), 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.

SPEAKER TILLIS PRESIDING.

RE-REFERRALS

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 437**, A BILL TO BE ENTITLED AN ACT HOLDING THE NEW HANOVER COUNTY BOARD OF COMMISSIONERS ACCOUNTABLE FOR THE WORK OF GOVERNMENTAL AND QUASI-GOVERNMENTAL AUTHORITIES, BOARDS, COMMITTEES, AND COMMISSIONS APPOINTED BY THE COMMISSION OR RECEIVING COUNTY FUNDS, is withdrawn from the Committee on Government and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 442**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF DAVIDSON TO USE DESIGN-BUILD DELIVERY METHODS AND CONCERNING THE TOWN'S INVESTMENT AUTHORITY, is withdrawn from the Committee on Government and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 581**, A BILL TO BE ENTITLED AN ACT TO AMEND THE PROVISIONS OF THE CITY OF LUMBERTON FIREMEN'S RELIEF FUND AND SUPPLEMENTARY PENSION FUND, is withdrawn from the Committee on Government and re-referred to the Committee on Finance.

WITHDRAWAL OF OBJECTION TO THIRD READING

Representative Hackney withdraws his objection to the third reading of **H.B. 650** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE WHEN A PERSON MAY USE DEFENSIVE FORCE AND

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TO AMEND VARIOUS LAWS REGARDING THE RIGHT TO OWN, POSSESS, OR CARRY A FIREARM IN NORTH CAROLINA, and the bill is before the Body.

Representative Rapp offers Amendment No. 4 which fails of adoption by electronic vote (54-62).

Representative Pierce requests and is granted leave of the House to change his vote from "no" to "aye". The adjusted vote total is (55-61).

The bill, as amended, passes its third reading, by electronic vote (76-39), and is ordered engrossed and sent to the Senate by Special Message.

Representative Murry requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (77-39).

CALENDAR (continued)

H.B. 744 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE SAFE STUDENTS ACT, passes its second reading by electronic vote (65-50).

Representative Folwell objects to the third reading. The bill remains on the Calendar.

H.B. 809 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO ESTABLISH A STATEWIDE SURVEILLANCE AND REPORTING SYSTEM FOR HEALTH CARE-ASSOCIATED INFECTIONS AND TO SUBJECT HOSPITALS TO THE REQUIREMENTS OF THE STATEWIDE SURVEILLANCE AND REPORTING SYSTEM.

Pursuant to Rule 24.1A, Representative McElraft requests that she be excused from voting on this bill because she sells media for the surveillance of certain infectious diseases (MRSA, VRE, and HAI). 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 by Special Message.

H.B. 333, A BILL TO BE ENTITLED AN ACT TO ADOPT STOCK CAR RACING AS THE OFFICIAL SPORT OF NORTH CAROLINA.

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On motion of Representative LaRoque and without objection, the bill is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

Representative LaRoque moves, seconded by Representative Folwell, that the House adjourn, subject to the receipt of Committee Reports, the receipt of Messages from the Senate, and the referral of bills to committees, to reconvene June 8 at 2:00 p.m.

The motion carries.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Brubaker, Barnhart, Gillespie, and Johnson, Chairs, for the Committee on Appropriations:

H.B. 618 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STREAMLINE DUPLICATE OVERSIGHT OF CERTAIN DHHS SERVICE PROVIDERS, 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 8. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representatives LaRoque and T. Moore, Chairs, for the Committee on Rules, Calendar, and Operations of the House:

H.B. 800, A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA JOBS AND COMMERCE CORPORATION TASK FORCE TO STUDY THE IMPLEMENTATION OF THE TRANSFERRING OF ECONOMIC DEVELOPMENT ACTIVITIES INTO A SINGLE ENTITY, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of June 8. The original bill is placed on the Unfavorable Calendar.

SPECIAL MESSAGES FROM THE SENATE

The following Special Messages are received from the Senate:

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H.B. 45 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE USE OF RISK-BASED REMEDIATION TO ACCELERATE THE CLEANUP OF CONTAMINATED INDUSTRIAL SITES FOR THE PURPOSE OF LIMITING HUMAN AND ENVIRONMENTAL EXPOSURE TO SAFE LEVELS, TO PROTECT CURRENT AND LIKELY FUTURE USES OF GROUNDWATER, AND TO ENSURE THE COST-EFFECTIVE APPLICATION OF LIMITED PUBLIC AND PRIVATE RESOURCES, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of June 8.

S.B. 309, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE GOVERNING BOARD OF ANY SOIL AND WATER CONSERVATION DISTRICT TO ESTABLISH A SPECIAL RESERVE FUND TO BE USED FOR MAINTAINING CONSERVATION EASEMENTS, is read the first time and referred to the Committee on Finance.

S.B. 491, A BILL TO BE ENTITLED AN ACT TO SPECIFY THAT THE AGRICULTURAL USE EXEMPTION FROM SEDIMENTATION POLLUTION CONTROL ACT PERMITTING REQUIREMENTS CONTINUES TO APPLY WHEN THE LAND IS TRANSFERRED INTO A WETLANDS RESTORATION PROGRAM OR OTHER WATER QUALITY, WATER RESOURCES, OR WILDLIFE HABITAT ENHANCEMENT PROGRAM, is read the first time and referred to the Committee on Agriculture.

S.B. 655, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT DENTIST AGREEMENTS WITH MANAGEMENT COMPANIES DO NOT COMPROMISE THE FUNDAMENTAL PUBLIC PURPOSE OF THE DENTAL PRACTICE ACT, WHICH IS ENSURING THAT CITIZENS HAVE ACCESS TO HIGH QUALITY DENTAL CARE THAT IS OWNED, CONTROLLED, AND SUPERVISED BY LICENSED AND PROFESSIONAL DENTISTS WITH DEMONSTRATED CLINICAL SKILLS AND WHO ARE ACCOUNTABLE FOR THEIR DENTAL DECISIONS, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

The House stands adjourned.

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EIGHTIETH DAY

HOUSE OF REPRESENTATIVES
Wednesday, June 8, 2011

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 Representative Leo Daughtry:

"We give thanks and praise to a loving God who has blessed our lives - He has blessed this State - He has blessed this Nation.

"Oh, Lord, it has turned off hot this past few days and we are plowing through a large number of bills prior to crossover. Help us to keep our egos in check, remembering that this great State has survived for over 200 years without the passage of all these bills, and with Your help we will continue to survive.

"We further trust that You will eventually lead us to a place where we don't seek the blessings from those who cannot give them and where we don't confuse what we want with what You want.

"And finally, Lord, fill us with compassion, with service to others, non-judgmental and with Your grace to every creature, great and small. Amen."

Representative T. Moore, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 7 has been examined and found correct. Upon his motion, the Journal is approved as written.

A leave of absence is granted Representative Wilkins for today. Representatives Cotham, Folwell, Harrison, Lewis, and Stevens are excused for a portion of the Session.

Serving as Honorary Page for today is Barbara Blust, daughter of Representative John Blust.

**REPORTS OF STANDING COMMITTEES AND PERMANENT
SUBCOMMITTEES**

The following reports from standing committees and permanent subcommittee are presented:

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By Representatives Howard, Folwell, Setzer, and Starnes, Chairs, for the Committee on Finance:

H.B. 376, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE STATUTES GOVERNING THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b) and without objection, the committee substitute bill is placed on today's Supplemental Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 841, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE PROGRAM EVALUATION DIVISION OF THE NORTH CAROLINA GENERAL ASSEMBLY SHALL CONDUCT A COMPREHENSIVE PROGRAM AND FINANCIAL REVIEW OF THE NORTH CAROLINA GLOBAL TRANSPARK AUTHORITY, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

Pursuant to Rule 36(b) and without objection, the committee substitute bill is placed on today's Supplemental Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative McCormick, Chair, for the Commerce and Job Development Subcommittee on Business and Labor, with approval of standing committee Chair for reports to be made directly to the floor of the House:

H.B. 24, A BILL TO BE ENTITLED AN ACT TO MODIFY AND EXPAND THE DUTIES OF THE JOINT LEGISLATIVE ECONOMIC DEVELOPMENT OVERSIGHT COMMITTEE, with a favorable report.

Pursuant to Rule 36(b) and without objection, the bill is placed on today's Supplemental Calendar.

H.B. 237, A BILL TO BE ENTITLED AN ACT TO REQUIRE ECONOMIC IMPACT STATEMENTS ON ALL BILLS THAT PROPOSE REGULATORY CHANGES, SIMILAR TO THE FISCAL NOTES THAT AGENCIES MUST PREPARE DURING RULE MAKING, with a favorable report.

June 8, 2011

Pursuant to Rule 36(b) and without objection, the bill is placed on today's Supplemental Calendar.

By Representative Avila, Chair, for the Commerce and Job Development Subcommittee on Science and Technology, with approval of standing committee Chair for report to be made directly to the floor of the House:

H.B. 391, A BILL TO BE ENTITLED AN ACT TO MODERNIZE PROCUREMENT METHODS USED BY THE SECRETARY OF ADMINISTRATION AND STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, 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.R. 563, A HOUSE RESOLUTION HONORING THE LIFE AND MEMORY OF RALPH CAMPBELL, JR., FORMER STATE AUDITOR.

The resolution is adopted, by electronic vote (116-0), and ordered printed.

H.R. 892, A HOUSE RESOLUTION HONORING THE LIVES AND MEMORIES OF WILLIAM DAVID NEWSOME AND PARKER D. ROBBINS, FORMER MEMBERS OF THE GENERAL ASSEMBLY.

The resolution is adopted, by electronic vote (115-0), and ordered printed.

H.B. 45 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE USE OF RISK-BASED REMEDIATION TO ACCELERATE THE CLEANUP OF CONTAMINATED INDUSTRIAL SITES FOR THE PURPOSE OF LIMITING HUMAN AND ENVIRONMENTAL EXPOSURE TO SAFE LEVELS, TO PROTECT CURRENT AND LIKELY FUTURE USES OF GROUNDWATER, AND TO ENSURE THE COST-EFFECTIVE APPLICATION OF LIMITED PUBLIC AND PRIVATE RESOURCES.

On motion of Representative Gillespie, the House concurs in the Senate committee substitute bill, by electronic vote (85-26), and the bill is ordered enrolled and presented to the Governor.

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Representatives Brubaker and Ingle request and are granted leave of the House to be recorded as voting "aye". Representative Graham requests and is granted leave of the House to change his vote from "aye" to "no". The adjusted vote total is (86-27).

ENROLLED BILLS

The following bills are duly ratified and presented to the Governor:

S.B. 16 AN ACT TO REQUIRE THAT LAW ENFORCEMENT REQUEST A BLOOD SAMPLE UNDER THE STATE IMPLIED-CONSENT LAWS FROM ANY PERSON CRIMINALLY CHARGED IN ANY CASE INVOLVING DEATH BY VEHICLE AND CERTAIN OTHER OFFENSES AND TO SEEK A WARRANT IF THE DRIVER REFUSES AND THERE IS PROBABLE CAUSE TO BELIEVE THE OFFENSE INVOLVED IMPAIRED DRIVING OR IS ALCOHOL-RELATED.

S.B. 321, AN ACT TO CONFORM PROVISIONS OF NORTH CAROLINA SURPLUS LINES INSURANCE LAWS TO THE FEDERAL NONADMITTED AND REINSURANCE REFORM ACT OF 2010, TO STREAMLINE APPLICATIONS FOR COMMERCIAL PURCHASERS, TO PREVENT ANY LOSS OF PREMIUM TAX REVENUE TO THE STATE, AND TO CONFORM THE DEFINITION OF RISK RETENTION GROUP TO FEDERAL LAW.

S.B. 513, AN ACT TO ALLOW CREDIT UNIONS TO CONDUCT SAVINGS PROMOTION RAFFLES.

H.B. 181, AN ACT TO ADD THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION TO THE ECONOMIC DEVELOPMENT BOARD, AS RECOMMENDED BY THE JOINT LEGISLATIVE JOINING OUR BUSINESSES AND SCHOOLS (JOBS) STUDY COMMISSION.

The following bills are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 155, AN ACT TO ALLOW THE TOWNS OF GARNER, KNIGHTDALE, MORRISVILLE, WENDELL, AND ZEBULON AND THE CITIES OF DURHAM AND WINSTON-SALEM TO COLLECT DELINQUENT STORMWATER UTILITY FEES IN THE SAME MANNER AS THEY MAY COLLECT DELINQUENT PERSONAL AND REAL PROPERTY TAXES.

June 8, 2011

S.B. 431, AN ACT TO INCORPORATE THE TOWN OF FONTANA DAM.

H.B. 150, AN ACT AMENDING THE CHARTER OF THE CITY OF GREENSBORO.

H.B. 528, AN ACT TO ADD AN ADDITIONAL MEMBER TO THE DUPLIN COUNTY BOARD OF EDUCATION AND THE BOARD OF COMMISSIONERS OF DUPLIN COUNTY, AND TO CONFIRM THAT NORMAL REDISTRICTING REQUIREMENTS APPLY TO THOSE UNITS.

WITHDRAWAL OF BILL FROM COMMITTEE

On motion of Representative LaRoque and without objection, **H.B. 593** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE NASH COUNTY TO PROVIDE GRANTS TO PROMOTE BROADBAND IN UNSERVED AREAS FOR ECONOMIC DEVELOPMENT IN THE COUNTY, is withdrawn from the Committee on Finance and pursuant to Rule 36(b), is placed on today's Supplemental Calendar.

CALENDAR (continued)

H.B. 183 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE GENERAL ASSEMBLY TO STUDY ISSUES RELATED TO HOMEOWNERS ASSOCIATION FORECLOSURE OF PROPERTY WHERE THE DEBT SECURING THE ASSOCIATION ASSESSMENT LIEN CONSISTS OF UNPAID HOMEOWNERS ASSOCIATION DUES OR OTHER COSTS ASSOCIATED WITH UNPAID HOMEOWNERS ASSOCIATION DUES, passes its second reading, by electronic vote (116-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 389, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE TO STUDY THE NEED FOR A MOTOR VEHICLE REGISTRATION, INSPECTION, AND FINANCIAL RESPONSIBILITY PROGRAM FOR MOPEDS, 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.

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H.B. 450 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE AUTOMATIC RENEWAL OF MERCHANT CREDIT CARD PROCESSING CONTRACTS, passes its second reading, by electronic vote (116-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.J.R. 612, A JOINT RESOLUTION TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE CURRENT CRIMINAL AND MENTAL HEALTH LAWS AND PROCEDURES REGARDING INCAPACITY TO PROCEED TO TRIAL AND INVOLUNTARY COMMITMENT, 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. 757 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE CONSOLIDATION OF THE NORTH CAROLINA COUNCIL FOR WOMEN AND THE DOMESTIC VIOLENCE COMMISSION INTO ONE COMMISSION TO IMPROVE SERVICES TO VICTIMS OF DOMESTIC VIOLENCE AND SEXUAL ASSAULT AND SERVICES TO DISPLACED HOMEMAKERS, passes its second reading, by electronic vote (116-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.J.R. 760, A JOINT RESOLUTION TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE OBSTACLES ENCOUNTERED IN SEEKING EMPLOYMENT BY PERSONS WHO HAVE COMMITTED RELATIVELY MINOR CRIMINAL OFFENSES, THE NEED FOR EMPLOYERS TO HAVE ACCURATE CRIMINAL INFORMATION ABOUT POTENTIAL EMPLOYEES, AND THE FEASIBILITY OF DEVELOPING AND IMPLEMENTING AN EXPUNCTION PROCEDURE THAT STRIKES THE APPROPRIATE BALANCE BETWEEN THOSE CONCERNS, 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.

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H.B. 765, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A BLUE RIBBON COMMISSION TO STUDY THE CURRENT LENGTH OF THE SCHOOL YEAR IN NORTH CAROLINA AND TO DETERMINE HOW LONG THE SCHOOL YEAR SHOULD BE, passes its second reading, by electronic vote (116-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 774, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENTS OF AGRICULTURE AND INSURANCE TO STUDY OPTIONS FOR AGRICULTURAL CONTRACT GROWERS TO PROTECT THEMSELVES AGAINST FINANCIAL LOSSES DUE TO WEATHER, NATURAL DISASTERS, OR OTHER ACTS OF GOD, passes its second reading, by electronic vote (116-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 796, A BILL TO BE ENTITLED AN ACT TO DIRECT THE REVENUE LAWS STUDY COMMITTEE TO STUDY THE METHODOLOGY OF VALUATION OF PROPERTY FOR PROPERTY TAX PURPOSES TO ENSURE THE PROCESS IS BOTH UNIFORM AND FAIR, passes its second reading, by electronic vote (116-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 825, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE JOINT LEGISLATIVE STUDY COMMISSION ON METHAMPHETAMINE LAB PREVENTION, passes its second reading, by electronic vote (116-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 836, A BILL TO BE ENTITLED AN ACT CREATING THE STUDY COMMITTEE ON THE COMPENSATION OF STATE BOARD AND COMMISSION EMPLOYEES, passes its second reading, by electronic vote (116-0), and there being no objection is read a third time.

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The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 925 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE LEGISLATIVE RESEARCH COMMISSION TO STUDY WHETHER THE EFFICIENCY OF PROVIDING WATER AND SEWER SERVICES CAN BE IMPROVED BY REQUIRING LARGE CITIES LOCATED ENTIRELY WITHIN A METROPOLITAN SEWERAGE DISTRICT TO CONVEY THEIR WATER SYSTEM TO THAT DISTRICT WHICH CAN THEN OPERATE BOTH WATER AND SEWER, passes its second reading, by electronic vote (116-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 183, H.B. 389, H.B. 450, H.J.R. 612, H.B. 757, H.J.R. 760, H.B. 765, H.B. 774, H.B. 796, H.B. 825, H.B. 836, and H.B. 925 are local bills and without objection are voted on as a group. Representative Ingle requests and is granted permission to be recorded as voting "aye". The adjusted vote total for these bills is (117-0).

H.B. 854 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REQUIRE A TWENTY-FOUR-HOUR WAITING PERIOD AND THE INFORMED CONSENT OF A PREGNANT WOMAN BEFORE AN ABORTION MAY BE PERFORMED.

Representative Samuelson offers Amendment No. 1 which is adopted by electronic vote (109-2).

REPRESENTATIVE FOLWELL, SPEAKER PRO TEMPORE, PRESIDING.

Representative Haire offers an amendment which is ruled out of order.

SPEAKER TILLIS PRESIDING.

The bill, as amended, passes its second reading, by electronic vote (71-48), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate by Special Message.

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S.B. 727 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE DUES CHECKOFF OPTION FOR ACTIVE AND RETIRED PUBLIC SCHOOL EMPLOYEES.

Representative Luebke offers Amendment No. 1 which fails of adoption by electronic vote (49-62).

The bill passes its second reading by electronic vote (71-47).

Representative Lucas requests and is granted leave of the House to be recorded as voting "no". The adjusted vote total is (71-48).

Representative Jackson objects to the third reading. The bill remains on the Calendar.

H.B. 15, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN NORTH CAROLINA COMMUNITY COLLEGES MAY OPT OUT OF PARTICIPATION IN THE WILLIAM D. FORD FEDERAL DIRECT LOAN PROGRAM.

Pursuant to Rule 24.1A, Representative Iler requests that he be excused from voting on this bill because he is a member of the Board of Trustees for Brunswick Community College. This request is granted.

Representative T. Moore calls the previous question on the passage of the bill and the call is sustained by electronic vote (69-46).

The bill passes its second reading, by electronic vote (74-42), 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. 58 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN NORTH CAROLINA COMMUNITY COLLEGES MAY OPT OUT OF PARTICIPATION IN THE WILLIAM D. FORD FEDERAL DIRECT LOAN PROGRAM.

Representative T. Moore calls the previous question on the passage of the bill and the call is sustained by electronic vote (70-48).

The bill passes its second reading, by electronic vote (76-42), and there being no objection is read a third time.

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Representative T. Moore calls the previous question on the passage of the bill and the call is sustained by electronic vote (67-49).

The bill passes its third reading, by electronic vote (74-43), and is ordered sent to the Senate by Special Message.

On motion of the Speaker, the House recesses, subject to the receipt of Committee Reports, the receipt of Conference Reports, and the receipt of Messages from the Senate, at 6:07 p.m.

RECESS

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representative Blust, Chair, for Judiciary Subcommittee A, with approval of standing committee Chair for report to be made directly to the floor of the House:

H.B. 87 (Committee Substitute No. 2A), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A THIRTY-DAY MORATORIUM ON COMMERCIAL COMMUNICATIONS WITH ACCIDENT VICTIMS AND PERSONS CHARGED WITH CERTAIN VIOLATIONS RELATING TO OPERATION OF A MOTOR VEHICLE, with a favorable report as to Committee Substitute Bill No. 3, which changes the title, unfavorable as to Committee Substitute Bill No. 2A, and recommendation that Committee Substitute Bill No. 3 be re-referred to the Committee on Rules, Calendar, and Operations of the House.

Committee Substitute Bill No. 3 is re-referred to the Committee on Rules, Calendar, and Operations of the House. Committee Substitute Bill No. 2A is placed on the Unfavorable Calendar.

H.B. 203, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN ALTERNATIVE MORTGAGE SATISFACTION FORM THAT ALLOWS A SECURED CREDITOR TO INDICATE THAT THE UNDERLYING OBLIGATION HAS BEEN EXTINGUISHED, with a favorable report.

Pursuant to Rule 36(b) and without objection, the bill is placed on today's Supplemental Calendar.

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H.B. 625, A BILL TO BE ENTITLED AN ACT ESTABLISHING A BILL OF RIGHTS FOR CHILDREN WHO ARE DEAF OR HEARING IMPAIRED, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Rules, Calendar, and Operations of the House.

The committee substitute bill is re-referred to the Committee on Rules, Calendar, and Operations of the House. The original bill is placed on the Unfavorable Calendar.

H.B. 652, A BILL TO BE ENTITLED AN ACT ESTABLISHING THE PROPERTY OWNERS PROTECTION ACT, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

Pursuant to Rule 36(b) and without objection, the committee substitute bill is placed on today's Supplemental Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 732, A BILL TO BE ENTITLED AN ACT TO ENACT THE TORT REFORM ACT OF 2011, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Rules, Calendar, and Operations of the House.

The committee substitute bill is re-referred to the Committee on Rules, Calendar, and Operations of the House. The original bill is placed on the Unfavorable Calendar.

H.B. 832, A BILL TO BE ENTITLED AN ACT TO ALLOW NON-ATTORNEY OWNERSHIP OF PROFESSIONAL CORPORATION LAW FIRMS, SUBJECT TO CERTAIN REQUIREMENTS, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Rules, Calendar, and Operations of the House.

The committee substitute bill is re-referred to the Committee on Rules, Calendar, and Operations of the House. The original bill is placed on the Unfavorable Calendar.

H.B. 859, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT THE ADMINISTRATIVE OFFICE OF THE COURTS IS A CUSTODIAN OF COURT RECORDS, TO CLARIFY THAT THOSE COURT RECORDS ARE A PUBLIC RECORD AND ARE AVAILABLE UPON REQUEST TO A THIRD PARTY UPON PAYMENT OF A REASONABLE AMOUNT

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TO COVER REPRODUCTION COSTS, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Rules, Calendar, and Operations of the House.

The committee substitute bill is re-referred to the Committee on Rules, Calendar, and Operations of the House. The original bill is placed on the Unfavorable Calendar.

By Representatives LaRoque and T. Moore, Chairs, for the Committee on Rules, Calendar, and Operations of the House:

H.B. 437, A BILL TO BE ENTITLED AN ACT HOLDING THE NEW HANOVER COUNTY BOARD OF COMMISSIONERS ACCOUNTABLE FOR THE WORK OF GOVERNMENTAL AND QUASI-GOVERNMENTAL AUTHORITIES, BOARDS, COMMITTEES, AND COMMISSIONS APPOINTED BY THE COMMISSION OR RECEIVING COUNTY FUNDS, 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) and without objection, the committee substitute bill is placed on today's Supplemental Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 442, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF DAVIDSON TO USE DESIGN-BUILD DELIVERY METHODS AND CONCERNING THE TOWN'S INVESTMENT AUTHORITY, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

Pursuant to Rule 36(b) and without objection, the committee substitute bill is placed on today's Supplemental Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 763, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE TO DIRECT THE PROGRAM EVALUATION DIVISION TO STUDY THE DIVISION OF MOTOR VEHICLES' COMMISSION CONTRACT FOR THE ISSUANCE OF PLATES AND CERTIFICATES PROGRAM TO DEVELOP OPERATIONAL PRACTICES THAT WOULD RESULT IN INCREASED OPERATING EFFICIENCY, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

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Pursuant to Rule 36(b) and without objection, the committee substitute bill is placed on today's Supplemental Calendar. The original bill is placed on the Unfavorable Calendar.

By Representatives Langdon and Sager, Chairs, for the Committee on Agriculture:

S.B. 493 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CODIFY THE NORTH CAROLINA CENTURY FARMS PROGRAM OF THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

By Representative Lewis, Chair, for the Committee on Elections:

H.B. 125, A BILL TO BE ENTITLED AN ACT TO PERMIT COUNTIES TO HAVE FEWER THAN ALL PRECINCTS OPEN FOR A SECOND PRIMARY, 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) and without objection, the committee substitute bill is placed on today's Supplemental Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 300, A BILL TO BE ENTITLED AN ACT TO ROTATE THE ORDER OF CANDIDATES AND POLITICAL PARTIES AS THEY APPEAR ON BALLOTS, TO ELIMINATE STRAIGHT-PARTY TICKET VOTING, AND TO PROVIDE PARTISAN BALANCE ON THE STATE BOARD OF ELECTIONS, 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) and without objection, the committee substitute bill is placed on today's Supplemental Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 346, A BILL TO BE ENTITLED AN ACT RELATING TO POLITICAL ACTION COMMITTEE TREASURER TRAINING AND TO REQUIRE THE FILING OF AN ORGANIZATIONAL REPORT PRIOR TO BEING PLACED ON THE BALLOT, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

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Pursuant to Rule 36(b) and without objection, the committee substitute bill is placed on today's Supplemental Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 710, A BILL TO BE ENTITLED AN ACT TO COMBINE THE FUNCTIONS OF THE STATE ETHICS COMMISSION, THE LOBBYING SECTION OF THE SECRETARY OF STATE, AND THE CAMPAIGN FINANCE DIVISION OF THE STATE BOARD OF ELECTIONS INTO AN AGENCY TO BE KNOWN AS THE STATE BOARD OF ETHICS, LOBBYING, AND CAMPAIGN FINANCE, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b) and without objection, the committee substitute bill is placed on today's Supplemental Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Steen, Chair, for the Committee on Public Utilities:

H.B. 372, A BILL TO BE ENTITLED AN ACT CONCERNING UTILITY FRANCHISES IN THE CITY OF WINSTON-SALEM, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b) and without objection, the committee substitute bill is placed on today's Supplemental Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 457, A BILL TO BE ENTITLED AN ACT PROVIDING THAT MUNICIPAL ELECTRIC UTILITIES SHALL BE SUBJECT TO OVERSIGHT BY THE UTILITIES COMMISSION AS TO RATES AND SERVICE AND THAT THE UTILITIES COMMISSION PUBLIC STAFF SHALL SERVE AS AN ADVOCATE FOR MUNICIPAL CUSTOMERS IN RATE AND SERVICE CASES, 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) and without objection, the committee substitute bill is placed on today's Supplemental Calendar. The original bill is placed on the Unfavorable Calendar.

S.B. 709 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE ENERGY PRODUCTION IN NORTH CAROLINA TO DEVELOP A SECURE, STABLE, AND PREDICTABLE ENERGY SUPPLY TO FACILITATE ECONOMIC GROWTH, JOB CREATION, AND EXPANSION OF BUSINESS AND INDUSTRY OPPORTUNITIES

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AND TO ASSIGN FUTURE REVENUE FROM ENERGY EXPLORATION, DEVELOPMENT, AND PRODUCTION OF ENERGY RESOURCES IN ORDER TO PROTECT AND PRESERVE THE STATE'S NATURAL RESOURCES, CULTURAL HERITAGE, AND QUALITY OF LIFE, with a favorable report as to the House committee substitute bill, unfavorable as to the Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representatives Howard, Folwell, Setzer, and Starnes, Chairs, for the Committee on Finance:

H.B. 494 (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, and recommendation that Committee Substitute Bill No. 2 be referred to the Appropriations Subcommittee on Justice and Public Safety.

The referral to the Appropriations Subcommittee on Justice and Public Safety is stricken.

Pursuant to Rule 36(b) and without objection, Committee Substitute Bill No. 2 is placed on today's Supplemental Calendar. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representatives Stam and Stevens, Chairs, for Judiciary Subcommittee B, with approval of standing committee Chair for report to be made directly to the floor of the House:

S.B. 272 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE ROLE OF CHARITABLE DONATIONS AND WRITE-OFFS AS COLLATERAL SOURCES FOR CRIME VICTIMS COMPENSATION, TO MODIFY THE SCOPE OF DEPENDENT'S ECONOMIC LOSS FOR CRIME VICTIMS COMPENSATION, TO CLARIFY THE CONFIDENTIALITY OF CRIME VICTIMS COMPENSATION COMMISSION RECORDS, AND TO REQUIRE SUSPENSION

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OF CRIME VICTIMS COMPENSATION PROCEEDINGS UPON REQUEST OF THE ATTORNEY GENERAL, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

H.B. 606, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A SHERIFF OR A DESIGNATED DEPUTY SHERIFF INVESTIGATING THE DIVERSION AND ILLEGAL USE OF CONTROLLED SUBSTANCES MAY INSPECT PRESCRIPTION AND PHARMACEUTICAL RECORDS AND MAY ALSO OBTAIN DATA IN THE CONTROLLED SUBSTANCE REPORTING SYSTEM MAINTAINED BY THE DEPARTMENT OF HEALTH AND HUMAN SERVICES 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) and without objection, the committee substitute bill is placed on today's Supplemental Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 12, A BILL TO BE ENTITLED AN ACT TO ADD SYNTHETIC CANNABINOIDS TO THE LIST OF CONTROLLED SUBSTANCES, WHICH MAKES THE UNLAWFUL POSSESSION, MANUFACTURE, OR SALE OR DELIVERY OF SYNTHETIC CANNABINOIDS CRIMINAL OFFENSES AND TO CREATE THE CRIMINAL OFFENSE OF TRAFFICKING IN SYNTHETIC CANNABINOIDS, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

The serial referral to the Appropriations Subcommittee on Health and Human Services is stricken.

Pursuant to Rule 36(b) and without objection, the committee substitute bill is placed on today's Supplemental Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 741, A BILL TO BE ENTITLED AN ACT PROVIDING FOR AN ENTERPRISE APPROACH FOR DETECTION OF FRAUD, WASTE, ABUSE, AND IMPROPER PAYMENTS IN STATE GOVERNMENT

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PROGRAMS AND APPROPRIATING FUNDS FOR THAT PURPOSE, 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) and without objection, the committee substitute bill is placed on today's Supplemental Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative McGee, Chair, for the Committee on State Personnel:

H.B. 730, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF STATE TREASURER TO CREATE A CENTRALIZED 403(B) RETIREMENT ANNUITY PLAN AS AN OPTION FOR EMPLOYEES OF LOCAL BOARDS OF EDUCATION, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b) and without objection, the committee substitute bill is placed on today's Supplemental Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 910, A BILL TO BE ENTITLED AN ACT TO LIMIT ABORTION COVERAGE UNDER THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES AS WELL AS UNDER ANY HEALTH INSURANCE PLAN OFFERED BY A COUNTY OR MUNICIPALITY, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b) and without objection, the committee substitute bill is placed on today's Supplemental Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 927, A BILL TO BE ENTITLED AN ACT TO ADJUST THE RETIREMENT AGE FOR MEMBERS OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM WHO BECOME MEMBERS ON OR AFTER AUGUST 1, 2011, TO LIMIT THE AMOUNT OF SICK LEAVE THAT CAN BE CONVERTED TO RETIREMENT CREDIT, TO LIMIT COMPENSATION FOR PURPOSES OF CONTRIBUTIONS AND CALCULATION OF BENEFITS FOR MEMBERS WHO BECOME MEMBERS ON OR AFTER AUGUST 1, 2011, TO THE SALARY SET FOR THE GOVERNOR, TO PROVIDE THAT COMPENSATION TO BE USED IN CALCULATING AVERAGE FINAL COMPENSATION FOR MEMBERS WHO BECOME MEMBERS ON OR AFTER AUGUST 1, 2011, CAN INCREASE BY NO MORE THAN TEN PERCENT FROM ONE

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YEAR TO THE NEXT, TO AMEND THE PROVISIONS SPECIAL SEPARATION ALLOWANCE FOR LAW ENFORCEMENT OFFICERS HIRED ON OR AFTER AUGUST 1, 2011, AND TO MAKE IT A CLASS 1 MISDEMEANOR TO FRAUDULENTLY RECEIVE THE RETIREMENT BENEFIT OF A DECEASED RETIREE AT LEAST TWO MONTHS AFTER THE RETIREE'S DEATH, 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 serial referral to the Committee on Finance is stricken.

The re-referral to the Committee on Appropriations is stricken.

Pursuant to Rule 36(b) and without objection, the committee substitute bill is placed on today's Supplemental Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 928, A BILL TO BE ENTITLED AN ACT TO REFORM THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES, 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 serial referral to the Committee on Finance is stricken.

The re-referral to the Committee on Appropriations is stricken.

Pursuant to Rule 36(b) and without objection, the committee substitute bill is placed on today's Supplemental Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative McCormick, Chair, for the Commerce and Job Development Subcommittee on Business and Labor, with approval of standing committee Chair for report to be made directly to the floor of the House:

S.B. 183 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ESTABLISH CERTAIN STATUTORY STANDARDS FOR SELECTIVE VEGETATION REMOVAL WITHIN THE RIGHTS-OF-WAY OF THE STATE HIGHWAY SYSTEM, with a favorable report as to the House committee substitute bill, unfavorable as to Senate Committee Substitute Bill No. 2.

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Pursuant to Rule 32(a), the House committee substitute bill is referred to the Committee on Finance. Senate Committee Substitute Bill No. 2 is placed on the Unfavorable Calendar.

S.B. 194 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PLUG-IN ELECTRIC VEHICLES TO OPERATE IN HIGH OCCUPANCY VEHICLE LANES AND TO EXEMPT PLUG-IN ELECTRIC VEHICLES FROM THE EMISSIONS INSPECTION REQUIREMENT, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

S.B. 438 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY MOTOR VEHICLE DEALERS AND MANUFACTURERS LICENSING LAW, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

S.J.R. 778, A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF THE APPOINTMENT OF EDWARD S. FINLEY, JR., TO THE UTILITIES COMMISSION, with a favorable report.

Pursuant to Rule 36(b), the resolution is placed on the Calendar.

SPECIAL MESSAGES FROM THE SENATE

The following Special Messages are received from the Senate:

H.B. 736 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REORGANIZE THE GENERAL STATUTES RELATING TO SCHOOL DISCIPLINE; PREVENT LITIGATION BY ADDING DEFINITIONS TO, AND CLARIFYING AMBIGUITIES IN, THE CURRENT LAW; CODIFY EXISTING CASE LAW; AND INCREASE LOCAL CONTROL AND FLEXIBILITY REGARDING DISCIPLINE, 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 Supplemental Calendar.

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S.B. 151 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE WAKE COUNTY BOARD OF COMMISSIONERS TO REDISTRIBUTE THEIR RESIDENCY DISTRICTS AND TO BRING WAKE COUNTY UNDER THE GENERAL LAW CONCERNING FILLING OF VACANCIES ON ITS COUNTY BOARD OF COMMISSIONERS, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 203, A BILL TO BE ENTITLED AN ACT ESTABLISHING A PROCESS TO SET ASIDE AN ORDER OF PATERNITY OR AN AFFIDAVIT OF PARENTAGE UNDER LIMITED CIRCUMSTANCES, is read the first time and referred to Judiciary Subcommittee C.

S.B. 250 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR ELECTION OF MEMBERS OF THE HARKERS ISLAND SANITARY DISTRICT BOARD ON THE SAME DATE AS GENERAL ELECTIONS IN EVEN-NUMBERED YEARS, is read the first time and referred to the Committee on Government.

S.B. 260 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REDUCE THE SIZE OF THE PITT COUNTY BOARD OF EDUCATION FROM TWELVE MEMBERS TO SEVEN, TO PROVIDE FOR FOUR-YEAR TERMS RATHER THAN SIX-YEAR TERMS AND TO ADD AN AT-LARGE MEMBER, is read the first time and referred to the Committee on Government.

S.B. 268 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE ENHANCED PROTECTIONS FOR VICTIMS AND WITNESSES BY ADDING AN EXCEPTION TO THE HEARSAY RULE THAT ALLOWS THE STATEMENT OF AN UNAVAILABLE WITNESS TO BE INTRODUCED INTO EVIDENCE IN CERTAIN CIRCUMSTANCES AND BY INCREASING THE CRIMINAL PENALTY FOR THE OFFENSE OF INTIMIDATING OR INTERFERING WITH A WITNESS, is read the first time and referred to Judiciary Subcommittee A.

S.B. 293 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ESTABLISHMENT OF ECOCOMPLEX RENEWABLE ENERGY DEMONSTRATION PARKS IN CATAWBA COUNTY, is read the first time and referred to the Committee on Environment.

S.B. 324 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE EASTERN BAND OF CHEROKEE INDIANS, A FEDERALLY RECOGNIZED INDIAN TRIBE AND SOVEREIGN NATION, TO RECEIVE SHIPMENTS OF SPIRITUOUS LIQUOR FROM

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THE NORTH CAROLINA ALCOHOLIC BEVERAGE CONTROL COMMISSION AND TO AUTHORIZE THE EASTERN BAND OF CHEROKEE INDIANS TO ESTABLISH A TRIBAL ALCOHOLIC BEVERAGE CONTROL COMMISSION TO REGULATE THE PURCHASE, POSSESSION, CONSUMPTION, SALE, AND DELIVERY OF ALCOHOLIC BEVERAGES AT RETAIL, is read the first time and referred to the Commerce and Job Development Subcommittee on Alcoholic Beverage Control.

S.B. 349 (Committee Substitute), A BILL TO BE ENTITLED AN ACT WHICH ALLOWS THE NORTH CAROLINA STATE BOARD OF EXAMINERS IN OPTOMETRY TO CONSIDER CERTAIN INVESTIGATIVE INFORMATION AS CONFIDENTIAL, REQUIRES LICENSEES TO COOPERATE WITH LAW ENFORCEMENT AGENCIES, AND REQUIRES LICENSEES TO SELF-REPORT CERTAIN INDICTMENTS, ARRESTS, MEDICAL JUDGMENTS, AWARDS, PAYMENTS, AND SETTLEMENTS, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 356 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO LIMIT AN INDIVIDUAL FROM RUNNING ON THE SAME GENERAL ELECTION BALLOT FOR MORE THAN ONE OFFICE, EXCEPT TO FILL A VACANCY FOR THE REMAINDER OF AN UNEXPIRED TERM, is read the first time and referred to the Committee on Elections.

S.B. 435 (Committee Substitute), A BILL TO BE ENTITLED AN ACT REQUIRING A CERTIFICATE OF MERIT IN CIVIL ACTIONS OR ARBITRATION PROCEEDINGS BROUGHT AGAINST A PERSON OR FIRM PROVIDING ARCHITECTURE OR ENGINEERING SERVICES IN THIS STATE, is read the first time and referred to the Select Committee on Tort Reform.

S.B. 517 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW HEALTH PROVIDERS AND HEALTH INSURERS TO FREELY NEGOTIATE REIMBURSEMENT RATES BY PROHIBITING CONTRACT PROVISIONS THAT RESTRICT RATE NEGOTIATIONS, is read the first time and referred to the Committee on Judiciary.

S.B. 533 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE UTILITIES COMMISSION TO ADOPT PROCEDURES THAT ALLOW A LESSOR OF A RESIDENTIAL BUILDING OR COMPLEX HAVING INDIVIDUALLY METERED UNITS FOR ELECTRIC SERVICE IN THE LESSOR'S NAME TO CHARGE FOR THE ACTUAL COSTS OF PROVIDING ELECTRIC SERVICE TO

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EACH TENANT WHEN THE LESSOR HAS A SEPARATE LEASE FOR EACH BEDROOM IN THE UNIT, AND TO MAKE OTHER CONFORMING CHANGES, is read the first time and referred to the Committee on Public Utilities.

S.B. 603 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE REQUIREMENT TO SUBMIT A MATERIAL SAFETY DATA SHEET TO THE NORTH CAROLINA PESTICIDE BOARD IN CONNECTION WITH REGISTRATION OF A PESTICIDE, is read the first time and referred to the Committee on Agriculture.

S.B. 609 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE INSURANCE LAWS IN ORDER TO FACILITATE THE USE OF LOCUM TENENS PHYSICIANS TO ENSURE NORTH CAROLINA'S MEDICAL PROFESSIONALS ARE CAPABLE OF SERVING THE STATE'S EXPANDING POPULATION, is read the first time and referred to the Committee on Health and Human Services.

S.B. 617 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY IMPLEMENTATION OF FEDERAL FOOD ALLERGY AND ANAPHYLAXIS MANAGEMENT GUIDELINES IN PUBLIC SCHOOLS, is read the first time and referred to the Committee on Health and Human Services.

S.B. 628 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A CRIMINAL PENALTY FOR THE INTENTIONAL WITHHOLDING OF INFORMATION MATERIAL TO A DETERMINATION CONCERNING A WATER QUALITY PERMIT OR CERTIFICATION, AND TO AUTHORIZE THE ENVIRONMENTAL MANAGEMENT COMMISSION TO DENY A WATER QUALITY PERMIT OR CERTIFICATION IF AN APPLICANT INTENTIONALLY WITHHOLDS INFORMATION OR KNOWINGLY PROVIDES FALSE INFORMATION THAT IS MATERIAL TO A DETERMINATION CONCERNING A WATER QUALITY PERMIT OR CERTIFICATION, is read the first time and referred to the Committee on Environment.

S.B. 631, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA TO RECOGNIZE THE CHEROKEE LANGUAGE AS A LANGUAGE FOR WHICH A STUDENT MAY SATISFY A FOREIGN LANGUAGE COURSE REQUIREMENT FOR DEGREE COMPLETION, is read the first time and referred to the Committee on Education.

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S.B. 702 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE STATE TREASURER TO PURCHASE LIABILITY INSURANCE, is read the first time and referred to the Committee on Insurance.

S.B. 712 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADJUST THE CALENDAR PERIODS COVERED BY QUARTERLY REPORTS OF CAMPAIGN CONTRIBUTIONS AND EXPENDITURES, is read the first time and referred to the Committee on Elections.

S.B. 726 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW PARENTS OR GUARDIANS TO MAKE THE DECISION REGARDING CLASSROOM PLACEMENT FOR MULTIPLE BIRTH SIBLINGS, is read the first time and referred to the Committee on Education.

S.B. 745 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PRESERVE THE THREE-TIER DISTRIBUTION SYSTEM FOR MALT BEVERAGES IN NORTH CAROLINA BY CLARIFYING PROVISIONS OF THE BEER FRANCHISE LAW TO PROVIDE: A FRANCHISE AGREEMENT APPLIES TO ALL SUPPLIER PRODUCTS UNDER THE SAME BRAND NAME; A WHOLESALER MUST SELL MALT BEVERAGES TO ALL RETAILERS IN ITS TERRITORY AT THE SAME PRICE AT THE TIME OF DELIVERY; PROHIBITED ACTS OF SUPPLIERS WITH RESPECT TO THEIR DEALINGS WITH WHOLESALERS; GOOD CAUSE FOR TERMINATION MAY NOT BE MODIFIED BY AN AGREEMENT THAT DEFINES GOOD CAUSE IN A MANNER DIFFERENT THAN PROVIDED BY STATE LAW; REVERSION OF SMALL BREWERIES' SELF-DISTRIBUTION RIGHTS UNDER CERTAIN CIRCUMSTANCES; CERTAIN ACTS THAT DO NOT AMOUNT TO GOOD CAUSE FOR TERMINATION OF A FRANCHISE; REMEDIES FOR A SUPPLIER'S WRONGFUL TERMINATION OF A FRANCHISE; INCLUSION OF A WHOLESALER MERGER, THE FACTORS THAT MAY BE CONSIDERED BY THE SUPPLIER IN APPROVING A MERGER OR TRANSFER, AND REMEDIES FOR UNLAWFUL REFUSAL TO APPROVE A MERGER OR TRANSFER; THE BEER FRANCHISE LAW MAY NOT BE WAIVED BY AN AGREEMENT CONTRARY TO STATE LAW; AND MEDIATION OF DISPUTES ARISING UNDER THE BEER FRANCHISE LAW, is read the first time and referred to the Commerce and Job Development Subcommittee on Alcoholic Beverage Control.

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CONFERENCE REPORT

Representative Stevens sends forth a second Conference Report on **S.B. 31** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PENALTY FOR THE UNAUTHORIZED PRACTICE OF MEDICINE. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of June 13.

The House reconvenes pursuant to recess and is called to order by the Speaker.

CALENDAR (continued)

H.B. 744 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE SAFE STUDENTS ACT.

Representative Glazier offers Amendment No. 1 which is adopted by electronic vote (96-0).

Representatives Blackwell and Faison request and are granted leave of the House to be recorded as voting "aye". The adjusted vote total is (98-0).

The bill, as amended, passes its third reading, by electronic vote (77-27), and is ordered engrossed and sent to the Senate by Special Message.

H.B. 244 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE STERLING MONTESSORI ACADEMY AND CHARTER SCHOOL AND THE CASA ESPERANZA MONTESSORI CHARTER SCHOOL TO ELECT TO PARTICIPATE IN THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES, 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 by Special Message.

H.B. 555, 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, 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.

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H.B. 628, A BILL TO BE ENTITLED AN ACT TO DIRECT THE REVENUE LAWS STUDY COMMITTEE TO STUDY POLICIES AND INCENTIVES THAT CAN BE ESTABLISHED TO STIMULATE THE CREATION OF DEVELOPMENT READY SITES TO AID IN JOB RECRUITMENT AND RETENTION EFFORTS.

On motion of Representative T. Moore and without objection, the bill is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

H.B. 720 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE SCHOOL AND TEACHER PAPERWORK REDUCTION ACT.

Representative Murry 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), 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. 822 (Committee Substitute), A BILL TO BE ENTITLED AN ACT DIRECTING THE STATE BOARD OF EDUCATION TO IMPLEMENT A DROPOUT RECOVERY PILOT PROGRAM.

On motion of Representative McComas and without objection, the bill is temporarily displaced.

H.B. 289 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE VARIOUS SPECIAL REGISTRATION PLATES.

Representative Faison offers Amendment No. 3 which fails of adoption by electronic vote (49-69).

The bill passes its third reading, by electronic vote (70-46), and is ordered sent to the Senate by Special Message.

H.B. 895 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE MODIFICATIONS TO THE BUTNER PUBLIC SAFETY DIVISION.

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Representative Crawford offers Amendment No. 1 which is adopted by electronic vote (115-2).

The bill, as amended, passes its second reading, by electronic vote (113-2), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed sent to the Senate by Special Message.

H.B. 822 (Committee Substitute), A BILL TO BE ENTITLED AN ACT DIRECTING THE STATE BOARD OF EDUCATION TO IMPLEMENT A DROPOUT RECOVERY PILOT PROGRAM, which was temporarily displaced, is before the Body.

The bill passes its second reading, by electronic vote (112-1), and there being no objection is read a third time.

Representative Lewis requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (113-1).

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 232, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THERE SHALL BE NO PREMIUM SURCHARGE OR ASSESSMENT OF POINTS UNDER THE SAFE DRIVER INCENTIVE PLAN FOR ANY CONVICTION OF SPEEDING FIFTEEN MILES PER HOUR OR LESS OVER THE SPEED LIMIT.

Representative Spear offers Amendment No. 1 which is adopted by electronic vote (110-4). The amendment changes the title.

The bill, as amended, passes its second reading by electronic vote (60-57). The caption having been amended, the bill remains on the Calendar.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following report from permanent subcommittee is presented:

By Representatives Stam and Stevens, Chairs, for Judiciary Subcommittee B, with approval of standing committee Chair for report to be made directly to the floor of the House:

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H.B. 433, A BILL TO BE ENTITLED AN ACT TO CHANGE THE NUISANCE ABATEMENT LAWS, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

Pursuant to Rule 36(b) and without objection, the committee substitute bill is placed on today's Supplemental Calendar. The original bill is placed on the Unfavorable Calendar.

CALENDAR (continued)

H.B. 281 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STUDY ELIMINATING EXTRATERRITORIAL PLANNING JURISDICTION WHEN COUNTYWIDE ZONING IS IN EFFECT AND WHEN COUNTYWIDE ZONING IS NOT IN EFFECT AND TO ALLOW RESIDENTS OF THE ETJ TO RUN FOR MUNICIPAL OFFICE AND VOTE IN ELECTIONS FOR MUNICIPAL OFFICE, passes its second reading, by electronic vote (82-32), 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. 134 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN NORTH CAROLINA COMMUNITY COLLEGES MAY OPT OUT OF PARTICIPATION IN THE WILLIAM D. FORD FEDERAL DIRECT LOAN PROGRAM.

Representative T. Moore calls the previous question on the passage of the bill and the call is sustained by electronic vote (70-46).

The bill passes its second reading, by electronic vote (75-43), and there being no objection is read a third time.

Representative T. Moore calls the previous question on the passage of the bill and the call is sustained by electronic vote (70-47).

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 541 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN NORTH CAROLINA COMMUNITY COLLEGES MAY OPT OUT OF PARTICIPATION IN THE WILLIAM D. FORD FEDERAL DIRECT LOAN PROGRAM.

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Representative T. Moore calls the previous question on the passage of the bill and the call is sustained by electronic vote (70-46).

The bill passes its second reading by electronic vote (75-43).

Representative M. Alexander objects to the third reading. The bill remains on the Calendar.

H.B. 800 (Committee Substitute), A BILL TO BE ENTITLED AN ACT PROPOSING AN AMENDMENT TO THE NORTH CAROLINA CONSTITUTION SO AS TO GUARANTEE THE RIGHT OF AN INDIVIDUAL TO VOTE BY SECRET BALLOT FOR A DESIGNATION, A SELECTION, OR AN AUTHORIZATION FOR EMPLOYEE REPRESENTATION BY A LABOR ORGANIZATION.

On motion of Representative Murry and without objection, the bill is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

H.B. 14 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE SIGNAGE DIRECTING TRAFFIC TO THE VIETNAM VETERANS MEMORIAL, THE BEIRUT MEMORIAL, THE COASTAL CAROLINA STATE VETERANS CEMETERY, THE VETERANS PARK, AND THE NORTH CAROLINA VETERANS CEMETERY, as amended, passes its third reading, by electronic vote (116-1), and is ordered engrossed and sent to the Senate by Special Message.

Representative Farmer-Butterfield requests and is granted leave of the House to change her vote from "no" to "aye". The adjusted vote total is (117-0).

H.B. 588 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE FOUNDING PRINCIPLES ACT.

Representative Haire offers Amendment No. 1 which fails of adoption by electronic vote (17-95).

The bill passes its second reading, by electronic vote (103-11), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

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WITHDRAWAL OF OBJECTION TO THIRD READING

Representative M. Alexander withdraws her objection to the third reading of **H.B. 541** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN NORTH CAROLINA COMMUNITY COLLEGES MAY OPT OUT OF PARTICIPATION IN THE WILLIAM D. FORD FEDERAL DIRECT LOAN PROGRAM, and the bill is before the Body.

Representative T. Moore calls the previous question on the passage of the bill and the call is sustained by electronic vote (66-44).

The bill passes its third reading and is ordered sent to the Senate by Special Message.

ADJOURNMENT EXTENDED

The Speaker requests leave of the House to continue its Session past the 9:00 p.m. hour of adjournment. The motion carries by electronic vote (98-18).

CALENDAR (continued)

H.B. 66 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE GEOGRAPHIC PARITY IN REPRESENTATION ON THE GREENE COUNTY BOARD OF COMMISSIONERS, passes its second reading, by electronic vote (61-53), 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. 467 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO RESTRUCTURE THE GUILFORD COUNTY BOARD OF COMMISSIONERS, passes its second reading, by electronic vote (64-48), and there being no objection is read a third time.

The bill passes its third reading, by electronic vote (66-48), and is ordered sent to the Senate by Special Message.

H.B. 350 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY WHEN LAND USED FOR CONSERVATION PURPOSES IS TO BE EXCLUDED FROM THE PROPERTY TAX BASE, with Amendment No. 1 pending, is before the Body.

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Representative Stevens withdraws Amendment No. 1.

Representative Stevens offers Amendment No. 2 which fails of adoption by electronic vote (21-95).

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 K. Alexander, M. Alexander, Barnhart, Bell, Blackwell, Blust, Boles, Bordsen, Bradley, Brandon, Brawley, Brisson, L. Brown, R. Brown, Brubaker, Bryant, Burr, Carney, Cleveland, Collins, Cook, Cotham, Crawford, Current, Daughtry, Dixon, Dockham, Dollar, Earle, Faircloth, Faison, Farmer-Butterfield, Fisher, Floyd, Folwell, Frye, Gill, Gillespie, Glazier, Goodman, Graham, Guice, Hackney, Hager, Haire, Hall, Hamilton, Hastings, Hill, Hilton, Hollo, Holloway, Horn, Howard, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Jordan, Justice, Keever, Killian, Langdon, LaRoque, Lewis, Lucas, Luebke, Martin, McComas, McCormick, McElraft, McGee, McGrady, McGuirt, McLawhorn, Michaux, Mills, Mobley, Moffitt, R. Moore, T. Moore, Murry, Owens, Parfitt, Parmon, Pierce, Pridgen, Randleman, Rapp, Rhyne, Ross, Sager, Samuelson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stone, Tolson, Torbett, Wainwright, E. Warren, H. Warren, Weiss, West, Womble, and Wray - 113.

Voting in the negative: Representatives Avila, Sanderson, and Stevens - 3.

Excused absences: Representatives Harrison and Wilkins - 2.

Representative Holloway requests and is granted leave of the House to change his vote from "aye" to "no". The adjusted vote total is (112-4).

H.B. 618 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STREAMLINE DUPLICATE OVERSIGHT OF CERTAIN DHHS SERVICE PROVIDERS.

Representative Bryant offers Amendment No. 1 which is adopted by electronic vote (113-2).

The bill, as amended, passes its second reading, by electronic vote (113-2), and there being no objection is read a third time.

Representative Adams requests and is granted leave of the House to change her vote from "no" to "aye". The adjusted vote total is (114-1).

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The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate by Special Message.

H.B. 36 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REQUIRE EMPLOYERS IN THIS STATE, AND ENTITIES WHO CONTRACT WITH A GOVERNMENT AGENCY IN THIS STATE, AND THEIR SUBCONTRACTORS TO USE THE FEDERAL E-VERIFY PROGRAM TO VERIFY THE WORK AUTHORIZATION OF NEWLY HIRED EMPLOYEES.

Representative Cleveland offers Amendment No. 1 which is adopted by electronic vote (115-0).

Representative Cleveland offers Amendment No. 2 which is adopted by electronic vote (114-0).

Representative Faison offers Amendment No. 3.

Representative T. Moore moves, seconded by Representative McComas, that Amendment No. 3 do lie upon the table. The motion carries by electronic vote (64-51).

The bill, as amended, passes its third reading, by electronic vote (65-44), and is ordered engrossed and sent to the Senate by Special Message.

Representatives Sager and Spear request and are granted leave of the House to be recorded as voting "aye". Representative Bradley requests and is granted leave of the House to change his vote from "no" to "aye". The adjusted vote total is (68-43).

RE-REFERRAL

On motion of Representative LaRoque, pursuant to Rule 39.2 and without objection, **H.B. 592**, A BILL TO BE ENTITLED AN ACT TO STUDY WHETHER TO AUTHORIZE COUNTIES TO ENTER INTO PUBLIC-PRIVATE PARTNERSHIPS AND TO PROVIDE COMMUNICATIONS SERVICES THROUGH PUBLIC-PRIVATE PARTNERSHIPS, is withdrawn from the Committee on Finance and re-referred to the Committee on Rules, Calendar, and Operations of the House.

CALENDAR (continued)

H.B. 437 (Committee Substitute), A BILL TO BE ENTITLED AN ACT HOLDING THE NEW HANOVER COUNTY BOARD OF COMMISSIONERS ACCOUNTABLE FOR THE WORK OF THE AIRPORT

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AUTHORITY APPOINTED BY THE COMMISSION OR RECEIVING COUNTY FUNDS, passes its second reading, by electronic vote (106-6), and remains on the Calendar.

H.B. 442 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF CORNELIUS TO USE DESIGN-BUILD DELIVERY METHODS AND TO SPECIFY THE TOWN'S INVESTMENT AUTHORITY, passes its second reading, by electronic vote (106-6), and remains on the Calendar.

H.B. 593 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE NASH COUNTY TO PROVIDE GRANTS TO PROMOTE BROADBAND IN UNSERVED AREAS FOR ECONOMIC DEVELOPMENT IN THE COUNTY, passes its second reading, by electronic vote (106-6), and remains on the Calendar.

H.B. 437, H.B. 442, and H.B. 593 are local bills and without objection are voted on as a group. Representative Farmer-Butterfield requests and is granted permission to change her vote from "no" to "aye". The adjusted vote total for these bills is (107-5).

H.B. 12 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE REGULATION ON PSEUDOEPHEDRINE PRODUCTS TO CURTAIL METHAMPHETAMINE PRODUCTION AND TO REDUCE COSTS TO LOCAL GOVERNMENTS FOR LAB CLEANUP COSTS, AND TO STUDY THE EFFICACY OF ELECTRONIC RECORD KEEPING WITH A REPORT TO THE 2013 GENERAL ASSEMBLY.

Representative T. Moore calls the previous question on the passage of the bill and the call is sustained by electronic vote (81-32).

The bill passes its second reading, by electronic vote (108-7), 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. 24, A BILL TO BE ENTITLED AN ACT TO MODIFY AND EXPAND THE DUTIES OF THE JOINT LEGISLATIVE ECONOMIC DEVELOPMENT OVERSIGHT COMMITTEE, passes its second reading by electronic vote (115-1), and remains on the Calendar.

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H.B. 203, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN ALTERNATIVE MORTGAGE SATISFACTION FORM THAT ALLOWS A SECURED CREDITOR TO INDICATE THAT THE UNDERLYING OBLIGATION HAS BEEN EXTINGUISHED, passes its second reading by electronic vote (115-1), and remains on the Calendar.

H.B. 376 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE STATUTES GOVERNING THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, passes its second reading by electronic vote (115-1), and remains on the Calendar.

H.B. 433 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CHANGE THE NUISANCE ABATEMENT LAWS IN RESPONSE TO THE NORTH CAROLINA COURT OF APPEALS DECISION IN SALISBURY V. CAMPBELL, passes its second reading by electronic vote (115-1), and remains on the Calendar.

H.B. 457 (Committee Substitute), A BILL TO BE ENTITLED AN ACT PROVIDING THAT THE EASTERN JOINT MUNICIPAL POWER AGENCY SHALL HOLD A PUBLIC MEETING PRIOR TO CHANGING RATES AND THE MUNICIPAL ELECTRIC UTILITIES THAT ARE MEMBERS OF THE EASTERN POWER AGENCY SHALL HOLD A PUBLIC HEARING BEFORE CHANGING ELECTRIC RATES, passes its second reading by electronic vote (115-1), and remains on the Calendar.

H.B. 652 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY ESTABLISHING A PROPERTY OWNERS PROTECTION ACT, passes its second reading by electronic vote (115-1), and remains on the Calendar.

H.B. 730 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF STATE TREASURER TO CREATE A CENTRALIZED 403(B) RETIREMENT ANNUITY PLAN AS AN OPTION FOR EMPLOYEES OF LOCAL BOARDS OF EDUCATION, passes its second reading by electronic vote (115-1), and remains on the Calendar.

H.B. 741 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE EFFECTIVE DATE OF THE LAB ACCREDITATION REQUIREMENTS OF THE FORENSIC SCIENCES ACT OF 2011 AS

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THEY APPLY TO LABORATORIES OTHER THAN THE NORTH CAROLINA STATE CRIME LABORATORY, passes its second reading by electronic vote (115-1), and remains on the Calendar.

H.B. 763 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE TO DIRECT THE PROGRAM EVALUATION DIVISION TO STUDY THE DIVISION OF MOTOR VEHICLES' COMMISSION CONTRACT FOR THE ISSUANCE OF PLATES AND CERTIFICATES PROGRAM TO DEVELOP OPERATIONAL PRACTICES THAT WOULD RESULT IN INCREASED OPERATING EFFICIENCY AND TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO PROVIDE TAG SERVICES AT MILITARY BASES, passes its second reading, by electronic vote (115-1), and remains on the Calendar.

H.B. 24, H.B. 203, H.B. 376, H.B. 433, H.B. 457, H.B. 652, H.B. 730, H.B. 741, and H.B. 763 are local bills and without objection are voted on as a group. Representative Hager requests and is granted permission to change his vote from "no" to "aye". The adjusted vote total for these bills is (116-0).

H.B. 736 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REORGANIZE THE GENERAL STATUTES RELATING TO SCHOOL DISCIPLINE; PREVENT LITIGATION BY ADDING DEFINITIONS TO, AND CLARIFYING AMBIGUITIES IN, THE CURRENT LAW; CODIFY EXISTING CASE LAW; AND INCREASE LOCAL CONTROL AND FLEXIBILITY REGARDING DISCIPLINE.

On motion of Representative Langdon, the House does not concur in the Senate committee substitute bill, by electronic vote (89-26), and conferees are requested.

H.B. 125 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT COUNTIES TO OPEN ONLY APPROVED ONE-STOP SITES FOR A SECOND PRIMARY AND TO REQUIRE THE PROVISION OF A SUFFICIENT NUMBER OF BALLOTS FOR EACH ELECTION THAT IS NO LESS THAN TWENTY-FIVE PERCENT GREATER THAN THE VOTER TURNOUT IN THE MOST RECENT ELECTION WITH SIMILAR BALLOT ITEMS, passes its second reading by electronic vote (104-9).

Representative Hackney objects to the third reading. The bill remains on the Calendar.

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H.B. 237, A BILL TO BE ENTITLED AN ACT TO REQUIRE ECONOMIC IMPACT STATEMENTS ON ALL BILLS THAT PROPOSE REGULATORY CHANGES, SIMILAR TO THE FISCAL NOTES THAT AGENCIES MUST PREPARE DURING RULE MAKING, passes its second reading by electronic vote (72-40).

Representative Luebke objects to the third reading. The bill remains on the Calendar.

H.B. 346 (Committee Substitute), A BILL TO BE ENTITLED AN ACT RELATING TO POLITICAL COMMITTEE TREASURER TRAINING; LIMITING AN INDIVIDUAL FROM RUNNING ON THE SAME GENERAL ELECTION BALLOT FOR MORE THAN ONE OFFICE EXCEPT TO FILL A VACANCY FOR THE REMAINDER OF AN UNEXPIRED TERM; CREATING AN ADDITIONAL METHOD FOR REQUESTING AN ABSENTEE BALLOT; MAKING A TECHNICAL CHANGE TO CORRECT A STATUTORY REFERENCE; AND REQUIRING THE JOINT LEGISLATIVE ELECTIONS OVERSIGHT COMMITTEE TO STUDY THE FEASIBILITY OF REQUIRING CERTAIN REPORTS TO BE FILED ELECTRONICALLY, passes its second reading by electronic vote (114-1).

Representative Hackney objects to the third reading. The bill remains on the Calendar.

H.B. 606 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A SHERIFF OR A DESIGNATED DEPUTY SHERIFF INVESTIGATING THE DIVERSION AND ILLEGAL USE OF CONTROLLED SUBSTANCES MAY OBTAIN DATA IN THE CONTROLLED SUBSTANCE REPORTING SYSTEM MAINTAINED BY THE DEPARTMENT OF HEALTH AND HUMAN SERVICES.

Representative T. Moore calls the previous question on the passage of the bill and the call is sustained by electronic vote (68-44).

The bill passes its second reading by electronic vote (74-39), and remains on the Calendar.

H.B. 494, A BILL TO BE ENTITLED AN ACT TO ALLOW THE USE OF CONTINUOUS ALCOHOL MONITORING SYSTEMS AS A CONDITION OF PRETRIAL RELEASE, AS A CONDITION OF PROBATION, TO MITIGATE PUNISHMENTS FOR IMPAIRED DRIVING OFFENSES; AND TO ENSURE COMPLIANCE WITH CHILD CUSTODY AND VISITATION ORDERS, passes its second reading by electronic vote (109-5).

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Representative Jackson objects to the third reading. The bill remains on the Calendar.

H.B. 710 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO COMBINE THE FUNCTIONS OF THE STATE ETHICS COMMISSION, THE LOBBYING SECTION OF THE SECRETARY OF STATE, AND THE CAMPAIGN FINANCE DIVISION OF THE STATE BOARD OF ELECTIONS INTO AN AGENCY TO BE KNOWN AS THE STATE BOARD OF ETHICS, LOBBYING, AND CAMPAIGN FINANCE.

Representative Ross offers Amendment No. 1.

Representative Lewis moves, seconded by Representative Burr, that the amendment do lie upon the table. The motion carries by electronic vote (61-51).

Representative Lewis calls the previous question on the passage of the bill and the call is sustained by electronic vote (66-48).

The bill passes its second reading, by electronic vote (65-49), and remains on the Calendar.

H.B. 372 (Committee Substitute), A BILL TO BE ENTITLED AN ACT CONCERNING UTILITY FRANCHISES IN THE CITY OF WINSTON-SALEM.

Representative Womble offers Amendment No. 1 which is adopted by electronic vote (110-3). This amendment changes the title.

The bill, as amended, passes its second reading by electronic vote (112-3). The caption having been amended, the bill remains on the Calendar.

H.B. 300 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ROTATE THE ORDER OF CANDIDATES AND POLITICAL PARTIES AS THEY APPEAR ON BALLOTS, passes its second reading by electronic vote (91-24), and remains on the Calendar.

H.B. 910 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO LIMIT ABORTION COVERAGE UNDER THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES AS WELL AS UNDER ANY HEALTH INSURANCE PLAN OFFERED BY A COUNTY OR MUNICIPALITY.

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On motion of Representative LaRoque and without objection, the bill is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

H.B. 927 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE STATUTES GOVERNING THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE CONSOLIDATED JUDICIAL RETIREMENT SYSTEM TO ENSURE THE FUTURE SOLVENCY OF THOSE SYSTEMS, TO AMEND THE PROVISIONS OF THE SPECIAL SEPARATION ALLOWANCE FOR LAW ENFORCEMENT OFFICERS FOR LAW ENFORCEMENT OFFICERS HIRED ON OR AFTER AUGUST 1, 2011, AND TO MAKE IT A CLASS 1 MISDEMEANOR TO FRAUDULENTLY RECEIVE THE RETIREMENT BENEFIT OF A DECEASED RETIREE AT LEAST TWO MONTHS AFTER THE RETIREE'S DEATH, passes its second reading by electronic vote (109-5).

Representative Hackney objects to the third reading. The bill remains on the Calendar.

H.B. 928 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REFORM THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES.

Representative T. Moore calls the previous question on the passage of the bill and the call is sustained by electronic vote (71-43).

The bill passes its second reading by electronic vote (96-19), and remains on the Calendar.

Representative Haire requests and is granted leave of the House to be recorded as voting "no". The adjusted vote total is (96-20).

H.B. 841 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REFORM THE GOVERNANCE OF THE NORTH CAROLINA GLOBAL TRANSPARK AND TO REPAY THE LOAN FROM THE ESCHEAT FUND TO THE GLOBAL TRANSPARK, passes its second reading by electronic vote (104-12), and remains on the Calendar.

H.B. 351 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO RESTORE CONFIDENCE IN GOVERNMENT BY REQUIRING THAT VOTERS PROVIDE PHOTO IDENTIFICATION BEFORE VOTING.

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Representative Lewis calls the previous question on the passage of the bill and the call is sustained by electronic vote (61-53).

The bill passes its second reading, by electronic vote (67-50), and remains on the Calendar.

H.B. 824 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NONPARTISAN REDISTRICTING PROCESS, passes its second reading by electronic vote (87-28).

Representative Haire objects to the third reading. The bill remains on the Calendar.

CONFEREES APPOINTED

The Speaker appoints the following conferees on **H.B. 736** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REORGANIZE THE GENERAL STATUTES RELATING TO SCHOOL DISCIPLINE; PREVENT LITIGATION BY ADDING DEFINITIONS TO, AND CLARIFYING AMBIGUITIES IN, THE CURRENT LAW; CODIFY EXISTING CASE LAW; AND INCREASE LOCAL CONTROL AND FLEXIBILITY REGARDING DISCIPLINE: Representatives Langdon, Luebke, Holloway, and Lucas.

The Senate is so notified by Special Message.

VOTE ADJUSTED

Without objection, Representative H. Warren is granted leave of the House to change his vote on June 7, 2011, from "no" to "aye" on the second reading of **H.B. 32** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE STATUTORY REQUIREMENT FOR A POLITICAL PARTY TO MAINTAIN BALLOT ELIGIBILITY; TO PROVIDE THAT THE RESULTS OF PRIMARIES OF POLITICAL PARTIES WITH LESS THAN TEN PERCENT OF THE REGISTERED VOTERS ARE DETERMINED BY A PLURALITY UNLESS THE PARTY CHOOSES TO NOMINATE BY CONVENTION; TO CHANGE THE DEFINITION OF A "POLITICAL PARTY" BY REDUCING THE NUMBER OF SIGNATURES REQUIRED FOR THE FORMATION OF A NEW POLITICAL PARTY; AND TO REDUCE THE NUMBER OF SIGNATURES REQUIRED FOR UNAFFILIATED CANDIDATES TO OBTAIN BALLOT ACCESS ELIGIBILITY. The adjusted vote total is (68-49).

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Representative LaRoque moves, seconded by Representative Daughtry, that the House adjourn, subject to the appointment of conferees and the receipt of Messages from the Senate, to reconvene June 9 at 10:30 a.m.

The motion carries.

SPECIAL MESSAGES FROM THE SENATE

The following Special Messages are received from the Senate:

S.B. 411, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE OPTION OF STRAIGHT-PARTY TICKET VOTING ON BALLOTS IN NORTH CAROLINA, is read the first time and referred to the Committee on Elections.

S.B. 771, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ISSUANCE OF A SINGLE TRIP PERMIT BY THE DEPARTMENT OF TRANSPORTATION FOR THE TRANSPORT AND DELIVERY OF SIXTEEN-FOOT-WIDE MANUFACTURED AND MODULAR HOMES SUBJECT TO CERTAIN RULES ADOPTED BY THE DEPARTMENT OF TRANSPORTATION, is read the first time and referred to the Committee on Transportation.

S.B. 47 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO RESTORE JUDICIAL ELECTIONS TO A PARTISAN BASIS, is read the first time and referred to the Committee on Elections.

S.B. 159 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO TRANSFER THE BLUE RIDGE CORRECTIONAL FACILITY TO MAYLAND COMMUNITY COLLEGE FOR THE EXPANSION OF EXISTING COMMUNITY COLLEGE PROGRAMS AND THE DEVELOPMENT OF NEW PROGRAMS, is read the first time and referred to the Committee on Education.

S.B. 205 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT ILLEGAL ALIENS ARE NOT ELIGIBLE FOR PUBLIC BENEFITS, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 303 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT LICENSES ISSUED BY THE DIVISION OF MOTOR VEHICLES TO INDIVIDUALS WHO ARE LEGALLY PRESENT

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IN THE UNITED STATES FOR A LIMITED DURATION OF TIME BEAR A DISTINGUISHING MARK OR OTHER DESIGNATION TO ENSURE COMPLIANCE WITH THE REAL ID ACT OF 2005, is read the first time and referred to the Committee on Transportation.

S.B. 456 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW A CANDIDATE TO LIST PARTY AFFILIATION OR UNAFFILIATED STATUS ON THE BALLOT IN ALL ELECTIONS, is read the first time and referred to the Committee on Elections.

S.B. 635 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE FINES FOR LITTERING OFFENSES, is read the first time and referred to Judiciary Subcommittee B.

S.B. 636 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE LEVEL 2 RESTRICTIONS FOR PROVISIONAL LICENSES; TO REQUIRE A DRIVING LOG SHOWING ONE HUNDRED TWENTY HOURS OF DRIVING TIME BY A PERSON WITH A LIMITED LEARNER'S PERMIT BEFORE A LEVEL 2 PROVISIONAL LICENSE MAY BE ISSUED; TO REQUIRE A DRIVING LOG SHOWING TWELVE HOURS OF DRIVING TIME BY A PROVISIONAL LICENSEE BEFORE A LEVEL 3 PROVISIONAL LICENSE MAY BE ISSUED; TO REQUIRE AN IMMEDIATE REVOCATION OF A PROVISIONAL LICENSE IF THE PROVISIONAL LICENSEE IS CHARGED WITH CERTAIN MOVING VIOLATIONS OR A SEAT BELT VIOLATION; AND TO REQUIRE THE DIVISION OF MOTOR VEHICLES TO REPORT ON THE EFFECTIVENESS OF THE PROVISIONS OF THIS ACT, is read the first time and referred to Judiciary Subcommittee B.

S.B. 756 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE STATE'S BAIL LAWS WITH REGARD TO PRETRIAL RELEASE PROGRAMS, TO ELIMINATE UNSECURED APPEARANCE BOND AS A PRETRIAL RELEASE CONDITION, TO AMEND HOUSE ARREST AND ELECTRONIC MONITORING AS A CONDITION OF PRETRIAL RELEASE, AND TO PROVIDE THAT NO STATE FUNDS MAY BE APPROPRIATED TO OR USED FOR THE SUPPORT OF A PRETRIAL RELEASE PROGRAM, is read the first time and referred to Judiciary Subcommittee B.

S.B. 131, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE EXPANDED METHODS OF COLLECTING FINES, FEES, COSTS, AND RESTITUTION FROM OFFENDERS NOT SENTENCED TO SUPERVISED PROBATION OR ACTIVE TIME AND TO PERMIT THE COUNTY

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IN WHICH THE COLLECTION ASSISTANCE FEE IS COLLECTED TO RETAIN THE FEE, PROVIDING THE FEE IS COLLECTED BY A COLLECTIONS PROGRAM FUNDED BY THE COUNTY GOVERNMENT, is read the first time and referred to Judiciary Subcommittee B.

S.B. 243, A BILL TO BE ENTITLED AN ACT TO EXTEND THE SUNSET ON THE LAW ALLOWING CAPITAL LEASE FINANCING FOR PUBLIC SCHOOLS, is read the first time and referred to the Committee on Education.

S.B. 580 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR AUTOMATIC REINSTATEMENT OF CASES THAT WERE DISMISSED WITH LEAVE IF THOSE CASES ARE WAIVABLE, TO ALLOW FOR SERVICE OF CRIMINAL PROCESS BY A LAW ENFORCEMENT OFFICER BEFORE A MAGISTRATE EVEN WHEN THE OFFICER IS OUTSIDE THE OFFICER'S TERRITORIAL JURISDICTION, TO ADD TO THE STATUTORY DUTIES OF THE DIRECTOR OF THE ADMINISTRATIVE OFFICE OF THE COURTS, TO REPEAL THE REQUIREMENT THAT MAGISTRATES BE RESIDENTS OF THE COUNTY TO WHICH THEY ARE APPOINTED TO SERVE, TO CLARIFY WHEN A CLERK OF SUPERIOR COURT MAY RELEASE FUNDS HELD UNDER A CLAIM OF LIEN ON REAL PROPERTY, TO GRANT THE COURT THE DISCRETION TO FIND THAT DISTANCE FROM THE COURT IS GOOD CAUSE TO EXEMPT A PARTY FROM CUSTODY MEDIATION, AND TO PROVIDE THAT FEES COLLECTED BY THE DISPUTE RESOLUTION COMMISSION ARE NONREVERTING, is read the first time and referred to Judiciary Subcommittee A.

The House stands adjourned.

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