

JOURNAL

OF THE

House of Representatives

OF THE

2011

GENERAL ASSEMBLY

OF THE

STATE OF NORTH CAROLINA

SESSIONS 2012

This publication is printed on permanent, acid-free paper in compliance with the General Statutes of the State of North Carolina. 291 copies of this publication were printed at a cost of \$16.22 per copy.



OFFICERS AND MEMBERS
OF THE
HOUSE OF REPRESENTATIVES
2012 SESSIONS

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
 (Karen Kozel (R) - Appointed 8/29/12)
- 11th District: Wayne (Part).
 Efton M. Sager (R) Wayne..... Goldsboro
- 12th District: Craven (Part) and Lenoir (Part).
 **William L. Wainwright (D)..... Craven..... Havelock
 (Barbara Lee (D) - Appointed 8/6/12)
- 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
 (Ted Davis, Jr. (R) - Appointed 9/20/12)
- 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).....Johnston.....Smithfield
- 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 (R) Rockingham..... Reidsville
- 66th District: Montgomery (Part) and Richmond.
Ken Goodman (D) Richmond..... Rockingham
- 67th District: Montgomery (Part), Stanly, and Union (Part).
Justin P. Burr (R)..... StanlyAlbemarle

- 68th District: Union (Part).
D. Craig Horn (R) Union Weddington
- 69th District: Anson and Union (Part).
Frank McGuirt (D) Anson Wingate
- 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
(Joyce Krawiec (R) - Appointed 10/10/12)
- 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
(Allen McNeill (R) - Appointed 8/13/12)
- 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).
Larry Pittman (R) Cabarrus Concord

- 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.
Jason Saine (R) Lincoln Denver

- 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
(Trudi Walend (R) - Appointed 1/4/12)

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. Stephen A. LaRoque resigned 8/1/12
- **Rep. William L. Wainwright deceased 7/17/12
- ***Rep. Daniel F. McComas resigned 9/2/12
- ****Rep. Larry R. Brown deceased 8/16/12
- *****Harold J. Brubaker resigned 7/12/12
- *****W. David Guice resigned 1/1/12

HOUSE JOURNAL

RECONVENED SESSION 2012

ONE HUNDRED FOURTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, January 4, 2012

Pursuant to a call of Her Excellency, Governor Beverly E. Perdue, hereinafter recorded, the House of Representatives of the General Assembly of North Carolina convenes in its Hall in Reconvened Session, at the hour of two o'clock, Wednesday, January 4, 2012, and is called to order by the Speaker of the House, Thom Tillis.

The following prayer is offered by Representative Deborah Ross:

"O God of all seasons and senses, grant us Your sense of timing to rejoice in the turn of the seasons and in this New Year.

"Help us
to make beginnings for ourselves,
to dare to risk that we may make peace,
to question the unquestionable that we may know the truth,
to love that we may experience joy.

"Help us to be a beginning for others through this *Legislative Body*, through other ways and through ways that are open to us:
to befriend the friendless and forgotten,
to comfort the sorrowing,
to champion the oppressed,
to be a source of hope and beauty for the forlorn, the soured, the angry, the broken.

"Help us to make a beginning, to be a beginning so that we may not just grow old but we will grow new each day of this wild, amazing life. Amen."

(Adapted from Prayers for Women by Mary Lib Finlator,
Chaplain 1992-1994 Woman's Club of Raleigh)

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 November 29, 2011, has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Bordsen, Killian, Mills, Spear, West, and Womble for today. Representatives Hill and Wainwright are excused for a portion of the Session.

MESSAGE FROM THE GOVERNOR

The Reading Clerk reads the following proclamation by the Governor:

STATE OF NORTH CAROLINA

BEVERLY EAVES PERDUE
GOVERNOR

PROCLAMATION OF RECONVENED SESSION

Pursuant to the authority vested in the Governor by Article III, Section 5 (11) of the Constitution of North Carolina, and as required by Article II, Section 22 (7), the General Assembly shall reconvene on Wednesday, January 4, 2012, at 2:00 p.m. to reconsider Senate Bill 9, "*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*", that was vetoed on December 14, 2011.

Done in Raleigh, North Carolina, on December 20, 2011.

S/ Beverly E. Perdue
Governor

The Speaker orders a Special Message sent to the Senate notifying them that the House has reconvened pursuant to the Call of the Governor.

SPECIAL MESSAGE FROM THE SENATE

2011 GENERAL ASSEMBLY
FIRST SESSION 2011

Senate Chamber
December 14, 2011

January 4, 2012

Ms. Denise Weeks
Principal Clerk of the House of Representatives
Room 2319, Legislative Building
Raleigh, NC 27601

Dear Ms. Weeks:

S.B. 9, 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, was vetoed by Governor Beverly E. Perdue on December 14, 2011 and was returned to the Senate with the attached veto message.

Respectfully,
S/ Sarah Clapp
Principal Clerk

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

Beverly Eaves Perdue
Governor

December 14, 2011

GOVERNOR'S OBJECTIONS AND VETO MESSAGE

Senate Bill 9, "*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.*"

I am - and always will be - a strong supporter of the death penalty. I firmly believe that some crimes are so heinous that no other punishment is adequate. As long as I am Governor, I am committed to ensuring that the death penalty remains a viable punishment option in North Carolina in appropriate cases.

However, because the death penalty is the ultimate punishment, it is essential that it be carried out fairly and that the process not be infected with prejudice based on race, gender, poverty, or any other factor. I signed the Racial Justice Act into law two years ago because it ensured that racial prejudice would not taint the application of the death penalty.

January 4, 2012

By enacting Senate Bill 9, the new leadership of the General Assembly has abandoned the noble principles embodied in the Racial Justice Act. While some have tried to portray Senate Bill 9 as a mere "modification" of the Racial Justice Act, make no mistake - this is, for all practical purposes, an outright repeal.

I recognize that this is an issue that people feel strongly about. Over the past few weeks, I have had the privilege of meeting with people from the four corners of our State who shared their candid views about this issue with me. I have met both with family members of murder victims who support Senate Bill 9 and with family members who oppose it. I was greatly moved by their personal stories and came away with a profound admiration for their passion and dignity in the face of grief that most of us cannot imagine. I have also spoken to both prosecutors and defense attorneys - lawyers who meet the highest ideals of the legal profession. I conducted these meetings because I wanted to ensure that groups on both sides of the issue had the opportunity to express their views to me.

There has been a great deal of inaccurate information in the media over what the Racial Justice Act does. Let me be clear on what it does not do. First, it does not change the fact that the death penalty is legal in North Carolina.

Second, the Racial Justice Act does not reopen the question of whether any person on death row is guilty or innocent. Instead, it only addresses sentencing; it provides that a convicted defendant is entitled to have his death sentence changed to a sentence of life in prison without the possibility of parole if a judge determines that race was a significant factor in the decision to seek or impose a sentence of death as set out in the Act.

Third, contrary to what some have suggested, the Racial Justice Act does not allow anyone to be released from prison or seek parole. Rather, by its plain language, the only thing the law would allow is for a death sentence to be converted to a sentence of life in prison without the possibility of parole - and that would only occur if a judge finds that racial discrimination played a significant role in the application of the death penalty. Both my own legal counsel and legal experts from across the State have assured me that even if an inmate succeeds on a claim under the Act, his sole remedy is life in prison without the possibility of parole. In addition, the executive director of North Carolina Prisoner Legal Services has publicly stated that her organization would decline to represent any prisoner seeking to argue an entitlement to parole after prevailing under the Racial Justice Act because that argument would be, in her words, "frivolous."

January 4, 2012

Finally, I want to emphasize that no prisoner will have their death sentences changed to life in prison without the possibility of parole unless they prove to a judge, through competent evidence, that racial discrimination did, in fact, play a significant role in the application of the death penalty.

I am vetoing Senate Bill 9 for the same reason that I signed the Racial Justice Act two years ago: it is simply unacceptable for racial prejudice to play a role in the imposition of the death penalty in North Carolina.

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 14th day of December, 2011 at 9:00 a.m. for reconsideration by that body.

SPECIAL MESSAGE FROM THE SENATE

2011 GENERAL ASSEMBLY RECONVENED

Senate Chamber
January 4, 2012

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives informing your Honorable Body that pursuant to the Proclamation issued by Governor Beverly E. Perdue on December 20, 2011, reconvening the 2011 Session of the General Assembly to reconsider **S.B. 9** (Ratified), 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, which was vetoed on December 14, 2011, the Senate is organized and ready to proceed with the public business.

Respectfully,
S/ Sarah Clapp
Principal Clerk

CHAPTERED BILLS

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

January 4, 2012

H.B. 796, AN ACT TO ALLOW ALL PERMITTEES THAT HAVE BEEN ISSUED A BREWERY PERMIT BY THE NORTH CAROLINA ALCOHOLIC BEVERAGE CONTROL COMMISSION TO SELL AT RETAIL MALT BEVERAGES THAT HAVE BEEN MANUFACTURED AT THE BREWERY OR AT ANOTHER LOCATION OUT OF STATE BY THE SAME PERMITTEE ONLY ON THE PREMISES OF THE BREWERY AFTER RECEIVING THE PROPER PERMITS, TO CLARIFY THAT CERTAIN HIGH SCHOOL STUDENTS MAY BE PERMITTED TO TAKE NONCREDIT COURSES AT STATE COMMUNITY COLLEGES, AND TO AUTHORIZE THE DEPARTMENT OF PUBLIC INSTRUCTION TO ALLOT SMALL COUNTY SUPPLEMENTAL FUNDING TO THE CHEROKEE COUNTY SCHOOLS. (S.L. 2011-419)

On motion of Representative LaRoque, the House recesses, subject to the introduction of bills and resolutions, the receipt of Committee Reports, and the receipt of Messages from the Senate, at 2:24 p.m.

RECESS

The House reconvenes pursuant to recess and is called to order by Representative T. Moore.

SPECIAL MESSAGE FROM THE SENATE

2011 GENERAL ASSEMBLY RECONVENED

Senate Chamber
January 4, 2012

Mr. Speaker:

It is ordered that a message be sent your Honorable Body that pursuant to a Proclamation issued by Governor Beverly E. Perdue on December 8, 2011, Christopher Carney has been administered the oath of office as a Member of the Senate for the remainder of the 2011-2012 General Assembly. Senator Carney has been seated to fill the vacancy created by the death of the Honorable Doctor James Forrester from the forty-first District.

Senator Carney will occupy Seat 9 and has been appointed to the following committees:

- Appropriations on General Government and Information Technology
- Education/Higher Education
- Finance

January 4, 2012

- Health Care
- Judiciary II
- Mental Health and Youth Services
- State and Local Government
- Transportation

Respectfully,
S/ Sarah Clapp
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

**2011 GENERAL ASSEMBLY
RECONVENED**

Senate Chamber
January 4, 2012

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives informing your Honorable Body that Senator Harris Blake has been elected Deputy President *Pro Tempore* to fill the vacancy created by the death of the Honorable Doctor James Forrester.

Respectfully,
S/ Sarah Clapp
Principal Clerk

**REPORTS OF STANDING COMMITTEES AND PERMANENT
SUBCOMMITTEES**

The following report from standing committee is presented:

Representatives LaRoque and T. Moore, for the Committee on Rules, Calendar, and Operations of the House submit the following resolution with a favorable report for introduction.

A HOUSE RESOLUTION EXPRESSING SUPPORT FOR DESIGNATION OF A "WELCOME HOME VIETNAM VETERANS DAY" IN NORTH CAROLINA.

Pursuant to Rule 31(a), the resolution is filed and assigned the number **H.R. 939**. Pursuant to Rule 32(a), the resolution is placed on today's Calendar for its first reading.

January 4, 2012

Representative Haire raises a point of order whether this action is proper, since Article III, Section 5(11) of the Constitution states that we are reconvened to only consider bills as were returned by the Governor for that reconvened Session.

Representative T. Moore notes that the resolution was added to the Calendar without objection by the Body, and also that Article III states that no other bills may be considered, but this is a resolution.

On motion of Representative LaRoque, the House recesses, subject to the introduction of bills and resolutions, the receipt of Committee Reports, and the receipt of Messages from the Senate, at 4:16 p.m.

RECESS

The House reconvenes pursuant to recess and is called to order by Representative T. Moore.

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

THE APPOINTMENT OF TRUDI WALEND

2012

BY THE GOVERNOR OF THE STATE OF NORTH CAROLINA

A PROCLAMATION

WHEREAS, the Honorable David Guice elected Representative from the One Hundred Thirteenth 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 David Guice be filled by appointment of the person recommended by the One Hundred Thirteenth State House Executive Committee of the Republican Party; and

WHEREAS, the One Hundred Thirteenth State House Executive Committee of the Republican Party has notified me of its recommendation of Trudi Walend of Transylvania County, North Carolina, to fill the unexpired term,

January 4, 2012

I do by these presents appoint

TRUDI WALEND

as a member of the

NORTH CAROLINA 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 fourth day of January in the year of our Lord two thousand and twelve, and of the Independence of the United States of America the two hundred and thirty-sixth.

S/ Beverly Eaves Perdue
Governor

ATTEST:

S/ Elaine F. Marshall
Secretary of State

The following oath of office is administered to Trudi Walend by Speaker Pro Tempore Folwell, pursuant to G.S. 11-7.1.

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

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

January 4, 2012

The Chair states that Representative Walend will occupy Seat 42 and is appointed to the following committees: Agriculture; Appropriations; Appropriations Subcommittee on Justice and Public Safety; Government; Judiciary; Judiciary Subcommittee B; and State Personnel.

The Chair orders a Special Message sent to the Senate informing that Honorable Body of the seating of Representative Walend as a Member of the 2011 House of Representatives.

SPECIAL MESSAGE FROM THE SENATE

**2011 GENERAL ASSEMBLY
RECONVENED**

Senate Chamber
January 4, 2012

Mr. Speaker:

It is ordered that a message be sent your Honorable Body that the Senate has passed **S.B. 9 (Ratified)**, 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, notwithstanding the objections of the Governor.

Respectfully
S/ Sarah Clapp
Principal Clerk

The bill is referred to the Committee on Judiciary.

SPECIAL MESSAGE FROM THE SENATE

The following Special Message is received from the Senate:

S.J.R. 794, A JOINT RESOLUTION ADJOURNING THE RECONVENED SESSION, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

APPOINTMENTS BY THE SPEAKER

The Chair announces that pursuant to Rule 26, the Speaker makes the following appointments to the Select Committee on Racial Discrimination in Capital Cases: Representative T. Moore, Chair; Representatives Stam, Burr, Stevens, Randleman, Faircloth, Spear, Hall, Hackney, and Parmon.

January 4, 2012

On motion of Representative LaRoque, the House recesses, subject to the introduction of bills and resolutions, the receipt of Committee Reports, and the receipt of Messages from the Senate, at 7:05 p.m.

RECESS

The House reconvenes pursuant to recess and is called to order by Representative T. Moore.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committee are presented:

Representatives LaRoque and T. Moore, for the Committee on Rules, Calendar, and Operations of the House submit the following resolution with a favorable report for introduction.

A JOINT RESOLUTION ADJOURNING THE RECONVENED SESSION.

Pursuant to Rule 31(a), the resolution is filed and assigned the number **H.J.R. 940**. Pursuant to Rule 32(a), the resolution is placed on today's Calendar for its first reading.

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

S.J.R. 794, A JOINT RESOLUTION ADJOURNING THE RECONVENED SESSION, with a favorable report.

Representative Haire objects to the placement of the resolution on today's Calendar.

Representative Haire withdraws his objection and the resolution is placed on today's Calendar.

Representative LaRoque moves that the House recess, subject to the introduction of bills and resolutions, the receipt of Committee Reports, and the receipt of Messages from the Senate.

A division having been called, the motion carries by electronic vote (55-49). The House recesses at 9:48 p.m.

January 4, 2012

RECESS

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

CALENDAR

Action is taken on the following:

H.R. 939, A HOUSE RESOLUTION EXPRESSING SUPPORT FOR DESIGNATION OF A "WELCOME HOME VIETNAM VETERANS DAY" IN NORTH CAROLINA, is read the first time. Without objection the resolution is read a second time.

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

H.J.R. 940, A JOINT RESOLUTION ADJOURNING THE RECONVENED SESSION, is read the first time.

Representative Hackney raises a point of order that the resolution has not had its first reading. The Speaker states that the first reading has just occurred.

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

S.J.R. 794, A JOINT RESOLUTION ADJOURNING THE RECONVENED SESSION.

Representative Haire raises a point of order that this resolution cannot properly be brought before this Body according to Article III, Section 5(11) of the Constitution, which states that only bills returned by the Governor to that reconvened session for reconsideration may be considered. The Chair states that the section refers to bills and this is a resolution.

Representative T. Moore offers Amendment No. 1.

Representative T. Moore calls the previous question on the passage of the amendment and the call is sustained by electronic vote (63-49).

Amendment No. 1 is adopted by electronic vote (64-48).

The resolution, as amended, passes its second reading by electronic vote (64-48).

January 4, 2012

Representative Haire objects to the third reading. The resolution remains on the Calendar.

Representative T. Moore moves, seconded by Representative LaRoque, that the House adjourn to reconvene January 5 at 12:01 a.m. The motion carries by electronic vote (64-48).

The House stands adjourned.

ONE HUNDRED FIFTH DAY

HOUSE OF REPRESENTATIVES
Thursday, January 5, 2012
Reconvened Session

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

Prayer is offered by Representative Bert Jones.

Representative T. Moore, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of January 4 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Bordsen, Hill, Killian, Spear, Wainwright, and Womble for today.

CALENDAR

Action is taken on the following:

S.J.R. 794, A JOINT RESOLUTION ADJOURNING THE RECONVENED SESSION.

Representative T. Moore calls the previous question on the passage of the resolution and the call is sustained by electronic vote (66-48).

The resolution, as amended, passes its third reading, by electronic vote (66-48), and is ordered sent to the Senate for concurrence in the House amendment by Special Message.

January 5, 2012

Representative T. Moore moves, seconded by Representative Gillespie, that the House adjourn the Reconvened Session, subject to the ratification of bills and resolutions and the receipt of Messages from the Senate.

The motion carries.

ENROLLED BILLS

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

S.J.R. 794, A JOINT RESOLUTION ADJOURNING THE RECONVENED SESSION. (RESOLUTION 2012-1)

The House stands adjourned at 12:44 a.m.

HOUSE JOURNAL

SESSIONS 2012

ONE HUNDRED FIFTH DAY

HOUSE OF REPRESENTATIVES
Thursday, January 5, 2012

The House meets at 12:45 a.m. pursuant to **S.J.R. 794**, A JOINT RESOLUTION ADJOURNING THE RECONVENED SESSION (RESOLUTION 2012-1) 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 the January 5 Reconvened Session has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Bordsen, Hill, Killian, Spear, Wainwright, and Womble for today.

Representative Hackney is recognized to state his purpose.

PROTEST

"To lodge a protest under Article II, Section 18 of the Constitution of the State of North Carolina and that protest is that this Session of the North Carolina House is not permitted under the State Constitution."

The Speaker notes the protest.

CALENDAR

Action is taken on the following:

S.B. 727, AN ACT TO ELIMINATE THE DUES CHECKOFF OPTION FOR ACTIVE AND RETIRED PUBLIC SCHOOL EMPLOYEES.

January 5, 2012

Representative T. Moore moves that the House pass the bill, notwithstanding the objections of the Governor.

The motion carries by the following three-fifths majority roll call vote:

Those voting in the affirmative are: Speaker Tillis; Representatives Avila, 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, Hager, Hastings, 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, Pittman, Pridgen, Randleman, Sager, Saine, Samuelson, Sanderson, Setzer, Shepard, Stam, Starnes, Steen, Stevens, Stone, Torbett, Walend, H. Warren, and West - 69.

Voting in the negative: Representatives Adams, K. Alexander, M. Alexander, Bell, 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, Owens, Parfitt, Parmon, Pierce, Rapp, Ross, Tolson, E. Warren, Weiss, Wilkins, and Wray - 45.

Excused absences: Representatives Bordsen, Hill, Killian, Spear, Wainwright, and Womble - 6.

The veto of the Governor having been overridden, the bill becomes law and the Senate is so notified by Special Message.

On motion of Representative T. Moore, seconded by Representative LaRoque, the House adjourns at 1:12 a.m. to reconvene Thursday, February 16, 2012, at 12:00 Noon.

ONE HUNDRED SIXTH DAY

HOUSE OF REPRESENTATIVES
Thursday, February 16, 2012

The House meets at 12:00 Noon pursuant to adjournment and is called to order by the Speaker.

February 16, 2012

The following prayer is offered by Officer Alan Wimbish, of the North Carolina General Assembly Police Department:

"Heavenly Father,

"I come to You in the name that is above all names. I thank You for Your many blessings that You have given to us so freely. Your Word tells us that there is no authority except for what has been established and that government is the servant of God. Therefore, I ask Your blessings on this Body and that You would supply the wisdom of King Solomon, the bravery of King David, and the grace of the Savior.

"In the Savior's name, 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 January 5 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Killian, Mills, Walend, and Womble 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 26, 2012

Ms. Denise Weeks
Principal Clerk of the House
North Carolina General Assembly
16 West Jones Street
Raleigh, NC 27601

February 16, 2012

Dear Ms. Weeks:

Pursuant to North Carolina General Statute § 62-10(g), I have appointed Linda Cheatham to serve as an interim member of the North Carolina Utilities Commission and, pursuant to General Statute § 62-10(f), I hereby submit her name for confirmation by the North Carolina General Assembly. Ms. Cheatham's term shall begin upon her taking the oath of office as required by General Statute § 62-11 and, upon confirmation, will expire June 30, 2017.

Ms. Cheatham will fill the seat formerly held by Lorinzo Joyner.

Sincerely,
S/ Beverly Eaves Perdue

The Speaker refers the letter to the Committee on Public Utilities.

CHAPTERED BILLS

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

S.B. 727, AN ACT TO ELIMINATE THE DUES CHECKOFF OPTION FOR ACTIVE AND RETIRED PUBLIC SCHOOL EMPLOYEES. (S.L. 2012-1) [Became law notwithstanding the objections of the Governor.]

On motion of Representative T. Moore, seconded by Representative Gillespie, the House adjourns at 12:13 p.m. to reconvene Saturday, February 18, 2012, at 9:00 a.m.

ONE HUNDRED SEVENTH DAY

HOUSE OF REPRESENTATIVES
Saturday, February 18, 2012

The House meets at 9:00 a.m. pursuant to adjournment and is called to order by Representative T. Moore.

Prayer is offered by Charles Thomas, Chief of Staff for Speaker Tillis.

February 18, 2012

Representative Dollar 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 Killian, Mills, Walend, and Womble for today.

Pursuant to **S.J.R. 793** and on motion of Representative Dollar, seconded by Representative Gill, the House adjourns at 9:04 a.m. to reconvene Monday, April 23, 2012, at 12:00 Noon.

ONE HUNDRED EIGHTH DAY

HOUSE OF REPRESENTATIVES
Monday, April 23, 2012

The House meets at 12:00 Noon pursuant to adjournment and is called to order by Representative T. Moore.

The following prayer is offered by Representative Becky Carney:

"O God, as we gather in this Chamber today, let us be reminded that life is short and yet can be so crowded. Let us remember that we're here today, not because of ourselves, but because of others that sent us here. Help us to be reminded constantly, Dear Lord, that as life is ever changing, we should be willing to open our hearts to those changes, and to put others first before ourselves. Help us to remember, Dear Lord, that as we gather today, that we can attain from Your guidance, wisdom and strength, to go forward as we serve the people of this State. Always we ask in Your name. Amen."

The Chair leads the Body in the Pledge of Allegiance.

Representative Mills reports the Journal of February 18 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.

On motion of Representative Starnes, seconded by Representative Cleveland, the House adjourns at 12:04 p.m. to reconvene April 25 at 9:00 a.m.

April 23, 2012

ONE HUNDRED NINTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, April 25, 2012

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

Prayer is offered by Representative Craig Horn.

Representative LaRoque, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of April 23 has been examined and found correct. Upon his motion, the Journal is approved as written.

A leave of absence is granted Representative Womble for today.

ADDENDA TO COMMITTEE ASSIGNMENTS

April 25, 2012

The Speaker makes the following committee assignments:

PUBLIC UTILITIES: Add Representative Hager, Chair.

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

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY: Add Representatives Hurley and Boles, Chairs.

On motion of Representative LaRoque, seconded by Representative Gill, and pursuant to **S.J.R. 793**, the House adjourns at 9:03 a.m. to reconvene Wednesday, May 16, 2012, at 12:00 Noon.

ONE HUNDRED TENTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, May 16, 2012

The House meets at 12:00 Noon pursuant to adjournment and is called to order by the Speaker.

May 16, 2012

Prayer is offered by Representative Craig Horn.

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 April 25 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives L. Brown and Womble for today.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative T. Moore and without objection, **H.J.R. 940**, A JOINT RESOLUTION ADJOURNING THE RECONVENED SESSION, is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

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

February 28, 2012

Honorable Thom Tillis, Speaker of the House
2007 Legislative Building, Room 2304
Raleigh, North Carolina 27601

Honorable Phil Berger, President Pro Tempore
2007 Legislative Building, Room 2008
Raleigh, North Carolina 27601

Dear Speaker Tillis and President Pro Tempore Berger:

Pursuant to G. S. § 53-92, this letter shall serve as formal notice that I am nominating Raymond E. Grace to serve as the North Carolina Commissioner of Banks. As you are well aware, financial services - and their oversight -

May 16, 2012

are integral to North Carolina's economic and community development. I request that the General Assembly begin the confirmation process as soon as possible.

Sincerely,
S/ Beverly E. Perdue

The Speaker refers the letter to the Committee on Banking.

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

Beverly Eaves Perdue
Governor

March 1, 2012

Ms. Denise Weeks
Principal Clerk of the House
North Carolina General Assembly
16 West Jones Street
Raleigh, NC 27601

Dear Ms. Weeks:

Pursuant to North Carolina General Statute § 97-77(a1), I am nominating Tamara Nance for reappointment to the North Carolina Industrial Commission and hereby submit her name for confirmation by the North Carolina General Assembly as provided for in § 97-77. Ms. Nance's current term expires on June 30, 2012, and her new term will begin on July 1, 2012.

Sincerely,
S/ Beverly Eaves Perdue

The Speaker refers the letter to the Committee on Rules, Calendar and Operations of the House.

MOTION TO SUSPEND RULES

On motion of Representative Parmon and without objection, the Rules are suspended in order that **H.B. 947**, A BILL TO BE ENTITLED AN ACT TO PROVIDE MONETARY COMPENSATION TO PERSONS ASEXUAL-

May 16, 2012

IZED OR STERILIZED UNDER THE AUTHORITY OF THE EUGENICS BOARD OF NORTH CAROLINA, may have its first reading today.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following is introduced and read the first time:

By Representatives Womble, Tillis, Parmon, and Stam (Primary Sponsors); Adams, K. Alexander, M. Alexander, Bell, Bordsen, Brandon, Bryant, Carney, Cook, Dollar, Earle, Faircloth, Faison, Fisher, Floyd, Folwell, Gill, Glazier, Goodman, Graham, Hackney, Haire, Hamilton, Harrison, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Keever, Lucas, Luebke, Martin, McGee, McGuirt, McLawhorn, Michaux, Mobley, Parfitt, Pierce, Ross, Tolson, Wainwright, E. Warren, Weiss, Wilkins, and Wray:

H.B. 947, A BILL TO BE ENTITLED AN ACT TO PROVIDE MONETARY COMPENSATION TO PERSONS ASEXUALIZED OR STERILIZED UNDER THE AUTHORITY OF THE EUGENICS BOARD OF NORTH CAROLINA, is referred to the Committee on Judiciary and, if favorable, to the Committee on Finance and, if favorable, to the Committee on Appropriations.

INTRODUCTION OF PAGES

Pages for the week of May 16 are introduced to the membership. They are: Darius Bridgers, Kenneth Davis, William Davis, Krishna Eason, Thomas Ferrell, Royce Garza, Austin Guillet, Alexander Holder, Justice Kirkland, Berry Martin, Joshua Peterson, Corey Reid, Rachelle Ruger, Tracy Silver, Jonathan Walker, Zachary Warren, and Summer Woodrup.

All the Pages this week are cadets at the Tarheel ChalleNGe Academy located in Salemburg, North Carolina in Sampson County and are sponsored by Speaker Tillis.

ADDENDA TO COMMITTEE ASSIGNMENTS

May 16, 2012

The Speaker makes the following committee assignments:

BANKING: Add Representatives Brawley and McGee, Co-Chairs.

May 16, 2012

SPECIAL MESSAGE FROM THE SENATE**2011 GENERAL ASSEMBLY
SECOND SESSION 2012**

Senate Chamber
May 16, 2012

Mr. Speaker:

It is ordered that a message be sent your Honorable Body that pursuant to a Proclamation issued by Governor Beverly E. Perdue on January 24, 2012, Theodore Garmon (Wes) Westmoreland II has been administered the oath of office as a Member of the Senate for the remainder of the 2011-2012 General Assembly. Senator Westmoreland has been seated to fill the vacancy created by the resignation of Senator Clary from the forty-sixth District.

Senator Westmoreland will occupy Seat 10.

Respectfully,
S/ Sarah Clapp
Principal Clerk

On motion of Representative T. Moore, seconded by Representative LaRoque, the House adjourns at 12:42 p.m. to reconvene May 17 at 12:00 Noon.

ONE HUNDRED ELEVENTH DAY

HOUSE OF REPRESENTATIVES
Thursday, May 17, 2012

The House meets at 12:00 Noon pursuant to adjournment and is called to order by Representative Stam.

Prayer is offered by Representative Rick Glazier.

Representative LaRoque, 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.

May 17, 2012

Leaves of absence are granted Representatives L. Brown, Dollar, Goodman, and Womble for today.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committee are presented:

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

H.R. 608, A HOUSE RESOLUTION HONORING THE LIFE AND MEMORY OF BERTHA "B" MERRILL HOLT, 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 of May 21. The original resolution is placed on the Unfavorable Calendar.

Representative LaRoque, for the Committee on Rules, Calendar, and Operations of the House submits the following bills and resolution with a favorable report for introduction.

A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO PRODUCE A SPECIAL MOTORCYCLE PLATE FOR THE VIETNAM VETERANS OF AMERICA.

Pursuant to Rule 31(a), the bill is filed, assigned the number **H.B. 1006**, and placed on the Calendar for its first reading.

A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF DANIEL LUCAS ELLIOTT, NORTH CAROLINA CITIZEN AND SOLDIER.

Pursuant to Rule 31(a), the resolution is filed, assigned the number **H.J.R. 1007**, and placed on the Calendar for its first reading.

A BILL TO BE ENTITLED AN ACT TO PROHIBIT TELEVISIONS FOR DEATH ROW INMATES.

Pursuant to Rule 31(a), the bill is filed, assigned the number **H.B. 1008**, and placed on the Calendar for its first reading.

May 17, 2012

CONFEREE APPOINTED

The Speaker appoints Representative Ingle to replace Representative Guice as a conferee on **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.

The Senate is so notified by Special Message.

Representative LaRoque moves, seconded by Representative Jeffus, that the House adjourn, subject to the introduction of bills and resolutions, to reconvene Monday, May 21, 2012, at 7:00 p.m.

The motion carries.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced and read the first time:

By Representative Horn (Primary Sponsor); M. Alexander, Carney, Dixon, Glazier, Harrison, Hollo, Ingle, Jackson, Lucas, McGee, McGuirt, McLawhorn, Parfitt, Pittman, Stevens, and Walend:

H.B. 941, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE APPROPRIATE MEASUREMENT OF PSEUDOEPHEDRINE PRODUCTS FOR PURPOSES OF THE PSEUDOEPHEDRINE TRANSACTION LIMITS, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON METHAMPHETAMINE ABUSE, is referred to Judiciary Subcommittee B.

By Representative Horn (Primary Sponsor); M. Alexander, Carney, Dixon, Glazier, Harrison, Hollo, Ingle, Jackson, Lucas, McGuirt, McLawhorn, Parfitt, Pittman, Spear, Stevens, and Walend:

H.B. 942, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE ELECTRONIC RECORD-KEEPING REQUIREMENTS FOR PSEUDOEPHEDRINE PRODUCTS, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON METHAMPHETAMINE ABUSE, is referred to Judiciary Subcommittee B.

By Representatives Dockham and R. Brown (Primary Sponsors):

H.B. 943, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE APPROVAL OF THE BOARD OF COMMISSIONERS OF DAVIDSON COUNTY BEFORE A CITY NOT PRIMARILY LOCATED WITHIN DAVIDSON COUNTY MAY ANNEX ANY TERRITORY WITHIN

May 17, 2012

DAVIDSON COUNTY, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

By Representatives Howard and Sanderson:

H.B. 944, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF CULTURAL RESOURCES AND THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO STUDY VARIOUS REVENUE ENHANCEMENTS AND POTENTIAL SAVINGS AT STATE HISTORIC SITES AND MUSEUMS, THE STATE ZOO, STATE PARKS, AND STATE AQUARIUMS, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE, is referred to the Committee on Finance.

By Representative Gillespie:

H.B. 945, A BILL TO BE ENTITLED AN ACT TO ANNEX TO THE CITY OF MARION A SECTION OF RIGHT-OF-WAY OF US HIGHWAY 70 WEST WHERE A SIDEWALK TO BE MAINTAINED BY THE CITY IS TO BE CONSTRUCTED, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

By Representatives McLawhorn, Lucas, Bell, and Tolson (Primary Sponsors); Adams, M. Alexander, Bordsen, Bryant, Carney, Cotham, Dockham, Earle, Faison, Fisher, Floyd, Gill, Glazier, Graham, Hackney, Haire, Hamilton, Harrison, Hill, Insko, Jackson, Jeffus, Keever, Luebke, McGee, McGuirt, R. Moore, Parfitt, Parmon, Pierce, Rapp, Ross, Wainwright, E. Warren, Weiss, Wilkins, and Wray:

H.B. 946, A BILL TO BE ENTITLED AN ACT TO RESTORE FUNDING FOR THE TEACHING FELLOWS PROGRAM, is referred to the Committee on Appropriations.

By Representatives K. Alexander, Adams, M. Alexander, Bell, Bordsen, Bryant, Carney, Cotham, Earle, Faison, Fisher, Floyd, Gill, Glazier, Goodman, Hackney, Hamilton, Harrison, Hill, Insko, Jackson, Jeffus, Keever, Lucas, Luebke, McGuirt, Michaux, R. Moore, Parfitt, Parmon, Ross, Weiss, Wilkins, and Wray:

H.B. 948, A BILL TO BE ENTITLED AN ACT TO REPEAL THE LITERACY TEST FOR VOTERS, is referred to the Committee on Judiciary.

May 17, 2012

By Representative Brubaker:

H.B. 949, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE LAW DEALING WITH THE ANNUAL ASSESSMENTS OF MORTGAGE BANKERS, MORTGAGE BROKERS, AND MORTGAGE SERVICERS, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON THE MODERNIZATION OF NORTH CAROLINA BANKING LAWS, is referred to the Committee on Banking and, if favorable, to the Committee on Finance.

By Representatives Brubaker and Dockham:

H.B. 950, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2011 AND FOR OTHER PURPOSES, is referred to the Committee on Appropriations.

By Representatives Brubaker, Dockham, Earle, and R. Moore:

H.B. 951, A BILL TO BE ENTITLED AN ACT TO REWRITE THE BANKING LAWS OF NORTH CAROLINA, AS RECOMMENDED BY THE JOINT LEGISLATIVE STUDY COMMISSION ON THE MODERNIZATION OF NORTH CAROLINA BANKING LAWS, is referred to the Committee on Banking.

By Representatives Gillespie and Samuelson (Primary Sponsors); Faircloth, Ingle, and McGrady:

H.B. 952, A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM STATE AIR TOXICS EMISSIONS CONTROLS THOSE SOURCES OF EMISSIONS THAT ARE SUBJECT TO CERTAIN FEDERAL EMISSIONS REQUIREMENTS, TO DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO REQUIRE PERMIT CONDITIONS THAT ELIMINATE UNACCEPTABLE RISKS TO HUMAN HEALTH, TO DIRECT THE DIVISION OF AIR QUALITY TO REVIEW THE STATE AIR TOXICS PROGRAM, AND TO REQUIRE REPORTS ON THE IMPLEMENTATION OF THIS ACT, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is referred to the Committee on Environment.

By Representatives Gillespie and Samuelson (Primary Sponsors):

H.B. 953, A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL AMENDMENTS TO VARIOUS LAWS RELATED TO ENVIRONMENT AND NATURAL

May 17, 2012

RESOURCES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is referred to the Committee on Environment.

By Representatives Gillespie and Samuelson (Primary Sponsors):

H.B. 954, A BILL TO BE ENTITLED AN ACT TO AMEND OR REPEAL VARIOUS ENVIRONMENTAL AND NATURAL RESOURCES REPORTING REQUIREMENTS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is referred to the Committee on Environment.

By Representatives Gillespie and Samuelson (Primary Sponsors):

H.B. 955, A BILL TO BE ENTITLED AN ACT TO PROTECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES AND THE STATE FROM POTENTIAL LIABILITY ASSOCIATED WITH BECOMING A CO-APPLICANT WITH A REGIONAL WATER SUPPLY SYSTEM ON THE FEDERAL APPROVALS NEEDED FOR THE ESTABLISHMENT OR EXPANSION OF A WATER SUPPLY RESERVOIR OR OTHER WATER SUPPLY RESOURCE, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is referred to the Committee on Environment.

By Representative Daughtry:

H.B. 956, A BILL TO BE ENTITLED AN ACT RELATING TO THE USE OF OPEN SPACE FUNDS FOR JOHNSTON COUNTY, is referred to the Committee on Government.

By Representatives H. Warren and Cleveland (Primary Sponsors); Adams, Brandon, Carney, Graham, Harrison, Hill, and Lucas:

H.B. 957, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO PRODUCE A SPECIAL PLATE TO BENEFIT THE NORTH CAROLINA TRANSPORTATION MUSEUM, is referred to the Committee on Transportation and, if favorable, to the Committee on Finance.

By Representatives Moffitt, Brawley, Murry, and R. Moore (Primary Sponsors); Dixon, Faircloth, McElraft, McGee, Sanderson, Setzer, and H. Warren:

May 17, 2012

H.B. 958, A BILL TO BE ENTITLED AN ACT TO CREATE A PUBLIC-PRIVATE PARTNERSHIP FOR THE NORTH CAROLINA ZOOLOGICAL PARK, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON PUBLIC-PRIVATE PARTNERSHIPS, is referred to the Committee on Finance.

By Representatives Brawley and Moffitt (Primary Sponsors); Collins, Dixon, Earle, Faircloth, Horn, Ingle, Lucas, R. Moore, Setzer, H. Warren, and Wray:

H.B. 959, A BILL TO BE ENTITLED AN ACT TO FACILITATE THE TRANSFER OF UNUSED DEPARTMENT OF TRANSPORTATION LAND TO THE PRIVATE SECTOR BY STREAMLINING THE PROCESS OF SELLING THAT LAND, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON STATE-OWNED ASSETS, is referred to the Committee on Transportation.

By Representatives Moffitt, Brawley, and R. Moore (Primary Sponsors); Earle, Faircloth, Lucas, McGee, and Setzer:

H.B. 960, A BILL TO BE ENTITLED AN ACT TO ENSURE PAYMENT OF JUST COMPENSATION TO PROPERTY OWNERS WITH MORTGAGE DEBT EXCEEDING THE FAIR MARKET VALUE OF THE PROPERTY BY AUTHORIZING THE CONSIDERATION OF OUTSTANDING MORTGAGE DEBT WHEN DETERMINING DAMAGES IN A CONDEMNATION ACTION, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON STATE-OWNED ASSETS, is referred to the Committee on Banking.

By Representatives Spear, Bradley, Harrison, Horn, Ingle, McGee, McGuirt, and Sanderson:

H.B. 961, A BILL TO BE ENTITLED AN ACT TO EXEMPT PERSONS WHO HAVE BEEN LAWFULLY SUMMONED FOR JURY SERVICE FROM PAYING FERRY TOLLS TO TRAVEL TO AND FROM THEIR HOMES AND THE SITE OF THAT SERVICE, is referred to the Committee on Transportation.

By Representatives Spear and Iler (Primary Sponsors); Bordsen, Bradley, Carney, Cook, Earle, Hamilton, Harrison, Insko, McGuirt, Parmon, Ross, Sanderson, and Wray:

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H.B. 962, A BILL TO BE ENTITLED AN ACT TO REPEAL THE FERRY TOLLS IMPOSED UNDER S.L. 2011-145, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, is referred to the Committee on Transportation and, if favorable, to the Appropriations Subcommittee on Transportation.

By Representative Owens:

H.B. 963, A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF COLUMBIA, is referred to the Committee on Government, and, if favorable, to the Committee on Finance.

By Representatives Blackwell, Holloway, Johnson, and Jordan (Primary Sponsors); Collins, Dockham, Faircloth, Horn, Sanderson, and H. Warren:

H.B. 964, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT PRIVATE COLLEGES AND UNIVERSITIES, NONPUBLIC SCHOOLS, AND THE NORTH CAROLINA INDEPENDENT COLLEGES AND UNIVERSITIES ARE NOT LIABLE FOR A BREACH OF CONFIDENTIALITY CAUSED BY THE ACT OR OMISSION OF A STATE AGENCY, LOCAL SCHOOL ADMINISTRATIVE UNIT, COMMUNITY COLLEGE, OR CONSTITUENT INSTITUTION OF THE UNIVERSITY OF NORTH CAROLINA, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON EDUCATION REFORM, is referred to the Committee on Education.

By Representatives Blackwell, Holloway, Johnson, and Jordan (Primary Sponsors); Carney, Faircloth, Horn, and Saine:

H.B. 965, A BILL TO BE ENTITLED AN ACT TO BROADEN SUCCESSFUL PARTICIPATION BY STUDENTS IN ADVANCED PLACEMENT COURSES AND TO CREATE PERFORMANCE INCENTIVES FOR SCHOOLS AND TEACHERS FOR STUDENT EXCELLENCE IN ADVANCED PLACEMENT COURSES, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON EDUCATION REFORM, is referred to the Committee on Education.

By Representatives Holloway, Johnson, Blackwell, and Hilton (Primary Sponsors); Bell, Bordsen, Brandon, Bryant, Carney, Dockham, Faircloth, Glazier, Hamilton, Harrison, Hollo, Horn, Insko, Jackson, Jeffus, Jordan, Lucas, McGrady, McGuirt, R. Moore, Parfitt, Parmon, Sanderson, Spear, H. Warren, and Weiss:

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H.B. 966, A BILL TO BE ENTITLED AN ACT TO REPEAL THE PROHIBITION ON TEACHER PREPAYMENT PROVISION IN THE SCHOOL AND TEACHER PAPERWORK REDUCTION ACT OF 2011, AS RECOMMENDED BY THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE, is referred to the Committee on Education.

By Representative Dockham:

H.B. 967, A BILL TO BE ENTITLED AN ACT TO PROVIDE FUNDING FOR THE YADKIN VALLEY REGIONAL CAREER ACADEMY, is referred to the Committee on Appropriations.

By Representatives Randleman and Boles (Primary Sponsors); Faircloth, Horn, Ingle, and Spear:

H.B. 968, A BILL TO BE ENTITLED AN ACT TO TRANSFER THE WAREHOUSE FORMERLY OPERATED BY THE LAW ENFORCEMENT SUPPORT SERVICES DIVISION AND ITS CONTENTS FROM THE DEPARTMENT OF JUSTICE TO THE DEPARTMENT OF PUBLIC SAFETY AND TO ASSIGN THE RESPONSIBILITIES FOR THE STORAGE AND MANAGEMENT OF EVIDENCE HOUSED IN THE WAREHOUSE TO THE DEPARTMENT OF PUBLIC SAFETY, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON JUSTICE AND PUBLIC SAFETY, is referred to the Appropriations Subcommittee on Justice and Public Safety.

By Representatives Randleman and Boles (Primary Sponsors); Faircloth, Horn, and Ingle:

H.B. 969, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND OTHER CHANGES TO THE GENERAL STATUTES REGARDING THE DEPARTMENT OF PUBLIC SAFETY AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON JUSTICE AND PUBLIC SAFETY, is referred to the Committee on State Personnel.

By Representatives Pridgen, Graham, and Pierce (Primary Sponsors); Bordsen, Carney, Fisher, Glazier, Harrison, Ingle, Insko, Jackson, Lucas, Martin, Parfitt, Parmon, and Weiss:

H.R. 970, A HOUSE RESOLUTION HONORING THE FOUNDERS OF THE UNIVERSITY OF NORTH CAROLINA AT PEMBROKE ON ITS ONE HUNDRED TWENTY-FIFTH ANNIVERSARY, is referred to the Committee on Rules, Calendar, and Operations of the House.

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By Representatives Shepard and Cook (Primary Sponsors); Bell, Collins, Harrison, Horn, Hurley, Jackson, Jordan, Keever, Martin, R. Moore, Parfitt, and Sanderson:

H.B. 971, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE LEASE TERMINATION FOR A SERVICE MEMBER WHO DIES WHILE ON ACTIVE DUTY, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON MILITARY AFFAIRS, is referred to Judiciary Subcommittee A.

By Representatives Shepard and Parfitt (Primary Sponsors); Bell, Carney, Earle, Fisher, Floyd, Glazier, Graham, Harrison, Horn, Insko, Jackson, Keever, Lucas, Martin, McGuirt, R. Moore, Parmon, Sanderson, and Weiss:

H.B. 972, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR ADDITIONAL REGIONAL MILITARY FAMILY COUNSELORS, is referred to the Committee on Appropriations.

By Representatives Cook and Shepard (Primary Sponsors); Horn, Martin, Parfitt, and Sanderson:

H.B. 973, A BILL TO BE ENTITLED AN ACT TO PROVIDE NOTICE TO CONSUMERS WHEN A CONDITIONAL SALES CONTRACT FOR A VEHICLE IS EXECUTED, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON MILITARY AFFAIRS, is referred to the Committee on Transportation.

By Representatives LaRoque, Sanderson, and Insko (Primary Sponsors); Brandon, Bryant, Carney, Earle, Fisher, Floyd, Glazier, Harrison, Jackson, Keever, R. Moore, Parfitt, Parmon, Pierce, and Weiss:

H.B. 974, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF PUBLIC INSTRUCTION FOR THE CHILD NUTRITION PROGRAM TO ELIMINATE THE STUDENT COST FOR REDUCED-PRICE BREAKFAST IN ORDER TO INCREASE BREAKFAST PARTICIPATION, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON CHILDHOOD OBESITY, is referred to the Committee on Appropriations.

By Representatives LaRoque, Sanderson, and Insko (Primary Sponsors); Bradley, Brandon, Bryant, Carney, Cotham, Earle, Fisher, Floyd, Glazier, Harrison, Jackson, Jordan, Keever, McGrady, Parfitt, Parmon, Pierce, and Weiss:

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H.B. 975, A BILL TO BE ENTITLED AN ACT TO WORK TOWARD DECREASING OBESITY AMONG SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP) PARTICIPANTS BY INCREASING THEIR PARTICIPATION IN SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM EDUCATION (SNAP-ED) AND MAKING FRESH, LOCALLY GROWN PRODUCE AVAILABLE BY INCREASING THE ACCEPTANCE OF ELECTRONIC BENEFITS TRANSFER (EBT) CARDS AT FARMERS MARKETS, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON CHILDHOOD OBESITY, is referred to the Committee on Health and Human Services.

By Representatives LaRoque and Sanderson (Primary Sponsors); Brandon, Bryant, Carney, Earle, Fisher, Glazier, Graham, Harrison, Insko, Jackson, Keever, McGrady, R. Moore, Parfitt, Parmon, Pierce, and Weiss:

H.B. 976, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE TASK FORCE ON PHYSICAL EDUCATION AND PHYSICAL ACTIVITY IN SCHOOLS AND TO DIRECT THE STATE BOARD OF EDUCATION TO COORDINATE A WORK GROUP TO EXAMINE THE CURRENT STATUS OF DATA COLLECTION FROM FITNESS TESTING CONDUCTED IN KINDERGARTEN THROUGH EIGHTH GRADE, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON CHILDHOOD OBESITY, is referred to the Committee on Education.

By Representatives LaRoque and Sanderson (Primary Sponsors); Brandon, Bryant, Earle, Harrison, Insko, Jackson, McGrady, Parfitt, and Pierce:

H.B. 977, A BILL TO BE ENTITLED AN ACT TO DIRECT THE STATE BOARD OF EDUCATION AND THE DEPARTMENT OF PUBLIC INSTRUCTION TO DETERMINE OPTIMAL SEAT TIME FOR STUDENTS EATING MEALS IN PUBLIC SCHOOLS AND TO EXPLORE MEALTIME OPTIONS, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON CHILDHOOD OBESITY, is referred to the Committee on Education.

By Representatives LaRoque and Sanderson (Primary Sponsors); Brandon, Bryant, Carney, Cotham, Earle, Harrison, Insko, Jackson, Keever, Lucas, R. Moore, Parfitt, Parmon, Pierce, and Weiss:

H.B. 978, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF PUBLIC INSTRUCTION FOR THE CHILD NUTRITION PROGRAM TO ASSIST CHILD NUTRITION PROGRAMS IN MEETING NUTRITION STANDARDS, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON CHILDHOOD OBESITY, is referred to the Appropriations Subcommittee on Education.

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By Representative Ross:

H.B. 979, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CHANGES TO THE STATUTORY FORM SET FORTH IN G.S. 1C-1603 SO THAT THE FORM CORRESPONDS WITH THE SUBSTANCE OF G.S. 1C-1601, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is referred to the Committee on Judiciary.

By Representatives Ross and Insko (Primary Sponsors); M. Alexander, Bell, Bordsen, Brandon, Bryant, Carney, Cotham, Fisher, Floyd, Gill, Glazier, Hackney, Harrison, Jackson, Keever, Lucas, Luebke, Martin, Parfitt, and Weiss:

H.R. 980, A HOUSE RESOLUTION HONORING NORTH CAROLINA NATIVE SUSAN HILL, A CHAMPION FOR WOMEN'S HEALTH CARE AND REPRODUCTIVE HEALTH CARE SERVICES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Dollar and Burr (Primary Sponsors); Current, Ingle, and Jordan:

H.B. 981, A BILL TO BE ENTITLED AN ACT TO PROHIBIT ANY CONVEYANCE OF STATE-OWNED REAL PROPERTY ENCOMPASSING THE DOROTHEA DIX HOSPITAL CAMPUS WITHOUT THE APPROVAL OF THE GENERAL ASSEMBLY, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON HEALTH AND HUMAN SERVICES, is referred to the Committee on Finance.

By Representatives Bradley and Pittman (Primary Sponsors); Collins and Jordan:

H.R. 982, A HOUSE RESOLUTION EXPRESSING OPPOSITION TO THE PROVISIONS IN THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2012 THAT AUTHORIZE, IN DIRECT VIOLATION OF THE UNITED STATES CONSTITUTION AND THE CONSTITUTION OF NORTH CAROLINA, MILITARY DETENTION AND TRIAL OF UNITED STATES CITIZENS AND LAWFUL RESIDENTS OF THE UNITED STATES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Bradley, Cleveland, Cook, and Pittman (Primary Sponsors); Collins, Folwell, Hastings, Horn, Ingle, Jordan, Sanderson, and H. Warren:

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H.J.R. 983, A JOINT RESOLUTION AUTHORIZING THE 2011 GENERAL ASSEMBLY TO CONSIDER A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT NORTH CAROLINA SHALL NOT COMPLY WITH ICLEI/AGENDA 21, RELATIVE TO THE RIO DECLARATION ON ENVIRONMENT AND DEVELOPMENT AND THE STATEMENT OF PRINCIPLES FOR THE SUSTAINABLE MANAGEMENT OF FORESTS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Rapp, Ross, Glazier, and Haire (Primary Sponsors); Bell, Bryant, Carney, Farmer-Butterfield, Fisher, Floyd, Harrison, Insko, Jackson, Jeffus, Keever, Lucas, Luebke, R. Moore, Parfitt, Parmon, Pierce, Wainwright, Weiss, and Wray:

H.B. 984, A BILL TO BE ENTITLED AN ACT TO RESTORE FUNDING FOR THE NORTH CAROLINA CENTER FOR THE ADVANCEMENT OF TEACHING, is referred to the Committee on Appropriations.

The House stands adjourned at 12:22 p.m.

ONE HUNDRED TWELFTH DAY

HOUSE OF REPRESENTATIVES
Monday, May 21, 2012

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 Alice Bordsen.

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

Leaves of absence are granted Representatives Bradley, Dockham, Hastings, Justice, Lewis, Murry, and Womble for today. Representatives Jones and Shepard are excused for a portion of the Session.

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CALENDAR

Action is taken on the following:

H.R. 608 (Committee Substitute), A HOUSE RESOLUTION HONORING THE LIFE AND MEMORY OF BERTHA "B" MERRILL HOLT.

On motion of Representative Bordsen, the following remarks are spread upon the journal:

REMARKS BY REPRESENTATIVE BORDSEN

"I am the second woman to be sent by Alamance to speak for them in the General Assembly.

"The first was the woman we honor tonight: Bertha B Holt.

"B Holt was a force to be reckoned with, she was a source of energy, of dedication, of conviction, of purpose.

"She walked through her life with self-discipline, steadfastness, and courage.

"As I have walked through the writings of Dag Hammerskjold, I came across a 1953 press release that is appropriate to Representative Holt and her passion for justice and for human rights:

"Our work for peace must begin within the private world of each one of us. To build for man a world without fear, we must be without fear. To build a world of justice, we must be just. And how can we fight for liberty if we are not free in our own minds? How can we ask others to sacrifice if we are not ready to do so? Only in true surrender to the interest of all can we reach that strength and independence, that unity of purpose, that equity of judgment which are necessary if we are to measure up to our duty to the future, as people of a generation to whom the chance was given to build in time a world of peace.'

"B Holt was as fearless a person as I have ever known. She worked always for justice. She was a champion for human rights.

"I am proud to have had her political support and privileged to have known her for the time that I did.

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"She was already a legend in Alamance when I met her and the arena in which we knew each other was entirely political. I sometimes wonder what ever brought her to lend me her support in that first election ... my primary opponents were well-known and accomplished, they were part of the fabric of Alamance and I was still - and might always be - considered a newcomer. And I reside not in Burlington, but in a tiny town that hangs on the eastern edge of Alamance and falls into Orange!

"But she supported me politically, educated me politically, and funded me politically.

"The education I received from her was largely from her story telling - which she loved to do and there are few who could equal her as story-teller. Only George Daniels comes anywhere close.

"As important as anything, B attended all the larger and better-covered events in Alamance where I appeared. The first large forum I participated in was organized by a local paper and was **quite** large. And I was designated last to speak and be grilled ... you can imagine how 'challenging' that was for the nerves!

"As I sat trying to pass the time, quiet my nerves, and be ready for my time on the hot seat, my eye was caught by the sight of B Holt on the front row. She sat slightly slouched in her chair, legs stretched out and crossed at the ankles, arms folded across her chest, her glasses perched on the end of her nose, and her eyes glaring intently at the candidate of the moment. I was struck by the intensity of her look and the thought of relief that she was on my side. I would not have wanted to have been her adversary.

"But as I thought through what I might say tonight, all the vignettes I could retell, the scenes of her talking with and to our senior Democrats and our Alamance women, her growls when unpleasant issues bubbled up in conversation, her love of controversy, her penchant for travel, her knowledge and enjoyment of fine wine, what I am drawn to the most is that B Holt, a woman of the political world and its passions was - even when she was not intending to be - a teacher.

"One could not be with her and not be instructed. And it was her life's experience which shaped her and made her such a good teacher.

"She was not only a native of the deep south, but of the south at a time when women's roles were defined by others. She was born in 1916 before we women had our right to vote established in the Constitution. She grew up in the segregated south where that right to vote, while perhaps available technically to both black and white, was in reality available to only white.

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She grew to be a fierce defender of the right to vote all her life, worked to register and encourage all to exercise that right. She plunged into our schools with her three-legged stool to teach children about our three branches of government so that they would be informed, engaged, and understand the importance of their vote, of their participation. She taught government and citizen participation everywhere she went.

"Early in her life, she knew she wanted to go to college and to be a lawyer - even though that was a field not exactly friendly to women. To go to university, one had to have completed a high school course in biology. **But girls in Alabama were not allowed to take biology. They were to take home economics instead.** B persuaded her father to petition the local school board on her behalf which he did. She ended up in a biology class filled with young men and being taught by the football coach. As B said, 'mostly they talked about the science of football, baseball and basketball. That's when I developed my feminist attitudes.'

"When she went to law school, she was one of the first women to be admitted to the UNC School of Law and was the only woman in her class.

"These experiences and more shaped her and made her a lifelong teacher for civil rights - both race-based and gender-based.

"She was the first woman to serve on the church vestry of her Episcopal Church in Burlington.

"She was the first woman to serve on the bishop's committee of the Episcopal Church in North Carolina.

"And in 1975, she became the first woman to represent Alamance in the General Assembly - both Alamance and Rockingham. And she was returned to the General Assembly over and over, serving a total of 19 consecutive years in the house.

"She was a fulltime living example of the importance of asserting one's rights. I would suggest that, when it came to women's rights, she was a virtual street fighter.

"She successfully fought for the establishment of the State Abortion Fund because she was a fierce believer in a woman's right to self-determination ... so that, when terrible choices have to be made in terrible times, one's economic status ought not be the determining factor.

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"She successfully fought to have marital rape established as a crime.

"She was a founding member of our Women's Resource Center in Alamance and of the Alamance Women's Political Caucus. She was a member of the delegation to the Fourth United Nations Conference on Women in Beijing.

"And through all of her work and her pursuit of equal rights and teaching of responsible citizenship and her passion for the Democratic Party and for the people of Alamance County, she was a wife to Clary and mother to Harriet, Jefferson, and Merrill, and grandmother. She loved it all.

"And she loved being here. I think she was in her glory when in the General Assembly. She strongly believed that Members should stay here during Session rather than commute as some of us are inclined to do. Her thought was that, after a long and quarrelsome day, they would toddle on back to the same hotel, go to the same watering hole, and develop friendships that could carry Members through rough decisions, bad economies, and challenging legislation.

"She was a force for peace and justice and equality.

"When B lost her last election in 1994, there were folks who felt satisfied, folks whose views on women's health and reproductive rights were less expansive than hers.

"Maybe yes and maybe no. But consider this ... after her initial appointment, Rockingham and our prickly and tough county of Alamance - no place for the faint of heart - sent B Holt back to the General Assembly again and again and again until she had served for 19 consecutive years.

"B Holt was passionate about her constituents, this Body, and this State.

"But she disagreed without being disagreeable.

"She offered respect and engagement to her opponents.

"She served with grace and integrity.

"I commend this resolution to you."

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REMARKS BY REPRESENTATIVE M. ALEXANDER

"Ladies and Gentlemen of the House: I had the opportunity to know B Holt because of the Episcopal Church for about 18 years before I came to the North Carolina Legislature. She was a force in the Episcopal Church, just as she was here on the floor, as she chaired many committees. She was always present at our diocesan conventions and she was a mainstay. People all over our diocese, which is the middle part of the State of North Carolina, knew B Holt and worked with her and cherished her.

"I spent a lot of time this morning looking for a little plastic bee that she used to hand out - a little plastic bee that she used some of the time in her campaign. In her honor, I found my earrings that have a bee on the hat. She almost always had a bee pinned on her.

"Now I want to tell a few stories about B. B stayed at the Brownstone Hotel and back then many people stayed in hotels or they went home, but not as many people stayed in town houses or condominiums, and so my freshman year was just amazing! We seemed to have had very long Sessions that would go on until about 10:00 at night which was a common thing around here. So we'd go to the Brownstone - Marie Colton from Asheville, and Ruth Easterling from Mecklenburg County and B Holt. About 11:30 p.m., we all decided to go out and eat. I mean 11:30 at night - I am not talking about lunch at 11:30 in the morning! So at 11:30 at night, I would trip across the street and go to the restaurant where I sat - and learned and listened to these three women who were such great stalwarts of this institution. B was right there ensuring that we were all going to go to dinner and wouldn't get back to the hotel until 1:00 in the morning and I must say that even though the Sessions were late, we always began early with breakfasts at 7 or 7:30, and, definitely, our committees at 8:30 in the morning. But nothing would hamper that little mission at night. The other thing - one day, was the fact that all of a sudden, the Brownstone didn't have a room for us. I guess we were staying over on a Thursday night, which was unusual and other groups had come in. So you had these three-four homeless people, so to speak, and I'm not sure where Marie went that night, but B invited Ruth Easterling and me to go home with her so we went to Burlington - and what a trip that was! We had this wonderful dinner and then went back to B's house and it was like a slumber party because we stayed up most of the night just talking and chatting. It was a lovely home in a lovely setting and so welcoming.

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"I had the opportunity to know Clary, her husband, through the Episcopal Church as well and so Clary was there being quite the gentleman to these three women he was taking care of that evening. Also, Clary and I, when we would go to these diocesan conventions, I always liked to go swimming early in the morning for exercise and Clary was always right there swimming in the pool.

"Some of you who have been here for a while might remember, and I'm sorry I don't remember which bill - I really have been trying to think about that, but at 3:45 a.m. - and B sat sort of right over catty-cornered from me on the other side and she stood up and she started talking about this bill - she was just as bright as she was, but somehow we got the history of Australia as some of you might remember - because I think we were talking about the prison system or something. Somehow the next thing we knew, she was giving us this dissertation and everybody was listening. She was very commanding when she stood up and spoke, but she wasn't tired at all - she never was, or if she was, she definitely never showed it. So, she was here for a long time, but let me tell you - she might have been working with you on the county commission and going to those meetings, but she would call me up about different issues and if it was an issue that she was really upset about - I definitely heard about it and she wanted me to know exactly where she stood on different issues and I always appreciated that and she was very interested in what was going on here and who was here and so she really sort of never left us - even though she wasn't a part of the Body at that time.

"So, I would say to you that B was a lady of courage; she was an advocate for justice and human rights; a distinguished lawyer and legislator; a pillar of her community and her church and most of all to me - she was a very special friend and a mentor. Thank you to B.

"I wish that you would join me in supporting this resolution. Thank you."

REMARKS BY REPRESENTATIVE HACKNEY

"Thank you, Mr. Speaker and Members. It is a great privilege to speak on this resolution and I am grateful to have the opportunity.

"I served with Representative Holt from 1980 to 1994 and we were great friends, along with Clary. I practiced law in the Orange and Chatham area and he in Alamance, and we were in the same judicial district together. I knew him extremely well. In fact, I used to prosecute the docket in Alamance County occasionally when I was assistant DA, so he was well known to me before that.

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"The word has already been used, but the word I will use is courage. She was one courageous lady. If she had a position, she would hold to it. She would try to convince you, and if some of the folks back home did not like it, well they could just get over it. I guess the Republican counterpart who served in the United States Senate might be the same way in that people voted for her because of her strong conviction, her willingness to put herself out there and always be someone who you knew where she stood.

"She was at all times a grand lady. She was Alabama-born and Agnes Scott educated. She was perfectly dressed, and she had perfectly good southern manners as she sliced you up.

"She came along and I came along in the first year of the Liston Ramsey eight-year speakership, four terms, and she and Liston were on the same team. She loved being on his team. She loved doing things together because she knew his heart was in the right place as a populist who loved the common man.

"Her contemporaries, along with myself in those days, were Allen Adams, who is sitting over there, Bob Hunter, Martin Lancaster, Paul Pulley, Tim McDowell, who is here, and many, many others. Paul Pulley said of her: 'A grand lady. She spoke her mind and had a long memory. You could disagree with her but it was not advisable to cross her.' He knew that from experience. I can name three people who did cross her on a regular basis, and with whom she loved to fight. She had a story on any occasion about any one of these people. One of them is John Jordan, who was in her delegation. A second was Fred Bowman. She loved to talk about Fred Bowman. And then there was Cary Allred. You might even add Junior Teague to that list. But Cary, she could tell you about Cary Allred, if you wanted to know about Cary Allred.

"She will be forever known for her legislative accomplishments in North Carolina, some of which are already in the history books: the great fight for the equal rights amendment to the State Constitution in the late 70s, a fight she lost; and, as has been mentioned, the great fight to remove the husband exemption from the rape law, a fight she won in 1993.

"Her legendary commitment to education has been mentioned. Let me mention one other. You know at the National Conference of State Legislatures we have a program called 'Legislators Back to School' in which many of you participate. NCSL sends out a kit that you use when you go into the schools. Their goal is to get every legislator in America to visit schools in that month that the program is done. B did it all the time. She was a civics educator. She loved to be in the schools. She loved to teach and she was, as someone else has already said, an educator at heart.

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"So, it is a great privilege to not only talk about the issues that she cared about, including many women's issues including choice, including domestic violence laws, and any number of laws that we have, that have her mark on them.

"I am delighted that members of her family could be here tonight. I am delighted that many of her former colleagues are here, as well as those of us who are currently serving, and I commend this resolution to you.

"Thank you."

REMARKS BY REPRESENTATIVE LUEBKE

"Thank you, Mr. Speaker, Members of the House, and to the family of Representative B Holt:

"It's my pleasure to be able to speak of her. She was, when I came to the General Assembly, already very much a veteran, having come here in 1975. I was quite a rookie in 1991 and I can tell you, she sat right over there, Representative Brawley, in that little area, and I looked over there frequently for advice and she would offer advice to me frequently. She and I agreed on so many, many things and she had so much insight about how to get to that goal - things I really needed to learn from her. I'll always be grateful to her for the mentorship that she provided.

"After she left the General Assembly, it was the first time I heard the story about how she insisted that she needed to enroll in biology class even though she was a girl. At that time, biology was not for girls; home economics was for girls. I learned how she fought her way into that biology class when she was in high school around 1930. My whole sense of knowing B Holt has been commented on many times. She was a fighter for the Equal Rights Amendment in the 1970s; she fought for a woman's right to choose in the 1970s and 80s and on through the 1990s.

"I worked closely with her on the bill about marital rape and I know it will be hard, especially for the young people here, to imagine that there was no such statute on the books. In North Carolina it was legal for a man to rape his wife. When B Holt took this on in the 1980s, North Carolina was one of two states where a man could rape his wife, and because she was considered his property, it was not considered a violation of the law. And she took that fight on and in the late 1980's, she came close, but did not succeed. In 1993, I was here and I was honored to be able to work with her - we had a good coalition and a lot of support from women's groups around

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the State - women's equality advocates, and men too. We worked together very closely and I believe the vote finally in 1993 in the House was 101-5. I won't say anything about the five, but we did pass this overwhelmingly to make clear that marital rape was not allowed. A man could not rape his wife. It's a shame that it lasted that long, but again Representative Holt led the fight and we were all proud to work with her on that.

"One last thing I'd like to say is about the Pledge of Allegiance we said this evening a few minutes ago. It ends with 'liberty and justice for all.' B Holt was a woman who believed in justice for all every day that she was here at the General Assembly. She fought for that, and I am pleased to have known her. Thank you."

REMARKS BY REPRESENTATIVE ROSS

"Thank you, Mr. Speaker and ladies and gentlemen of the House.

"I knew B Holt when she was a Legislator, but I really got to know her after she got to go home. I think it's important to talk about what happens when you go home because about a third of folks here won't be back next year. And the question is, what are you going to do? Well, B never stopped moving.

"I got her to serve on the Board of Directors for the American Civil Liberties Union, which she relished. I am sure you are not surprised about that. I served with her on the Juvenile Justice Committee for the Bar Association, and she sponsored me to be a member of the Women's Forum of North Carolina, which was a real honor because I was only in my early thirties when she sponsored me to be on that forum, and most of the people were much older than I was. But B always believed in working hard for what she believed in and bringing people along with her.

"A lot of people have used the word courageous to describe her. I would give her an even greater honor. She was fearless. Actually, nothing intimidated her. As a matter of fact, she said she came by this honestly, that she was part trucker. And when she gave up her legislative license plate, she slapped on a really, really great bumper sticker. And I'll leave you with this, and I hope to be part of the pack, 'Uppity Women United'."

"I commend the resolution to you."

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REMARKS BY REPRESENTATIVE INSKO

"I first met B Holt during the fight for the Equal Rights Amendment. Those were heady days; B brought an enormous amount of energy to the cause. We knew the vote would be close in the North Carolina General Assembly but had reason to be optimistic. Then, when the vote fell short, North Carolina became one of three states that were needed but failed to put the amendment over the top. I remember the disappointment; but, for B, there was no sense of defeat. That experience actually energized her to do more and to make a greater commitment to win equal rights for women.

"You have heard a list of how she was the first woman to do this and the first woman to do that. To me, it seemed like she was lifted up through one glass ceiling after the other; the glass ceilings seemed to dissolve before her.

"Others have described her as courageous and she was; but, the word that describes her best is fearless. She was always ready for the next challenge.

"Someone mentioned her bright eyes and I remember them also. In a conversation, she gave you her full attention, always with that sense of energy; her energy felt like a warm embrace.

"She was a mentor to so many women, to so many of us in this Chamber. I am ever grateful for her words of encouragement to me to run for public office and take up the fight for equality. I commend this resolution to her."

REMARKS BY REPRESENTATIVE FISHER

"Today I was fortunate to be in a crowd of women, along with Representative Keever, to hear Gloria Steinem speak. She came to Asheville, and I knew that this resolution was going to be on the Calendar today. And it was, just seemed so fitting to have the opportunity to listen to a fellow feminist such as Gloria Steinem, and to be put in mind of what B Holt meant to this institution as well as to women everywhere. I am struck by the fact that there are a lot of young women in this Chamber this evening who I hope have listened to the lessons that B Holt sort of bequeathed to us all.

"I want to leave you with just one quote that is actually Gloria Steinem's, and it doesn't quite fit B Holt, but you will get the association. This from Gloria Steinem: '*One day an army of grey-haired women will quietly take over the earth.*' Well, she wouldn't do it *quietly*, but she definitely led that army and I think, continues to lead it today.

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"I commend the resolution to you.

"Thank you."

H.R. 608 is adopted, by electronic vote (87-0), and ordered printed.

ESCORT COMMITTEE ANNOUNCED

The Chair announces that Speaker Tillis appoints the following Members as an Escort Committee for the Turkish Delegation, who will be visiting on Tuesday, May 22: Representative McCormick, Chair; Representatives Stone, McGrady, Boles, T. Moore, Gillespie, and Dollar.

INTRODUCTION OF PAGES

Pages for the week of May 21 are introduced to the membership. They are: David Allen, Jr. of Cleveland; Madison Allendorf of McDowell; Kevin Alleyne of Hoke; Nicholas Britt of Johnston; Violette Bruchon of Randolph; Briana Davis of Halifax; Matthew Gilgo of Pender; Elliott Grant of Durham; Grace Griffin of Pender; Samuel Griffin of Wake; CayCee Justus of Henderson; Cody Justus of Henderson; Maria Kunath of Wake; Elizabeth Maness of Stanly; Scott Manning of Carteret; Cody Martin of Orange; Hunter Martin of Orange; Mosheh McCutchen of Wake; Taishu McLawhorn of Lenoir; Anderson Moore of Ashe; William Rierison of Forsyth; Bethany Vance of McDowell; Jaclyn Wisecarver of Davie; and Kilby Young of Forsyth.

Representative Dollar moves, seconded by Representative Cleveland, that the House adjourn, subject to the introduction of bills and resolutions and the receipt of Messages from the Senate, to reconvene May 21 at 2:00 p.m.

The motion carries.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced and read the first time:

By Representatives Gillespie, K. Alexander, Bell, and Frye:

H.B. 985, A BILL TO BE ENTITLED AN ACT TO COLLECT A FEE FOR DRIVER EDUCATION WHEN APPLYING FOR A LIMITED LEARNER'S PERMIT, is referred to the Committee on Finance.

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By Representative McGuirt:

H.B. 986, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO HELP ANSON COUNTY BUILD AN AGRI-CIVIC CENTER, is referred to the Committee on Appropriations.

By Representatives Weiss, Ross, Murry, and Jackson (Primary Sponsors); Dollar, Gill, and Martin:

H.B. 987, A BILL TO BE ENTITLED AN ACT TO ALLOW PERSONS WHO WORK IN WAKE COUNTY TO BE ELIGIBLE FOR MEMBERSHIP ON THE BOARD OF TRUSTEES OF WAKE TECHNICAL COMMUNITY COLLEGE, is referred to the Committee on Government.

By Representative Lewis:

H.B. 988, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE AVERASBORO TOWNSHIP TOURISM DEVELOPMENT AUTHORITY, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

By Representatives Howard, Earle, and Shepard:

H.B. 989, A BILL TO BE ENTITLED AN ACT TO LIMIT ELIGIBILITY FOR PERMANENT REGISTRATION PLATES TO GOVERNMENTAL ENTITIES, AND TO REFORM THE PROCESS BY WHICH ELIGIBLE ENTITIES APPLY FOR AND ARE ISSUED PERMANENT REGISTRATION PLATES, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE BASED ON RECOMMENDATIONS FROM THE PROGRAM EVALUATION DIVISION, is referred to the Committee on Transportation and, if favorable, to the Committee on Finance.

By Representatives Torbett, Keever, McGuirt, Setzer, Shepard, and Spear:

H.B. 990, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO PRODUCE A SPECIAL PLATE FOR RETIRED REGISTERS OF DEEDS, is referred to the Committee on Transportation and, if favorable, to the Committee on Finance.

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By Representative Haire:

H.B. 991, A BILL TO BE ENTITLED AN ACT TO POSTPONE THE EFFECTIVE DATE OF CHANGES MADE TO THE JACKSON COUNTY OCCUPANCY TAX DURING THE 2011 REGULAR SESSION OF THE GENERAL ASSEMBLY, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

By Representatives Cotham and Carney:

H.B. 992, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO PRODUCE A SPECIAL PLATE FOR THE TOWN OF MATTHEWS, is referred to the Committee on Transportation and, if favorable, to the Committee on Finance.

By Representative Mills:

H.B. 993, A BILL TO BE ENTITLED AN ACT TO ALLOW IREDELL COUNTY TO ESTABLISH A SATELLITE REGISTER OF DEEDS OFFICE AND TO AUTHORIZE THE RECORDING OF DOCUMENTS AT THAT OFFICE, is referred to the Committee on Government.

By Representatives Jones and Holloway (Primary Sponsors):

H.B. 994, A BILL TO BE ENTITLED AN ACT TO ALLOW THE COUNTY OF ROCKINGHAM TO USE DESIGN-BUILD DELIVERY METHODS, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

By Representative Owens:

H.B. 995, A BILL TO BE ENTITLED AN ACT TO INCREASE THE SALES TAX BY A PENNY, REDUCE THE CORPORATE INCOME TAX RATE BY ONE PERCENT, INCREASE THE PERSONAL EXEMPTION FOR PERSONAL INCOME TAX, GIVE STATE EMPLOYEES AND TEACHERS A TWO PERCENT PAY RAISE, AND PROVIDE ADDITIONAL FUNDS FOR EDUCATION, is referred to the Committee on Finance and, if favorable, to the Committee on Appropriations.

By Representatives Earle and Weiss (Primary Sponsors); M. Alexander, Bell, Carney, Fisher, Floyd, Gill, Glazier, Hamilton, Harrison, Insko, Keever, Lucas, McGuirt, McLawhorn, Parfitt, Rapp, Wainwright, E. Warren, and Wray:

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H.B. 996, 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, M. Alexander, Bell, Carney, Faison, Fisher, Floyd, Glazier, Harrison, Insko, Jackson, Keever, Lucas, McGuirt, McLawhorn, Parfitt, Rapp, Ross, Wainwright, E. Warren, Weiss, and Wray:

H.B. 997, 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 Glazier, M. Alexander, Gill, and Rapp (Primary Sponsors); Bell, Carney, Earle, Faison, Fisher, Floyd, Hamilton, Harrison, Insko, Jackson, Keever, Lucas, McGuirt, McLawhorn, Parfitt, Wainwright, E. Warren, Weiss, and Wray:

H.B. 998, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO REDUCE CLASS SIZE IN KINDERGARTEN THROUGH THIRD GRADE, is referred to the Committee on Appropriations.

By Representatives Glazier, Michaux, Rapp, and McLawhorn (Primary Sponsors); M. Alexander, Bell, Carney, Faison, Fisher, Floyd, Gill, Goodman, Hamilton, Harrison, Insko, Jackson, Keever, Lucas, McGuirt, Parfitt, Ross, Wainwright, E. Warren, Weiss, and Wray:

H.B. 999, A BILL TO BE ENTITLED AN ACT TO RESTORE PUBLIC SCHOOL FLEXIBILITY ADJUSTMENT FUNDING, is referred to the Committee on Appropriations.

By Representatives Jordan, Justice, R. Moore, and Spear (Primary Sponsors); and Shepard:

H.B. 1000, A BILL TO BE ENTITLED AN ACT ESTABLISHING THE COMMUNITY ASSOCIATION MANAGERS LICENSURE ACT, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON HOMEOWNERS ASSOCIATIONS, is referred to Judiciary Subcommittee A and, if favorable, to the Committee on Finance.

By Representatives Cleveland and Bradley:

H.R. 1001, A HOUSE RESOLUTION TO REPEAL EXECUTIVE ORDER 85 RELATING TO THE CREATION OF A DEPARTMENT OF

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MANAGEMENT AND ADMINISTRATION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Blackwell, Holloway, Jordan, and Gill (Primary Sponsors); M. Alexander, Bell, Burr, Carney, Earle, Fisher, Glazier, Hamilton, Harrison, Insko, Jackson, McGuirt, Parfitt, and Weiss:

H.B. 1002, A BILL TO BE ENTITLED AN ACT ESTABLISHING A BILL OF RIGHTS FOR CHILDREN WHO ARE DEAF OR HEARING IMPAIRED, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON EDUCATION REFORM, is referred to Judiciary Subcommittee A.

By Representatives Howard, Floyd and Lucas:

H.B. 1003, A BILL TO BE ENTITLED AN ACT (1) TO PROHIBIT LOCAL SCHOOL ADMINISTRATIVE UNITS FROM ASSESSING INDIRECT COSTS TO A CHILD NUTRITION PROGRAM UNLESS THE PROGRAM IS FINANCIALLY SOLVENT AND (2) TO APPROPRIATE FUNDS TO PROMOTE OPTIMAL PRICING FOR CHILD NUTRITION PROGRAM FOODS AND SUPPLIES, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE BASED ON RECOMMENDATIONS FROM THE PROGRAM EVALUATION DIVISION, is referred to the Committee on Health and Human Services.

By Representatives Howard and Lucas:

H.J.R. 1004, A JOINT RESOLUTION EXPRESSING THE OPINION OF THE GENERAL ASSEMBLY THAT THE LOCAL PROVISION OF WORKFORCE INVESTMENT ACT SERVICES SHOULD BE STREAMLINED BY REALIGNING LOCAL WORKFORCE DEVELOPMENT AREAS WITH THE BOUNDARIES OF COUNCILS OF GOVERNMENTS ESTABLISHED PURSUANT TO G.S. 160A-470, AS RECOMMENDED BY THE PROGRAM EVALUATION DIVISION AND ENDORSED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE, is referred to the Committee on Commerce and Job Development.

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

H.B. 1005, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA FOR RESTORATION AND REPAIRS TO THE G.L. BUTLER BUILDING ON THE CAMPUS OF FAYETTEVILLE STATE UNIVERSITY, is referred to the Committee on Appropriations.

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By the Committee on Rules, Calendar, and Operations of the House and Representatives K. Alexander, Earle, Faison, Floyd, Horn, Lucas, Martin, McGuirt, Rapp, Saine, Spear, Weiss, and Wray:

H.B. 1006, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO PRODUCE A SPECIAL MOTORCYCLE PLATE FOR THE VIETNAM VETERANS OF AMERICA, is referred to the Committee on Transportation and, if favorable, to the Committee on Finance.

By the Committee on Rules, Calendar, and Operations of the House and Representatives Carney, Glazier, Harrison, McGuirt, and Weiss:

H.J.R. 1007, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF DANIEL LUCAS ELLIOTT, NORTH CAROLINA CITIZEN AND SOLDIER, 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 Burr, Hastings, T. Moore, Saine, Spear, and Stone:

H.B. 1008, A BILL TO BE ENTITLED AN ACT TO PROHIBIT TELEVISIONS FOR DEATH ROW INMATES, is referred to Judiciary Subcommittee C.

By Representatives McGrady and Moffitt (Primary Sponsors); Brawley, Brisson, and Murry:

H.B. 1009, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA METROPOLITAN SEWERAGE DISTRICTS ACT TO REFLECT POPULATION SHIFTS IN SINGLE-COUNTY DISTRICTS, TO MODIFY REPRESENTATION IN MULTICOUNTY DISTRICTS, AND TO ALLOW METROPOLITAN SEWERAGE DISTRICTS TO ALSO EXERCISE THE SAME POWERS AS METROPOLITAN WATER DISTRICTS, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S METROPOLITAN SEWERAGE/WATER SYSTEM COMMITTEE, is referred to the Committee on Government.

By Representatives Rapp, McLawhorn, Carney, and Glazier (Primary Sponsors); M. Alexander, Bell, Faison, Fisher, Floyd, Hamilton, Harrison, Insko, Jackson, Keever, Lucas, McGuirt, R. Moore, Parfitt, Wainwright, E. Warren, and Wray:

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H.B. 1010, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO RESTORE FUNDING ON A RECURRING BASIS FOR THE UNIVERSITY OF NORTH CAROLINA CENTER FOR PUBLIC TELEVISION, is referred to the Committee on Appropriations.

By Representatives Rapp, Wilkins, McLawhorn, and Glazier (Primary Sponsors); M. Alexander, Bell, Faison, Fisher, Floyd, Gill, Hamilton, Harrison, Insko, Kever, Lucas, McGuirt, R. Moore, Parfitt, Ross, Wainwright, E. Warren, Weiss, and Wray:

H.B. 1011, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA TO FUND FULLY THE ENROLLMENT GROWTH IN THE UNIVERSITY SYSTEM, is referred to the Committee on Appropriations.

By Representatives Howard, Lucas, and Stone:

H.B. 1012, A BILL TO BE ENTITLED AN ACT TO ENSURE THAT THE RESOURCES OF THE PROGRAM EVALUATION DIVISION ARE UTILIZED EFFECTIVELY BY THE GENERAL ASSEMBLY, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE, is referred to the Committee on Finance.

By Representatives Wilkins, Rapp, Carney, and Hall (Primary Sponsors); M. Alexander, Faison, Fisher, Floyd, Glazier, Hamilton, Harrison, Insko, Lucas, McGuirt, R. Moore, Parfitt, Ross, Wainwright, Weiss, and Wray:

H.B. 1013, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA TO RECRUIT AND RETAIN OUTSTANDING FACULTY AT EACH OF THE CONSTITUENT INSTITUTIONS, is referred to the Committee on Appropriations.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 582 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ADDITIONAL CLASS III GAMING ON INDIAN LANDS PURSUANT TO A TRIBAL-STATE GAMING COMPACT, TO CREATE THE INDIAN GAMING EDUCATION REVENUE FUND, AND TO APPROPRIATE FUNDS, is read the first time and referred to the Committee on Appropriations.

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S.B. 797, A BILL TO BE ENTITLED AN ACT TO ENSURE ADEQUATE FUNDING IN THE STATE MEDICAID PROGRAM FOR THE 2011-2012 FISCAL YEAR; AND TO PROHIBIT THE DRAWING DOWN OR TRANSFERRING OF MEDICAID DISPROPORTIONATE SHARE RECEIPTS OR OTHER FUNDS IF DOING SO WOULD CREATE OR INCREASE A FINANCIAL OBLIGATION IN THE 2012-2013 FISCAL YEAR, is read the first time and referred to the Committee on Appropriations.

S.B. 799, A BILL TO BE ENTITLED AN ACT TO REMEDY INFIRMITIES FOUND BY A FEDERAL COURT IN A LOCAL ACT RELATING TO ELECTION OF THE BOARD OF COMMISSIONERS OF GUILFORD COUNTY, is read the first time and referred to the Committee on Redistricting.

The House stands adjourned at 8:20 p.m.

ONE HUNDRED THIRTEENTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, May 22, 2012

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

Prayer is offered by Representative Larry Pittman.

Representative T. Moore, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 21 has been examined and found correct. Upon his motion, the Journal is approved as written.

A leave of absence is granted Representative Murry for today.

GUESTS

The Sergeant-at-Arms is recognized and he announces the approach of the Turkish Delegation, who is escorted to the Well of the House by the Escort Committee.

Mehmet Ozhasaki, Mayor of Kayseri, and Ahmet Oksuzkaya, a Member of the Parliament, make brief remarks.

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The Speaker directs the Committee to escort the guests from the Chamber.

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.R. 970, A HOUSE RESOLUTION HONORING THE FOUNDERS OF THE UNIVERSITY OF NORTH CAROLINA AT PEMBROKE ON ITS ONE HUNDRED TWENTY-FIFTH ANNIVERSARY, with recommendation that it be adopted.

Pursuant to Rule 36(b), the resolution is placed on the Calendar of May 23.

RE-REFERRAL

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 981**, A BILL TO BE ENTITLED AN ACT TO PROHIBIT ANY CONVEYANCE OF STATE-OWNED REAL PROPERTY ENCOMPASSING THE DOROTHEA DIX HOSPITAL CAMPUS WITHOUT THE APPROVAL OF THE GENERAL ASSEMBLY, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON HEALTH AND HUMAN SERVICES, is withdrawn from the Committee on Finance and re-referred to the Committee on Health and Human Services.

Representative LaRoque moves, seconded by Representative Lewis, that the House adjourn, subject to the introduction of bills and resolutions and the receipt of Messages from the Senate, to reconvene May 23 at 2:00 p.m.

The motion carries.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced and read the first time:

By Representatives Howard, Lucas, Moffitt, Shepard, and Stone:

H.B. 1014, A BILL TO BE ENTITLED AN ACT TO REFORM THE MANAGEMENT AND OVERSIGHT OF STATE-OWNED MOTOR VEHICLES, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE BASED ON

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RECOMMENDATIONS FROM THE PROGRAM EVALUATION DIVISION, is referred to the Committee on Finance and, if favorable, to the Committee on Appropriations.

By Representatives Howard and Starnes (Primary Sponsors); and Moffitt:

H.B. 1015, A BILL TO BE ENTITLED AN ACT TO SET THE PUBLIC UTILITY REGULATORY FEE, THE ELECTRIC MEMBERSHIP CORPORATION REGULATORY FEE, AND THE INSURANCE REGULATORY CHARGE, is referred to the Committee on Finance.

By Representatives Hamilton, K. Alexander, Hill, and Iler:

H.B. 1016, A BILL TO BE ENTITLED AN ACT TO PERMIT THE LOWER CAPE FEAR WATER AND SEWER AUTHORITY TO UTILIZE THE DESIGN-BUILD METHOD OF CONSTRUCTION OF WATER PROJECTS, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

By Representatives Dockham and McGee (Primary Sponsors); Collins, Hamilton, Hill, Hollo, Horn, McCormick, Moffitt, Murry, Owens, Stone, Wilkins, and Wray:

H.B. 1017, A BILL TO BE ENTITLED AN ACT TO MODERNIZE THE REQUIREMENTS OF THE COMPREHENSIVE STRATEGIC ECONOMIC DEVELOPMENT PLAN AND TO SIMPLIFY AND STREAMLINE OTHER REPORTING REQUIREMENTS FOR THE DEPARTMENT OF COMMERCE, is referred to the Committee on Commerce and Job Development.

By Representative Dockham:

H.B. 1018, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE APPROVAL OF THE YADKIN VALLEY REGIONAL CAREER ACADEMY AS A COOPERATIVE INNOVATIVE HIGH SCHOOL FOR THE 2012-2013 SCHOOL YEAR, is referred to the Committee on Education.

By Representatives Current, K. Alexander, M. Alexander, Carney, Cotham, Harrison, and Hill:

H.R. 1019, A HOUSE RESOLUTION HONORING THE LIFE AND MEMORY OF ALAN THOMAS DICKSON, BUSINESS LEADER, is referred to the Committee on Rules, Calendar, and Operations of the House.

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By Representatives Goodman, Carney, Hamilton, Harrison, Horn, Keever, Lucas, McGuirt, and Spear:

H.R. 1020, A HOUSE RESOLUTION EXPRESSING SUPPORT FOR PATRIOT OUTREACH AND ENCOURAGING ALL TO CONSIDER VOLUNTEERING THEIR SERVICES IN SUPPORT OF OUR MILITARY AND FIRST RESPONDERS AND THEIR FAMILIES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Stam:

H.B. 1021, A BILL TO BE ENTITLED AN ACT TO CLARIFY CERTAIN PROVISIONS OF THE JUSTICE REINVESTMENT ACT, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON JUSTICE AND PUBLIC SAFETY, is referred to Judiciary Subcommittee B.

By Representative Boles:

H.R. 1022, A HOUSE RESOLUTION HONORING THE LIFE AND MEMORY OF RICK RHYNE, MOORE COUNTY SHERIFF'S DEPUTY, KILLED IN THE LINE OF DUTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Daughtry, K. Alexander, M. Alexander, Bradley, Bryant, Carney, Cotham, Faison, Floyd, Gill, Glazier, Hamilton, Harrison, Insko, Jackson, Keever, Lucas, R. Moore, Rapp, and Wray:

H.B. 1023, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR EXPUNCTION OF NONVIOLENT FELONIES OR NONVIOLENT MISDEMEANORS AFTER FIFTEEN YEARS FOR PERSONS WHO HAVE HAD NO OTHER CONVICTIONS FOR FELONIES OR MISDEMEANORS OTHER THAN TRAFFIC VIOLATIONS UNDER THE LAWS OF THE UNITED STATES, THIS STATE, OR ANY OTHER JURISDICTION, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION, is referred to Judiciary Subcommittee C.

By Representatives Howard and Starnes (Primary Sponsors); Johnson, Moffitt, and H. Warren:

H.B. 1024, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE UNEMPLOYMENT INSURANCE LAWS, is referred to the Committee on Finance.

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By Representatives Howard and Starnes (Primary Sponsors); Moffitt and Spear:

H.B. 1025, A BILL TO BE ENTITLED AN ACT TO EXTEND THE SUNSET OF CERTAIN TAX PROVISIONS, AS PROPOSED BY THE REVENUE LAWS STUDY COMMITTEE, is referred to the Committee on Finance.

By Representatives Howard and Starnes (Primary Sponsors); and Moffitt:

H.B. 1026, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL, CLARIFYING, AND ADMINISTRATIVE CHANGES TO THE TAX AND RELATED LAWS, is referred to the Committee on Finance.

By Representatives Howard and Starnes (Primary Sponsors); and Moffitt:

H.B. 1027, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE SECRETARY OF REVENUE'S INTERPRETATION OF THE LAW CONCERNING THE SECRETARY'S AUTHORITY TO ADJUST NET INCOME OR REQUIRE A COMBINED RETURN BE MADE THROUGH RULE MAKING AND TO PROVIDE AN EXPEDITED PROCESS FOR RULE MAKING ON THIS ISSUE, is referred to the Committee on Finance.

By Representatives Howard and Starnes (Primary Sponsors); and Moffitt:

H.B. 1028, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE NORTH CAROLINA APPRAISAL BOARD TO REPORT THE RECORDS OF APPRAISAL MANAGEMENT COMPANIES TO THE NORTH CAROLINA DEPARTMENT OF REVENUE, is referred to the Committee on Finance.

By Representatives Holloway and Jones (Primary Sponsors):

H.B. 1029, A BILL TO BE ENTITLED AN ACT TO REMOVE THE REQUIREMENT THAT THE TOWN MANAGER OF MAYODAN BE A RESIDENT OF THAT TOWN, is referred to the Committee on Government.

By Representatives Blackwell, Avila, and Hager (Primary Sponsors); Moffitt and Stone:

H.B. 1030, A BILL TO BE ENTITLED AN ACT TO REQUIRE STATE AGENCIES AND CERTAIN NON-STATE ENTITIES TO DEVELOP, IMPLEMENT, AND MAINTAIN INFORMATION SYSTEMS THAT

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PROVIDE UNIFORM, PROGRAM-LEVEL ACCOUNTABILITY INFORMATION REGARDING THE PROGRAMS OPERATED BY THOSE AGENCIES, AS RECOMMENDED BY THE LRC COMMITTEE ON EFFICIENCIES IN STATE GOVERNMENT, is referred to the Committee on Finance.

By Representatives Blackwell, Avila, and Hager (Primary Sponsors); Moffitt and Stone:

H.B. 1031, A BILL TO BE ENTITLED AN ACT TO ESTABLISH ENTERPRISE-WIDE BUSINESS INTELLIGENCE AS A KEY COMPONENT OF ALL STATE GOVERNMENTAL OPERATIONS IN ORDER TO MAXIMIZE DATA INTEGRATION AND ANALYTICS, THEREBY YIELDING MORE EFFICIENT GOVERNMENT AND ADVANCING INNOVATION IN NORTH CAROLINA, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION STUDY COMMITTEE ON EFFICIENCIES IN STATE GOVERNMENT, is referred to the Committee on Commerce and Job Development.

By Representatives Blackwell and Gillespie (Primary Sponsors):

H.B. 1032, A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED NONCONTIGUOUS PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF MORGANTON, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

By Representatives T. Moore, Killian, Martin, and Cleveland (Primary Sponsors); Avila, Bradley, Carney, Cook, Fisher, Floyd, Goodman, Hamilton, Harrison, Hastings, Hollo, Horn, Ingle, Insko, Keever, Lucas, McGuirt, McLawhorn, Moffitt, Parfitt, Ross, Saine, Shepard, Spear, Stone, Weiss, and Wray:

H.J.R. 1033, A JOINT RESOLUTION EXPRESSING GRATITUDE TO THE MEMBERS OF THE MILITARY FOR THEIR SERVICE AND HONORING THE MEMORY OF THOSE KILLED IN THE LINE OF DUTY.

Pursuant to Rule 32(a), the resolution is placed on the Calendar of May 23.

The House stands adjourned at 2:47 p.m.

May 22, 2012

ONE HUNDRED FOURTEENTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, May 23, 2012

The House meets at 2:00 p.m. pursuant to adjournment and is called to order by Representative Folwell, Speaker Pro Tempore.

The following prayer is offered by Representative Ruth Samuelson:

"I will regard You as Holy, Lord of Hosts. You shall be my resting place.

"You are the stability of our times, a wealth of salvation, wisdom and knowledge. Fearing You, Oh Lord, is the key to wisdom.

"As we enter deeply into this Legislative Session, I am reminded that You've taught us to forgive others as we ourselves have been forgiven, but we rarely are willing to do that on either side.

"Forgive us for the grudges we hold and our slowness to forgive others. At each of Your commandments we have stumbled. And we plead for Your mercy because in our hearts we have built idols and looked to them instead of You for fulfillment.

"Forgive us for how we often treat our families, friends, neighbors and coworkers, selfishly, looking to our own interests and not to the interests of others. Give us eyes to see and ears to hear their needs and concerns as equal to our own.

"We praise You for our daily bread, the air we breathe, the clothes we wear and the shelter You provide.

"As we finish out this week, help us love our enemies, do good to those who hate us, bless those who curse us, and pray for those who mistreat us. May we do unto others as we would have them do unto us.

"Draw us to seek after You daily. We pray that You would give us a sense of our calling in this world, to guide and shepherd those You've put in our care, to impact our communities with the salt You have provided.

"Give each of us hope and strength to accomplish our purposes.

"And now Lord, respecting all faiths, I ask these things in the name of Jesus. Amen."

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Representative T. Moore, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 22 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Dockham and Womble for today.

Serving as Honorary Page for today is Luke Moffitt.

GUEST

The Speaker appoints Representatives Sager, Cotham, Hall, Luebke, Michaux, and Wilkins to escort Hailey Best, Miss North Carolina, to the Well of the House where she makes brief remarks.

The Speaker directs the Committee to escort Miss Best from the Chamber.

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 report to be made directly to the floor of the House:

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

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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, 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) and without objection, the House committee substitute bill is placed on today's Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

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. 941, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE APPROPRIATE MEASUREMENT OF PSEUDOEPHEDRINE PRODUCTS FOR PURPOSES OF THE PSEUDOEPHEDRINE TRANSACTION LIMITS, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON METHAMPHETAMINE ABUSE, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 24.

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

H.B. 966, A BILL TO BE ENTITLED AN ACT TO REPEAL THE PROHIBITION ON TEACHER PREPAYMENT PROVISION IN THE SCHOOL AND TEACHER PAPERWORK REDUCTION ACT OF 2011, AS RECOMMENDED BY THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 24.

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

S.B. 797, A BILL TO BE ENTITLED AN ACT TO ENSURE ADEQUATE FUNDING IN THE STATE MEDICAID PROGRAM FOR THE 2011-2012 FISCAL YEAR; AND TO PROHIBIT THE DRAWING DOWN OR TRANSFERRING OF MEDICAID DISPROPORTIONATE SHARE RECEIPTS OR OTHER FUNDS IF DOING SO WOULD CREATE

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OR INCREASE A FINANCIAL OBLIGATION IN THE 2012-2013 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) 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 Daughtry, Chair, for the Committee on Judiciary:

H.B. 947, A BILL TO BE ENTITLED AN ACT TO PROVIDE MONETARY COMPENSATION TO PERSONS ASEXUALIZED OR STERILIZED UNDER THE AUTHORITY OF THE EUGENICS BOARD OF NORTH CAROLINA, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

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

By Representatives Howard, Folwell, Setzer, and Starnes, Chairs, for the Committee on Finance:

H.B. 1015, A BILL TO BE ENTITLED AN ACT TO SET THE PUBLIC UTILITY REGULATORY FEE, THE ELECTRIC MEMBERSHIP CORPORATION REGULATORY FEE, AND THE INSURANCE REGULATION CHARGE, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 24.

H.B. 1028, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE NORTH CAROLINA APPRAISAL BOARD TO REPORT THE RECORDS OF APPRAISAL MANAGEMENT COMPANIES TO THE NORTH CAROLINA DEPARTMENT OF REVENUE, 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.

CALENDAR

Action is taken on the following:

H.R. 970, A HOUSE RESOLUTION HONORING THE FOUNDERS OF THE UNIVERSITY OF NORTH CAROLINA AT PEMBROKE ON ITS ONE HUNDRED TWENTY-FIFTH ANNIVERSARY.

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The resolution is adopted, by electronic vote (113-0), and ordered printed.

SPEAKER TILLIS PRESIDING.

H.J.R. 1033, A JOINT RESOLUTION EXPRESSING GRATITUDE TO THE MEMBERS OF THE MILITARY FOR THEIR SERVICE AND HONORING THE MEMORY OF THOSE KILLED IN THE LINE OF DUTY, passes its second reading, by electronic vote (115-0), and there being no objection is read a third time.

Representative Haire requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (116-0).

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

In honor and memory of our veterans, the Speaker leads the Body in the Pledge of Allegiance.

CALENDAR (Continued)

S.B. 797 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENSURE ADEQUATE FUNDING IN THE STATE MEDICAID PROGRAM FOR THE 2011-2012 FISCAL YEAR; TO PROHIBIT THE DRAWING DOWN OR TRANSFERRING OF MEDICAID DISPROPORTIONATE SHARE RECEIPTS OR OTHER FUNDS IF DOING SO WOULD CREATE OR INCREASE A FINANCIAL OBLIGATION IN THE 2012-2013 FISCAL YEAR; AND TO REQUIRE PRIOR APPROVAL FROM THE GENERAL ASSEMBLY BEFORE ISSUING ANY REQUESTS FOR PROPOSALS OR ENTERING INTO ANY NEW CONTRACTS FOR THE OPERATIONAL OVERSIGHT OR MANAGEMENT OF HEALTH SERVICES FOR INMATES IN THE STATE PRISON SYSTEM, passes its second reading, by electronic vote (113-0), and there being no objection is read a third time.

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

S.B. 745 (House 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

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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 WHOLESALESALEERS; 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; AND TO ALLOW THE ABC COMMISSION TO GRANT A WAIVER ALLOWING THE GENERAL MANAGER OF A LOCAL BOARD TO ALSO BE THE FINANCE OFFICER.

Pursuant to Rule 24.1A, Representative Daughtry requests that he be excused from voting on this bill because of a financial interest in a beer and wine wholesale operation that could be seen as a conflict. This request is granted.

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 for concurrence in the House committee substitute bill by Special Message.

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. 965, A BILL TO BE ENTITLED AN ACT TO BROADEN SUCCESSFUL PARTICIPATION BY STUDENTS IN ADVANCED PLACEMENT COURSES AND TO CREATE PERFORMANCE INCENTIVES FOR SCHOOLS AND TEACHERS FOR STUDENT EXCELLENCE IN ADVANCED PLACEMENT COURSES, AS RECOMMENDED BY THE

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HOUSE SELECT COMMITTEE ON EDUCATION REFORM, 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 Education.

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

Representative LaRoque moves, seconded by Representative Folwell, 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 May 24 at 12:15 p.m.

The motion carries.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced and read the first time:

By Representatives Folwell and Glazier:

H.J.R. 1034, A JOINT RESOLUTION TO CONFIRM THE APPOINTMENT OF TAMARA NANCE TO THE NORTH CAROLINA INDUSTRIAL COMMISSION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Gillespie and Frye (Primary Sponsors); and Jordan:

H.B. 1035, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONTINUED ISSUANCE OF SPECIAL LICENSE PLATES WITH UNIQUE PLATE BACKGROUND DESIGNS, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, is referred to the Committee on Transportation.

By Representative Torbett:

H.B. 1036, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF TRANSPORTATION AND THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO JOINTLY STUDY EXPEDITING WATER QUALITY REGULATION MONITORING AND IMPLEMENTATION FOR TRANSPORTATION PROJECTS, is referred to the Committee on Transportation.

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By Representatives Torbett and Hamilton:

H.B. 1037, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A MARKET INTEREST RATE OF INTEREST ON DEPARTMENT OF TRANSPORTATION CONDEMNATION JUDGMENTS, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION LIFE CYCLE COST ANALYSIS COMMITTEE, is referred to the Committee on Transportation.

By Representatives Hager and Hastings (Primary Sponsors); K. Alexander, Hamilton, Harrison, Moffitt, and H. Warren:

H.B. 1038, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE VEHICLES THAT RUN ON CERTAIN ALTERNATIVE FUELS TO OPERATE IN HIGH OCCUPANCY VEHICLE LANES, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON ENERGY INDEPENDENCE AND ALTERNATIVE FUELS, is referred to the Committee on Transportation.

By Representatives Hager and Hastings (Primary Sponsors); K. Alexander, Bell, Cook, Earle, Farmer-Butterfield, Hamilton, Harrison, Insko, McGuirt, Moffitt, R. Moore, and Murry:

H.B. 1039, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA COMMISSION ON ALTERNATIVE FUELS TO STUDY THE USE AND APPLICATION OF ALTERNATIVE FUELS FOR NORTH CAROLINA'S TRANSPORTATION SECTOR, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON ENERGY INDEPENDENCE AND ALTERNATIVE FUELS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Hager and Hastings (Primary Sponsors); K. Alexander, Harrison, McGuirt, R. Moore, Murry, and Weiss:

H.B. 1040, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA FOR NORTH CAROLINA STATE UNIVERSITY AND THE UNIVERSITY OF NORTH CAROLINA AT CHARLOTTE TO RESEARCH AND STUDY ALTERNATIVE FUELS FOR TRANSPORTATION, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON ENERGY INDEPENDENCE AND ALTERNATIVE FUELS, is referred to the Appropriations Subcommittee on Education.

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By Representatives Faircloth and Brandon (Primary Sponsors); and Adams:

H.B. 1041, A BILL TO BE ENTITLED AN ACT TO EXCHANGE CERTAIN DESCRIBED TRACTS OF LAND BETWEEN THE CITY OF ARCHDALE AND THE CITY OF HIGH POINT, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

By Representatives Blackwell, Avila, Hager, and Crawford (Primary Sponsors); Cook, Jordan, and Moffitt:

H.B. 1042, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE JOINT LEGISLATIVE EFFICIENCY AND COST SAVINGS IN STATE GOVERNMENT STUDY COMMISSION, AS RECOMMENDED BY THE LRC COMMITTEE ON EFFICIENCIES IN STATE GOVERNMENT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives LaRoque and Moffitt (Primary Sponsors); L. Brown, Jordan, and Setzer:

H.B. 1043, A BILL TO BE ENTITLED AN ACT TO RESTRICT THE EXERCISE OF EXTRATERRITORIAL JURISDICTION BY MUNICIPALITIES IN CERTAIN INSTANCES, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON EXTRATERRITORIAL JURISDICTION, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

By Representatives Shepard and Cook (Primary Sponsors); Bell, Hamilton, Harrison, Horn, Martin, Murry, Parfitt, and Sanderson:

H.B. 1044, A BILL TO BE ENTITLED AN ACT TO ALLOW MEMBERS OF THE MILITARY WHO HAVE TAKEN A COMPARABLE MOTORCYCLE SAFETY PROGRAM PROVIDED BY FEDERALLY CERTIFIED INSTRUCTORS TO RECEIVE THE SAME MOTORCYCLE INSURANCE DISCOUNT AS CITIZENS WHO COMPLETE THE MOTORCYCLE SAFETY INSTRUCTION PROGRAM, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON MILITARY AFFAIRS, is referred to the Committee on Insurance.

By Representatives Glazier, Rapp, McLawhorn, and Carney (Primary Sponsors); K. Alexander, M. Alexander, Bell, Earle, Farmer-Butterfield, Fisher, Gill, Graham, Hackney, Hall, Hamilton, Harrison, Insko, Jeffus, Keever, Lucas, Luebke, McGuirt, R. Moore, Parfitt, Pierce, Wainwright, E. Warren, Weiss, and Wray:

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H.B. 1045, A BILL TO BE ENTITLED AN ACT TO INCREASE THE SALARIES OF PUBLIC SCHOOL EMPLOYEES, is referred to the Committee on Appropriations.

By Representatives Glazier, Hamilton, Martin, and Lucas (Primary Sponsors); Adams, M. Alexander, Bell, Carney, Farmer-Butterfield, Fisher, Graham, Hall, Harrison, Insko, Luebke, Parfitt, Pierce, Rapp, Wainwright, Weiss, and Wray:

H.B. 1046, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE STUDENT 2 STUDENT INITIATIVE, is referred to the Committee on Appropriations.

By Representatives Glazier, Floyd, Parfitt, and Lucas (Primary Sponsors); Bell, Carney, Farmer-Butterfield, Hackney, Hall, Hamilton, Insko, McGuirt, Rapp, and Wainwright:

H.B. 1047, A BILL TO BE ENTITLED AN ACT TO RESTORE FUNDING FOR THE MILITARY BUSINESS CENTER, is referred to the Committee on Appropriations.

By Representatives Randleman, Hurley, Faircloth, and McGuirt (Primary Sponsors):

H.B. 1048, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS GOVERNING INCAPACITY TO PROCEED, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION, is referred to Judiciary Subcommittee A.

By Representatives Brisson and Pridgen:

H.B. 1049, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT BLADEN COMMUNITY COLLEGE MAY OPT OUT OF PARTICIPATION IN THE WILLIAM D. FORD FEDERAL DIRECT LOAN PROGRAM, is referred to the Committee on Education.

By Representatives Brisson and Moffitt:

H.B. 1050, 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 REPEALING SPECIFIED INVOLUNTARY ANNEXATION ORDINANCES OF THE TOWN OF ELIZABETHTOWN

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RELATING TO THE INDUSTRIAL PARK AREA, AND BY PROHIBITING MUNICIPAL INITIATION OF ANY PROCEDURE TO INVOLUNTARILY ANNEX THOSE AREAS FOR TWELVE YEARS, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

By Representatives Brisson and Moffitt:

H.B. 1051, 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 REPEALING SPECIFIED INVOLUNTARY ANNEXATION ORDINANCES OF THE TOWN OF ELIZABETHTOWN RELATING TO THE HAYFIELDS AREA, AND BY PROHIBITING MUNICIPAL INITIATION OF ANY PROCEDURE TO INVOLUNTARILY ANNEX THOSE AREAS FOR TWELVE YEARS, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

By Representative Stevens:

H.B. 1052, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS AMENDMENTS TO NORTH CAROLINA'S MECHANICS LIEN, TAX LIEN, AND PAYMENT BOND LAWS, is referred to Judiciary Subcommittee B.

By Representatives Dockham, Cook, Iler, Lucas, McElraft, and Wray:

H.B. 1053, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE RATE-MAKING PROCESS AND THE AFFORDABILITY OF PROPERTY INSURANCE FOR LOW-INCOME HOMEOWNERS BY REQUIRING THAT MORE THAN ONE CATASTROPHE MODEL BE USED TO ESTIMATE POTENTIAL LOSSES FOR PURPOSES OF A RATE FILING; AND BY REQUIRING THAT THE RATE BUREAU CREATE A RATING PLAN FOR A PROPERTY INSURANCE POLICY THAT EXCLUDES COVERAGE FOR THE PERILS OF WINDSTORM AND HAIL; AND BY REQUIRING THE DEPARTMENT OF INSURANCE TO ACCEPT PUBLIC COMMENT ON ALL PROPERTY INSURANCE RATE FILINGS; AND BY PROVIDING FOR A PREHEARING CONFERENCE FOR THE COMMISSIONER OF INSURANCE TO SCRUTINIZE CATASTROPHE MODELING WHEN SUCH MODELING IS THE BASIS FOR ANY FACTOR IN A RATE FILING FOR WHICH THE COMMISSIONER HAS ISSUED A NOTICE OF HEARING; AND BY PROVIDING THE COMMISSIONER WITH THE POWER TO SPECIFY THE APPROPRIATE RATE LEVEL OR LEVELS UPON A FINDING

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THAT A RATE FILING DOES NOT COMPLY WITH APPLICABLE LAW; AND BY REQUIRING THAT, WHEN THE COST OF REINSURANCE IS INCLUDED AS A FACTOR IN A PROPOSED RATE, CERTAIN SUPPORTING INFORMATION BE PROVIDED AND THAT THE FILING INCLUDE ONLY THE REINSURANCE COST SPECIFIC TO PROPERTY INSURANCE LOSSES IN NORTH CAROLINA; AND BY REQUIRING THAT THE RATE BUREAU AND THE DEPARTMENT OF INSURANCE STUDY THE FAIRNESS AND EFFICACY OF THE CURRENT PROPERTY INSURANCE GEOGRAPHIC RATE TERRITORIES, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION COMMITTEE ON PROPERTY INSURANCE RATE MAKING, is referred to the Committee on Insurance.

By Representatives Hager, Gillespie, K. Alexander, and R. Moore (Primary Sponsors); Moffitt, Steen, and Wray:

H.B. 1054, A BILL TO BE ENTITLED AN ACT TO (1) ESTABLISH AN OIL AND GAS BOARD WITH JURISDICTION AND AUTHORITY OVER MATTERS RELATED TO OIL AND GAS EXPLORATION AND DEVELOPMENT IN THE STATE, INCLUDING THE USE OF HORIZONTAL DRILLING AND HYDRAULIC FRACTURING FOR THAT PURPOSE, AND DIRECT THE BOARD TO CREATE A MODERN REGULATORY PROGRAM FOR MANAGEMENT OF OIL AND GAS EXPLORATION AND DEVELOPMENT IN THE STATE, INCLUDING THE USE OF HORIZONTAL DRILLING AND HYDRAULIC FRACTURING FOR THAT PURPOSE; (2) AUTHORIZE THE PROCESSES OF HORIZONTAL DRILLING AND HYDRAULIC FRACTURING FOR THE PURPOSE OF OIL AND GAS EXPLORATION AND DEVELOPMENT IN THE STATE AND PLACE A MORATORIUM ON PERMITTING RELATED TO THOSE PROCESSES UNTIL JULY 1, 2014; (3) ENACT VARIOUS OTHER PROVISIONS RELATED TO MANAGEMENT OF OIL AND GAS EXPLORATION ACTIVITIES, INCLUDING PROVISIONS RELATED TO LOCAL GOVERNMENT AUTHORITY OVER THESE ACTIVITIES; (4) ESTABLISH THE JOINT LEGISLATIVE COMMISSION ON ENERGY POLICY WITH LEGISLATIVE OVERSIGHT OF ALL MATTERS RELATED TO OIL AND GAS EXPLORATION AND DEVELOPMENT IN THE STATE, AND OTHER ENERGY-RELATED ISSUES; (5) DIRECT THE DEPARTMENT OF PUBLIC INSTRUCTION TO PURCHASE SCHOOL BUSES THAT OPERATE ON COMPRESSED NATURAL GAS (CNG); (6) DIRECT THE DEPARTMENT OF TRANSPORTATION TO PURCHASE NEW THREE-QUARTER TON PICKUP TRUCKS AND NEW ONE-HALF TON PICKUP TRUCKS THAT OPERATE ON COMPRESSED NATURAL GAS (CNG) OR COMPRESSED NATURAL GAS (CNG) AND GASOLINE; (7) CREATE

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AN INTERAGENCY TASK FORCE TO ESTABLISH PUBLIC-PRIVATE PARTNERSHIPS FOR THE CONSTRUCTION AND DEVELOPMENT OF COMPRESSED NATURAL GAS (CNG) FUELING INFRASTRUCTURE; (8) ESTABLISH CRITERIA FOR THE OPERATION OF ELECTRIC VEHICLE CHARGING STATIONS LOCATED AT STATE-OWNED REST STOPS ALONG THE HIGHWAYS; (9) ENSURE THE USE OF FUEL-EFFICIENT AND COST-EFFICIENT RETREAD TIRES ON STATE VEHICLES; AND (10) AMEND THE ENERGY JOBS ACT OF 2011 IF THE ENERGY JOBS ACT OF 2011 BECOMES LAW, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION ENERGY ISSUES POLICY COMMITTEE, is referred to the Committee on Environment and, if favorable, to the Committee on Finance.

By Representatives Burr and Dollar (Primary Sponsors):

H.B. 1055, A BILL TO BE ENTITLED AN ACT RELATING TO PROVIDER ENDORSEMENT FUNCTIONS OF LOCAL MANAGEMENT ENTITIES, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON HEALTH AND HUMAN SERVICES, is referred to the Committee on Health and Human Services.

By Representatives Burr and Dollar (Primary Sponsors); L. Brown, Hurley, and Murry:

H.B. 1056, A BILL TO BE ENTITLED AN ACT TO LIMIT ACCESS TO IDENTIFYING INFORMATION OF MINOR PARTICIPANTS IN PROGRAMS FUNDED BY THE NORTH CAROLINA PARTNERSHIP FOR CHILDREN OR OTHER LOCAL PARTNERSHIPS, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON HEALTH AND HUMAN SERVICES, is referred to the Committee on Health and Human Services.

By Representatives Weiss, Insko, Earle, and M. Alexander (Primary Sponsors); Carney, Farmer-Butterfield, Fisher, Gill, Hall, Hamilton, Harrison, Lucas, Luebke, Parfitt, Pierce, Rapp, Wainwright, and Wray:

H.B. 1057, A BILL TO BE ENTITLED AN ACT TO RESTORE FUNDING 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 Representatives Howard, Farmer-Butterfield, Johnson, Lucas, Moffitt, and Murry:

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H.B. 1058, A BILL TO BE ENTITLED AN ACT INITIATING REFORM OF THE WORKFORCE DEVELOPMENT LAWS OF NORTH CAROLINA, MODIFYING THE COMPOSITION OF THE NORTH CAROLINA COMMISSION ON WORKFORCE DEVELOPMENT, AND ESTABLISHING THE JOINT LEGISLATIVE WORKFORCE DEVELOPMENT SYSTEM REFORM COMMITTEE, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE BASED ON RECOMMENDATIONS FROM THE PROGRAM EVALUATION DIVISION, is referred to the Committee on Finance.

By Representative Brubaker:

H.B. 1059, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF ASHEBORO TO TOW MOTOR VEHICLES IMPEDING THE OPERATION OF THE DOWNTOWN FARMERS' MARKET, is referred to the Committee on Government.

By Representatives K. Alexander, R. Moore, and Brandon (Primary Sponsors); Hamilton and Harrison:

H.B. 1060, A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA URBAN EMPOWERMENT INITIATIVE, is referred to the Committee on Appropriations.

By Representatives Jeffus, Faircloth, Harrison, and Brandon (Primary Sponsors); Adams, L. Brown, Earle, Hackney, Hurley, and Wray:

H.B. 1061, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE HIGH POINT FURNITURE MARKET, is referred to the Committee on Appropriations.

By Representatives Jeffus, Faircloth, Harrison, and Adams (Primary Sponsors); Bell, Brandon, Earle, Farmer-Butterfield, Gill, Hackney, and Wray:

H.B. 1062, 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 Representative Langdon:

H.B. 1063, A BILL TO BE ENTITLED AN ACT TO GIVE THE JOHNSTON COUNTY BOARD OF EDUCATION ADDITIONAL FLEXIBILITY WITH REGARD TO INSTRUCTIONAL TIME LOST AT MCGEE'S CROSSROADS ELEMENTARY SCHOOL, is referred to the Committee on Education.

By Representatives Gillespie and Stone (Primary Sponsors):

H.B. 1064, A BILL TO BE ENTITLED AN ACT TO (1) EXTEND THE STUDY OF OIL AND GAS EXPLORATION IN THE STATE, INCLUDING THE USE OF HORIZONTAL DRILLING AND HYDRAULIC FRAC-TURING FOR THAT PURPOSE; (2) TO DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO FORMULATE SPECIFIC LEGISLATIVE RECOMMENDATIONS FOR REGULATION OF THE USE OF HORIZONTAL DRILLING AND HYDRAULIC FRAC-TURING; (3) REQUIRE ENHANCED CONSUMER AND LANDOWNER PROTECTIONS IN CONNECTION WITH LEASES EXECUTED FOR THE EXPLORATION AND EXTRACTION OF OIL OR GAS; (4) ESTAB-LISH THE JOINT LEGISLATIVE COMMISSION ON ENERGY POLICY WITH LEGISLATIVE OVERSIGHT OF ALL MATTERS RELATED TO OIL AND GAS EXPLORATION AND DEVELOPMENT IN THE STATE AND OTHER ENERGY-RELATED ISSUES; AND (5) APPROPRIATE FUNDS FOR ADDITIONAL STAFFING REQUIRED, is referred to the Committee on Environment.

By Representatives Boles and Hackney (Primary Sponsors); Bell, Glazier, and Jackson:

H.B. 1065, A BILL TO BE ENTITLED AN ACT TO ALLOW THE MOORE COUNTY BOARD OF EDUCATION TO (I) PERMIT THE USE OF PUBLIC SCHOOL BUSES TO SERVE THE TRANSPORTATION NEEDS OF THE 2014 U.S. OPEN GOLF TOURNAMENT AND (II) BEGIN THE 2013-2014 SCHOOL YEAR ONE WEEK EARLIER, is referred to the Committee on Education.

By Representatives Blust and Ross (Primary Sponsors); Bell, Bradley, Lucas, and McGuirt:

H.B. 1066, A BILL TO BE ENTITLED AN ACT TO CLARIFY, MODIFY, AND CONSOLIDATE THE LAW APPLICABLE TO THE PASSING OF TITLE TO INTERESTS IN REAL AND PERSONAL PROP-ERTY DEvised BY A WILL AND THE RIGHTS OF LIEN CREDITORS

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AND PURCHASERS FOR VALUE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is referred to Judiciary Subcommittee A.

By Representatives Blust and Ross (Primary Sponsors); and Lucas:

H.B. 1067, A BILL TO BE ENTITLED AN ACT TO CONFORM THE LAW GOVERNING CO-OWNERS WITH RIGHT OF SURVIVORSHIP UNDER THE SIMULTANEOUS DEATH ACT TO THE LAW GOVERNING THE HOLDING OF UNEQUAL SHARES IN A JOINT TENANCY WITH RIGHT OF SURVIVORSHIP, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is referred to Judiciary Subcommittee A.

By Representatives Blust and Ross (Primary Sponsors); Glazier and Hamilton:

H.B. 1068, A BILL TO BE ENTITLED AN ACT TO AMEND ARTICLE 9 OF THE UNIFORM COMMERCIAL CODE RELATING TO SECURED TRANSACTIONS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is referred to Judiciary Subcommittee A.

By Representatives Blust and Ross (Primary Sponsors); Bell and Gill:

H.B. 1069, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MINIMUM AMOUNT OF INTESTATE PERSONAL PROPERTY PASSING TO THE SURVIVING SPOUSE AND THE AMOUNT OF THE YEAR'S ALLOWANCE FROM A DECEDENT'S ESTATE FOR A SURVIVING CHILD, TO REINSERT ERRONEOUSLY REMOVED REFERENCES TO A CHILD'S "NEXT FRIEND" IN THE STATUTES RELATING TO A CHILD'S YEAR'S ALLOWANCE, AND TO SPECIFY THAT THE CHILD'S YEAR'S ALLOWANCE MAY BE PAID TO A WIDOWER ON THE CHILD'S BEHALF AS WELL AS TO A WIDOW, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is referred to Judiciary Subcommittee A.

By Representatives Blust and Ross (Primary Sponsors):

H.B. 1070, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE GENERAL STATUTES, INCLUDING SPECIFICALLY AUTHORIZING THE REVISOR OF STATUTES TO PRINT DRAFTERS' COMMENTS TO THREE ACTS ENACTED IN 2011

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IN WHICH THIS AUTHORIZATION WAS INADVERTENTLY OMITTED, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Gill, Ross, Murry, and Jackson (Primary Sponsors); and Weiss:

H.B. 1071, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE DATE FOR THE ORGANIZATIONAL MEETING OF THE WAKE COUNTY BOARD OF EDUCATION TO BE GOVERNED BY GENERAL LAW, is referred to the Committee on Government.

By Representatives Gill, Insko, Earle, and Farmer-Butterfield (Primary Sponsors); Adams, K. Alexander, M. Alexander, Bell, Carney, Glazier, Hall, Hamilton, Lucas, Luebke, McGuirt, McLawhorn, Parfitt, Pierce, Rapp, Wainwright, E. Warren, and Weiss:

H.B. 1072, A BILL TO BE ENTITLED AN ACT APPROPRIATING FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES, TO INCREASE LOCAL INPATIENT BED CAPACITY AND PROVIDE CRISIS SERVICES TO INDIVIDUALS WITH INTELLECTUAL OR DEVELOPMENTAL DISABILITIES AND BEHAVIORAL HEALTH CARE NEEDS, is referred to the Committee on Appropriations.

By Representative Moffitt:

H.B. 1073, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PURPOSE OF THE UNIVERSITY OF NORTH CAROLINA HEALTH CARE SYSTEM, TO INCREASE THE AUTHORITY OF THE UNIVERSITY OF NORTH CAROLINA BOARD OF GOVERNORS TO GOVERN THE HEALTH CARE SYSTEM, TO REDUCE THE NUMBER AND CHANGE THE COMPOSITION OF THE MEMBERS OF THE BOARD OF DIRECTORS OF THE HEALTH CARE SYSTEM, TO INCREASE THE SYSTEM'S ACCOUNTABILITY AND TRANSPARENCY, TO CLARIFY ITS STATUS AS A STATE AGENCY, AND TO LIMIT FUTURE EXPANSION, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON STATE-OWNED ASSETS, is referred to the Committee on Health and Human Services.

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MESSAGES FROM THE SENATE

The following are received from the Senate:

H.B. 5 (Senate 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 DE-ANNEXING SPECIFIED LOCAL INVOLUNTARY ANNEXATION AREAS, BY REPEALING SPECIFIED INVOLUNTARY ANNEXATION ORDINANCES, AND BY PROHIBITING MUNICIPAL INITIATION OF ANY PROCEDURE TO INVOLUNTARILY ANNEX THOSE AREAS FOR TWELVE YEARS, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of May 24.

Upon concurrence the Senate committee substitute bill changes the title.

The Speaker rules the Senate committee substitute bill to be material, thus constituting its first reading.

H.B. 925 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REQUIRE A VOTE OF THE RESIDENTS PRIOR TO THE ADOPTION OF AN ANNEXATION ORDINANCE INITIATED BY A MUNICIPALITY, is returned for concurrence in Senate Committee Substitute Bill No 2.

Pursuant to Rule 36(b), Senate Committee Substitute Bill No. 2 is placed on the Calendar of May 24.

Upon concurrence Senate Committee Substitute Bill No. 2 changes the title.

The Speaker rules Senate Committee Substitute Bill No. 2 to be material, thus constituting its first reading.

S.J.R. 865, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF ROBERT C. "BOB" CARPENTER, FORMER MEMBER OF THE GENERAL ASSEMBLY, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

The House stands adjourned at 4:45 p.m.

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ONE HUNDRED FIFTEENTH DAY

HOUSE OF REPRESENTATIVES
Thursday, May 24, 2012

The House meets at 12:15 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by Representative Jason Saine:

"God, as we seek to be inspired by You, let us acknowledge that divine spark which You gave us and spoke of first in Your ancient texts when Your spirit moved upon the face of the waters, and Your spirit gave our world clarity and light.

"So should we always be inspired to seek clarity and light.

"As we move forward with the business of the day let us acknowledge that we are all children of that divine giver of light and life.

"My prayer would be that each day as we debate, many times vigorously, amongst our party divisions, our ideological viewpoints and by whatever divisions we place on ourselves, that by the end of each day, we remember that we are all brothers and sisters created by that divine spark.

"Let us remember, that whatever wounds we inflict on each other, and many times whatever wounds we inflict upon ourselves, that these are temporary and small in the eyes of God. I pray that we shall ultimately seek Him in all that we do and may He wipe away every tear from our eyes.

"Let us seek to do good unto all, recommend it more especially to the household of the faithful.

"Let us all seek to inspire and to be inspired.

"In Your name we pray. 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 Mills, Parmon, and Womble for today. Representatives Brandon and Frye are excused for a portion of the Session.

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ENROLLED BILLS

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

S.B. 797, AN ACT TO ENSURE ADEQUATE FUNDING IN THE STATE MEDICAID PROGRAM FOR THE 2011-2012 FISCAL YEAR; TO PROHIBIT THE DRAWING DOWN OR TRANSFERRING OF MEDICAID DISPROPORTIONATE SHARE RECEIPTS OR OTHER FUNDS IF DOING SO WOULD CREATE OR INCREASE A FINANCIAL OBLIGATION IN THE 2012-2013 FISCAL YEAR; AND TO REQUIRE PRIOR APPROVAL FROM THE GENERAL ASSEMBLY BEFORE ISSUING ANY REQUESTS FOR PROPOSALS OR ENTERING INTO ANY NEW CONTRACTS FOR THE OPERATIONAL OVERSIGHT OR MANAGEMENT OF HEALTH SERVICES FOR INMATES IN THE STATE PRISON SYSTEM.

S.B. 745, 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; AND TO ALLOW THE ABC COMMISSION TO GRANT A WAIVER ALLOWING THE GENERAL MANAGER OF A LOCAL BOARD TO ALSO BE THE FINANCE OFFICER.

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

H.J.R. 1033, A JOINT RESOLUTION EXPRESSING GRATITUDE TO THE MEMBERS OF THE MILITARY FOR THEIR SERVICE AND HONORING THE MEMORY OF THOSE KILLED IN THE LINE OF DUTY. (RESOLUTION 2012-2)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following report from standing committee is presented:

By Representative McComas, Chair, for the Committee on Commerce and Job Development:

S.B. 26 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE NORTH CAROLINA BENEFIT CORPORATION ACT, with a favorable report as to the House committee substitute bill, unfavorable as to the Senate committee substitute bill, and recommendation that the House committee substitute bill be re-referred to Judiciary Subcommittee C.

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

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced and read the first time:

By Representatives Moffitt, Cook, Setzer, Stone, and H. Warren:

H.B. 1074, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE STATUTES GOVERNING THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, THE LOCAL GOVERNMENTAL EMPLOYEES RETIREMENT SYSTEM, AND THE DISABILITY INCOME PLAN OF NORTH CAROLINA TO ENHANCE THE OPERATION OF THE MEDICAL BOARD; TO ESTABLISH GUIDELINES FOR FRAUD INVESTIGATIONS THAT WILL ENHANCE THE DEPARTMENT OF STATE TREASURER'S CAPABILITY TO PREVENT AND DETECT FRAUD, WASTE, AND ABUSE; TO CREATE A REBUTTABLE PRESUMPTION OF FRAUD IN THE AVERAGE FINAL COMPENSATION CALCULATION; AND TO MAKE IT A CLASS 1 MISDEMEANOR TO FRAUDULENTLY RECEIVE THE RETIREMENT BENEFIT OF A

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DECEASED DISABILITY 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 Dollar and Burr (Primary Sponsors); Bell and Insko:

H.B. 1075, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN GOVERNANCE OF LOCAL MANAGEMENT ENTITIES WITH RESPECT TO THE IMPLEMENTATION OF STATEWIDE EXPANSION OF THE 1915(B)/(C) MEDICAID WAIVER, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON HEALTH AND HUMAN SERVICES, is referred to the Committee on Health and Human Services.

By Representatives Frye and Mills (Primary Sponsors):

H.B. 1076, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE RECIPROCITY AGREEMENTS FOR TOLL PAYMENTS BETWEEN THE NORTH CAROLINA TURNPIKE AUTHORITY AND OTHER TOLL AGENCIES, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, is referred to the Committee on Transportation.

By Representatives Frye and Mills (Primary Sponsors); and Hamilton:

H.B. 1077, A BILL TO BE ENTITLED AN ACT TO INCREASE PUBLIC-PRIVATE PARTNERSHIPS FOR TOLLING AND OTHER FINANCING METHODS ON TRANSPORTATION INFRASTRUCTURE PROJECTS, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Frye and Mills (Primary Sponsors):

H.B. 1078, A BILL TO BE ENTITLED AN ACT TO ENSURE THE PRIVACY OF TOLL DATA COLLECTED BY THE DEPARTMENT OF TRANSPORTATION THROUGH THE NORTH CAROLINA TURNPIKE AUTHORITY, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, is referred to the Committee on Transportation.

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By Representatives Frye and Mills (Primary Sponsors):

H.B. 1079, A BILL TO BE ENTITLED AN ACT TO AMEND STATUTES RELATED TO MOTORCYCLE LICENSES, TO ELIMINATE A REQUIREMENT TO LIST RACE ON DRIVERS LICENSES, AND TO DELAY THE IMPLEMENTATION OF TWO CHANGES TO DRIVERS LICENSES PENDING AN INFORMATION TECHNOLOGY SYSTEM UPGRADE, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, is referred to the Committee on Transportation.

By Representatives Frye and Mills (Primary Sponsors):

H.B. 1080, A BILL TO BE ENTITLED AN ACT TO UPDATE CHAPTER 136 OF THE GENERAL STATUTES WITH THE TERM "CHIEF ENGINEER," WHICH REPLACES THE TERM "STATE HIGHWAY ADMINISTRATOR," AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, is referred to the Committee on Transportation.

By Representatives Burr and Dollar (Primary Sponsors); Gill and Insko:

H.B. 1081, A BILL TO BE ENTITLED AN ACT RELATING TO CHANGES PERTAINING TO LICENSED CLINICAL SOCIAL WORKERS, CLINICAL ADDICTION SPECIALISTS, AND PSYCHOLOGISTS, AS RECOMMENDED BY THE JOINT OVERSIGHT COMMITTEE ON HEALTH AND HUMAN SERVICES, is referred to the Committee on Health and Human Services.

By Representatives Spear and Cook:

H.B. 1082, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF NAGS HEAD TO LEASE OUT PROPERTY FOR A LICENSED NURSING HOME FOR UP TO FORTY YEARS WITHOUT TREATING IT AS A SALE, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

By Representatives Wainwright and Adams (Primary Sponsors); Bell, Earle, Farmer-Butterfield, Fisher, Gill, Glazier, Harrison, Insko, Luebke, McGuirt, McLawhorn, Mobley, Weiss, and Wray:

H.B. 1083, A BILL TO BE ENTITLED AN ACT APPROPRIATING FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF PUBLIC HEALTH, TO CONTINUE FUNDING FOR THE

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HIGH-RISK MATERNITY CLINIC AT THE EAST CAROLINA UNIVERSITY SCHOOL OF MEDICINE, is referred to the Committee on Appropriations.

By Representatives Jordan, Justice, R. Moore, and Spear (Primary Sponsors); McGee, Murry, and Wray:

H.B. 1084, A BILL TO BE ENTITLED AN ACT TO (1) REQUIRE ASSOCIATIONS TO RELEASE LIENS UPON PAYMENT IN FULL; (2) REQUIRE ALL ASSOCIATIONS TO CONDUCT FINANCIAL REVIEWS OR FINANCIAL AUDITS; (3) ALLOW USE OF ALTERNATIVE DISPUTE RESOLUTION FOR CONFLICTS ARISING UNDER THE PLANNED COMMUNITY ACT OR CONDOMINIUM ACT; AND (4) SIMPLIFY THE COLLECTION OF PROPERTY TAXES THAT ARE DUE ON PROPERTY OWNED BY CERTAIN NONPROFIT HOMEOWNERS ASSOCIATIONS, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON HOMEOWNERS ASSOCIATIONS, is referred to Judiciary Subcommittee C.

By Representative Dollar:

H.B. 1085, A BILL TO BE ENTITLED AN ACT TO, FOR THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES, WHICH COVERS RETIREES WITHIN THE RETIREMENT SYSTEM, (1) AMEND THE DEFINITION OF "DEPENDENT CHILD" IN ORDER TO COMPLY WITH THE AFFORDABLE CARE ACT, (2) LIMIT ENROLLMENT WITHOUT A QUALIFYING EVENT TO THE ANNUAL ENROLLMENT PERIOD, (3) REPEAL THE OPTIONAL PROGRAM OF LONG-TERM CARE BENEFITS, AND (4) MAKE A CLARIFYING CHANGE RELATED TO COINSURANCE, is referred to the Committee on State Personnel and, if favorable, to the Committee on Finance.

By Representative West:

H.B. 1086, A BILL TO BE ENTITLED AN ACT TO EXEMPT CLAY COUNTY FROM CERTAIN STATUTORY REQUIREMENTS IN THE RENOVATION AND RESTORATION OF ITS OLD COURTHOUSE BUILDING TO BE LEASED AND/OR USED AS A MULTIPURPOSE FACILITY, is referred to the Committee on Government.

By Representative West:

H.B. 1087, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF FONTANA DAM TO LEVY AN OCCUPANCY TAX, is

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referred to the Committee on Government and, if favorable, to the Committee on Finance.

By Representatives West and Haire (Primary Sponsors):

H.B. 1088, A BILL TO BE ENTITLED AN ACT CONCERNING THE DIVISION BETWEEN GRAHAM AND SWAIN COUNTIES OF TVA PAYMENTS IN LIEU OF TAXES, AND CLARIFYING THE COMMON BOUNDARY BETWEEN THOSE COUNTIES, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

By Representatives K. Alexander, Bell, and Hall:

H.B. 1089, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE JOINT LEGISLATIVE STUDY COMMISSION ON ONLINE HIGHER EDUCATION, is referred to the Committee on Education.

By Representatives Insko, Hackney, Bordsen, and Ingle (Primary Sponsors); and Faison:

H.B. 1090, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE REMAINING NINE PERCENT OF THE COMMON BOUNDARY BETWEEN ALAMANCE COUNTY AND ORANGE COUNTY NOT ADDRESSED BY SESSION LAW 2011-88 AND AS AUTHORIZED BY THE 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, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

By Representatives Insko, Hackney, and Faison (Primary Sponsors):

H.B. 1091, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ORANGE COUNTY TO PROVIDE GRANTS TO PROMOTE BROAD-BAND IN UNSERVED AREAS FOR ECONOMIC DEVELOPMENT IN THE COUNTY, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

By Representatives Insko, M. Alexander, McLawhorn, and Farmer-Butterfield (Primary Sponsors); K. Alexander, Fisher, Gill, Hackney, Hall, Hamilton, Harrison, McGuirt, Mobley, R. Moore, Parfitt, Ross, Wainwright, E. Warren, Weiss, and Wray:

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H.B. 1092, A BILL TO BE ENTITLED AN ACT TO RESTORE FUNDING FOR BUDGET ITEMS IN THE DEPARTMENT OF PUBLIC SAFETY AND THE DEPARTMENT OF ADMINISTRATION, REVERSING BUDGET CUTS THAT ADVERSELY IMPACT PROGRAMS PROVIDING SERVICES TO WOMEN, is referred to the Committee on Appropriations.

By Representatives Bradley and Dixon (Primary Sponsors); Cook, Jordan, McGuirt, and Pittman:

H.B. 1093, A BILL TO BE ENTITLED AN ACT TO PROVIDE REGULATORY RELIEF FOR FARMERS BY DESIGNATING THAT AN ADDITIONAL REPRESENTATIVE OF AGRICULTURE SHALL BE INCLUDED AMONG THE GENERAL ASSEMBLY'S APPOINTMENTS TO THE ENVIRONMENTAL MANAGEMENT COMMISSION; BY REQUIRING THAT NOTICE BE GIVEN TO THE BOARD OF AGRICULTURE WHEN ANY PROPOSED RULE WOULD DIRECTLY AFFECT AGRICULTURE; AND BY CLARIFYING THAT THE POWER TO ISSUE CIVIL PENALTIES CONFERRED BY STATUTE ON THE COMMISSIONER, BOARD OF AGRICULTURE, PESTICIDE BOARD, OR STRUCTURAL PEST CONTROL COMMITTEE INCLUDES THE POWER FOR THOSE BODIES TO DETERMINE THAT NONMONETARY SANCTIONS, EDUCATION, OR TRAINING ARE SUFFICIENT TO ADDRESS A VIOLATION OF RULE OR STATUTE, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON AGRICULTURAL REGULATIONS, is referred to the Committee on Agriculture.

By Representatives Bradley and Dixon (Primary Sponsors); McGuirt and Pittman:

H.B. 1094, A BILL TO BE ENTITLED AN ACT TO RENAME THE NORTH CAROLINA SUSTAINABLE LOCAL FOOD ADVISORY COUNCIL AS THE NORTH CAROLINA LOCAL FOOD ADVISORY COUNCIL AND TO EXTEND THE SUNSET ON THE LAW ESTABLISHING THE COUNCIL, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON AGRICULTURAL REGULATIONS, is referred to the Committee on Agriculture.

By Representatives Bradley and Dixon (Primary Sponsors); Cook, Ingle, McGuirt, and Pittman:

H.B. 1095, A BILL TO BE ENTITLED AN ACT TO INCREASE SMALL FARM PROFITABILITY BY INCREASING THE EXEMPTION FOR SALES OF UNGRADED EGGS, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON AGRICULTURAL REGULATIONS, is referred to the Committee on Agriculture.

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By Representatives Sanderson and LaRoque (Primary Sponsors); Cook and McGrady:

H.B. 1096, A BILL TO BE ENTITLED AN ACT TO SAVE MONEY BY REMOVING LOCAL SCHOOL ADMINISTRATIVE UNITS FROM THE SEPARATE BID REQUIREMENTS FOR JUICE AND WATER, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON CHILDHOOD OBESITY, is referred to the Committee on Education.

By Representatives Sanderson and LaRoque (Primary Sponsors); M. Alexander and McGrady:

H.B. 1097, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF PUBLIC INSTRUCTION TO OFFSET THE COST OF SALARY AND BENEFIT INCREASES REQUIRED BY THE STATE FOR CHILD NUTRITION PERSONNEL IN LOCAL SCHOOL ADMINISTRATIVE UNITS, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON CHILDHOOD OBESITY, is referred to Appropriations Subcommittee on Health and Human Services.

By Representatives Sanderson and LaRoque (Primary Sponsors); M. Alexander, Glazier, Harrison, Insko, McGrady, McGuirt, Pierce, Weiss, and Wray:

H.B. 1098, A BILL TO BE ENTITLED AN ACT TO CONTINUE THE WORK OF THE SUSTAINABLE LOCAL FOOD ADVISORY COUNCIL, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON CHILDHOOD OBESITY, is referred to the Committee on Health and Human Services.

By Representatives Sanderson and LaRoque (Primary Sponsors); M. Alexander, Bradley, Farmer-Butterfield, Fisher, Glazier, Harrison, Ingle, Insko, McGrady, Pierce, Shepard, Weiss, and Wray:

H.B. 1099, A BILL TO BE ENTITLED AN ACT TO REDUCE CHILD NUTRITION PROGRAM FOOD COSTS BY ENCOURAGING PARTICIPATION IN THE NORTH CAROLINA PROCUREMENT ALLIANCE AND BY APPROPRIATING FUNDS FOR ADMINISTRATIVE SUPPORT FOR THE PROCUREMENT ALLIANCE; AND TO ENCOURAGE USE OF THE FARM TO SCHOOL PROGRAM AND APPROPRIATE FUNDS FOR CHILD NUTRITION PROGRAM EQUIPMENT TO ENCOURAGE PREPARATION AND CONSUMPTION OF LOCALLY GROWN FRUITS AND VEGETABLES, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON CHILDHOOD OBESITY, is referred to the Committee on Agriculture and, if favorable, to the Committee on Appropriations.

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By Representatives Earle, K. Alexander, M. Alexander, Bell, Farmer-Butterfield, Fisher, Gill, Glazier, Hackney, Hamilton, Harrison, Insko, Luebke, McLawhorn, Mobley, Parfitt, Spear, Wainwright, E. Warren, Weiss, and Wray:

H.B. 1100, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR NORTH CAROLINA FOOD BANKS, is referred to the Committee on Appropriations.

By Representatives Earle, Insko, and Parfitt (Primary Sponsors); M. Alexander, Bell, Farmer-Butterfield, Fisher, Floyd, Gill, Glazier, Hackney, Hamilton, Harrison, Luebke, McGuirt, McLawhorn, Mobley, Wainwright, Weiss, and Wray:

H.B. 1101, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CHILDREN'S ADVOCACY CENTERS, is referred to the Committee on Appropriations.

By Representatives Wilkins, Hamilton, R. Moore, and Carney (Primary Sponsors); K. Alexander, Bell, Farmer-Butterfield, Gill, Glazier, Hackney, Hall, Insko, McLawhorn, Wainwright, E. Warren, and Wray:

H.B. 1102, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE ONE NORTH CAROLINA SMALL BUSINESS ACCOUNT, is referred to the Committee on Appropriations.

By Representatives Wilkins, Graham, and Wray (Primary Sponsors); K. Alexander, Bell, Gill, Glazier, Hall, Harrison, McGuirt, Mobley, and E. Warren:

H.B. 1103, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE NORTH CAROLINA INDIAN ECONOMIC DEVELOPMENT INITIATIVE, is referred to the Committee on Appropriations.

By Representatives Stam, Brisson, Hager, and Brandon (Primary Sponsors); Avila, Collins, Crawford, Current, Hill, Jones, McGee, and McGrady:

H.B. 1104, A BILL TO BE ENTITLED AN ACT TO CREATE A TAX CREDIT FOR CORPORATIONS MAKING DONATIONS TO FUND EDUCATION SCHOLARSHIPS, is referred to the Committee on Education and, if favorable, to the Committee on Finance.

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By Representative Justice:

H.B. 1105, A BILL TO BE ENTITLED AN ACT AMENDING THE ELECTROLYSIS PRACTICE ACT TO AUTHORIZE THE BOARD OF ELECTROLYSIS EXAMINERS TO HOLD AND USE FUNDS, TO CLARIFY CONTINUING EDUCATION REQUIREMENTS, AND TO AFFECT CERTAIN FEES, is referred to the Committee on Finance.

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

H.B. 1106, A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN DESCRIBED TERRITORY TO THE CORPORATE LIMITS OF THE TOWN OF APEX, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

By Representatives Crawford and Bell:

H.B. 1107, A BILL TO BE ENTITLED AN ACT AMENDING THE DIVISION OF ALCOHOLIC BEVERAGE CONTROL PROFITS IN GRANVILLE COUNTY, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

By Representative Crawford:

H.B. 1108, A BILL TO BE ENTITLED AN ACT TO MAKE MODIFICATIONS TO THE BUTNER PUBLIC SAFETY AUTHORITY, is referred to the Committee on Government.

By Representatives Spear and Cook:

H.B. 1109, A BILL TO BE ENTITLED AN ACT TO PROTECT THE PROPERTY RIGHTS OF HOMEOWNERS BY REQUIRING THAT DEVELOPMENT PERMITS ISSUED TO REPAIR OR RECONSTRUCT SINGLE-FAMILY AND DUPLEX RESIDENTIAL DWELLINGS IN DARE COUNTY GREATER THAN FIVE THOUSAND SQUARE FEET AND CONSTRUCTED PRIOR TO AUGUST 11, 2009, SHALL INCLUDE A MINIMUM SETBACK OF SIXTY FEET OR THIRTY TIMES THE SHORELINE EROSION RATE, WHICHEVER IS GREATER, is referred to the Committee on Government.

By Representatives Horn, Brawley, Cotham, and McGuirt (Primary Sponsors); and K. Alexander:

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H.B. 1110, A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTIES FROM THE CORPORATE LIMITS OF THE TOWN OF MATTHEWS AND ANNEX IT TO THE TOWN OF STALLINGS, BOTH AT THE REQUEST OF THE RESPECTIVE TOWN GOVERNING BOARDS, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

By Representatives Floyd, Lucas, Glazier, and Parfitt (Primary Sponsors); Earle, Hall, Harrison, McGuirt, and Wainwright:

H.B. 1111, A BILL TO BE ENTITLED AN ACT TO RESTORE FUNDING TO THE MILITARY MORALE AND WELFARE FUND, is referred to the Committee on Appropriations.

By Representatives Carney, Johnson, Glazier, and Adams (Primary Sponsors); Fisher, Floyd, Gill, Hamilton, Harrison, Luebke, McLawhorn, Parfitt, E. Warren, and Wray:

H.B. 1112, A BILL TO BE ENTITLED AN ACT DIRECTING THE STATE BOARD OF EDUCATION TO REQUIRE ONE ARTS EDUCATION CREDIT FOR GRADUATION FROM HIGH SCHOOL, AS RECOMMENDED BY THE ARTS EDUCATION COMMISSION, is referred to the Committee on Education and, if favorable, to the Committee on Appropriations.

By Representatives Carney, Johnson, Glazier, and Adams (Primary Sponsors); Fisher, Floyd, Gill, Hamilton, Harrison, Luebke, McGuirt, McLawhorn, Parfitt, Ross, Wainwright, and E. Warren:

H.B. 1113, A BILL TO BE ENTITLED AN ACT DIRECTING LOCAL SCHOOL ADMINISTRATIVE UNITS TO IMPLEMENT A COMPREHENSIVE ARTS EDUCATION PLAN, AS RECOMMENDED BY THE ARTS EDUCATION COMMISSION, is referred to the Committee on Education and, if favorable, to the Committee on Appropriations.

By Representatives Brawley and Collins (Primary Sponsors):

H.B. 1114, A BILL TO BE ENTITLED AN ACT PROVIDING THAT THE CITIES AND TOWNS THAT ARE MEMBERS OF THE NORTH CAROLINA EASTERN MUNICIPAL POWER AGENCY SHALL USE REVENUE DERIVED FROM RATES FOR ELECTRIC SERVICE FOR PAYING THE DIRECT AND INDIRECT COSTS OF OPERATING THE

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ELECTRIC SYSTEM, TRANSFERRING AMOUNTS THAT REPRESENT A RATE OF RETURN ON THE INVESTMENT IN THE ELECTRIC SYSTEM, AND MAKING DEBT SERVICE PAYMENTS, is referred to the Committee on Public Utilities and, if favorable, to the Committee on Finance.

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

H.B. 1115, A BILL TO BE ENTITLED AN ACT AS TO THE TOWNS OF CARY, KNIGHTDALE, MORRISVILLE, ROLESVILLE, WAKE FOREST, AND ZEBULON TO BROADEN THE EXCEPTION TO THE PUBLIC RECORDS ACT FOR IDENTIFYING INFORMATION OF MINORS PARTICIPATING IN LOCAL GOVERNMENT PARKS AND RECREATION PROGRAMS TO INCLUDE ALL LOCAL GOVERNMENT PROGRAMS, AND ALSO TO PROTECT E-MAIL ADDRESSES OF MINORS IN SUCH PROGRAMS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Wray, Tolson, Wainwright, and Lucas (Primary Sponsors); K. Alexander, M. Alexander, Bell, Earle, Farmer-Butterfield, Fisher, Floyd, Gill, Glazier, Hackney, Hall, Hamilton, Harrison, McGuirt, McLawhorn, Mobley, R. Moore, Parfitt, Pierce, Rapp, Ross, and E. Warren:

H.B. 1116, A BILL TO BE ENTITLED AN ACT TO PROVIDE A TAX CREDIT FOR SMALL BUSINESSES THAT CREATE JOBS, is referred to the Committee on Commerce and Job Development and, if favorable, to the Committee on Finance.

By Representatives Wray, Tolson, Lucas, and Wainwright (Primary Sponsors); K. Alexander, M. Alexander, Bell, Cotham, Earle, Farmer-Butterfield, Floyd, Glazier, Hackney, Hall, Hamilton, Harrison, McGuirt, McLawhorn, Mobley, R. Moore, Parfitt, Pierce, Rapp, Ross, E. Warren, and Weiss:

H.B. 1117, A BILL TO BE ENTITLED AN ACT TO ENHANCE THE TECHNOLOGY DEVELOPMENT TAX CREDITS FOR SMALL BUSINESSES, is referred to the Committee on Commerce and Job Development and, if favorable, to the Committee on Finance.

By Representatives Wray, Tolson, Lucas, and Wainwright (Primary Sponsors); K. Alexander, M. Alexander, Bell, Cotham, Earle, Farmer-Butterfield, Fisher, Floyd, Gill, Glazier, Hackney, Hall, Hamilton, Harrison, McGuirt, McLawhorn, R. Moore, Parfitt, and Pierce:

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H.B. 1118, A BILL TO BE ENTITLED AN ACT TO PROVIDE TAX RELIEF FOR SMALL START-UP BUSINESSES, is referred to the Committee on Commerce and Job Development and, if favorable, to the Committee on Finance.

By Representatives Johnson and Carney (Primary Sponsors); Bell, Fisher, Floyd, Gill, Glazier, Harrison, Parfitt, and E. Warren:

H.B. 1119, A BILL TO BE ENTITLED AN ACT DIRECTING LOCAL SCHOOL ADMINISTRATIVE UNITS AND PUBLIC SCHOOLS IN NORTH CAROLINA TO ENHANCE THEIR ARTS EDUCATION PROGRAMS, AS RECOMMENDED BY THE ARTS EDUCATION COMMISSION, is referred to the Committee on Education.

By Representatives Gill, Insko, Earle, and Farmer-Butterfield (Primary Sponsors); K. Alexander, M. Alexander, Fisher, Floyd, Hackney, Hall, Hamilton, Harrison, Luebke, Mobley, Parfitt, Pierce, Rapp, Wainwright, Weiss, and Wray:

H.B. 1120, A BILL TO BE ENTITLED AN ACT APPROPRIATING FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO PROVIDE SERVICES FOR MEDICALLY UNDERSERVED AND INDIGENT PATIENTS, is referred to the Committee on Appropriations.

By Representatives Samuelson, Carney, Brawley, and Earle (Primary Sponsors); K. Alexander, Cotham, Hamilton, and R. Moore:

H.B. 1121, A BILL TO BE ENTITLED AN ACT TO ALLOW ABC STORES IN MECKLENBURG COUNTY TO BE OPEN ON LABOR DAY IN 2012, is referred to the Commerce and Job Development Subcommittee on Alcoholic Beverage Control and, if favorable, to the Committee on Government.

By Representatives E. Warren and Tolson (Primary Sponsors):

H.B. 1122, A BILL TO BE ENTITLED AN ACT TO VALIDATE CERTAIN LEVIES AND COLLECTION OF FIRE DISTRICT TAXES IN MARTIN COUNTY AND TO ALLOW MARTIN COUNTY TO ABOLISH BY RESOLUTION ITS CHAPTER 69 FIRE PROTECTION DISTRICTS UPON ESTABLISHMENT OF FIRE PROTECTION SERVICE DISTRICTS UNDER CHAPTER 153A OF THE GENERAL STATUTES, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

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By Representatives Michaux, Luebke, Hall, and Wilkins (Primary Sponsors):

H.B. 1123, A BILL TO BE ENTITLED AN ACT AMENDING THE ACT AUTHORIZING THE APPOINTMENT OF AN AUTHORITY TO CONTROL THE MANAGEMENT OF A MEMORIAL STADIUM TO BE ERECTED BY DURHAM COUNTY, TO INCREASE ITS MEMBERSHIP, AND TO AMEND ITS TERM LIMITS, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

RE-REFERRALS

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **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 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, **S.B. 205** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT ILLEGAL ALIENS ARE NOT ELIGIBLE FOR PUBLIC BENEFITS, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to Judiciary Subcommittee A.

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 968**, A BILL TO BE ENTITLED AN ACT TO TRANSFER THE WAREHOUSE FORMERLY OPERATED BY THE LAW ENFORCEMENT SUPPORT SERVICES DIVISION AND ITS CONTENTS FROM THE DEPARTMENT OF JUSTICE TO THE DEPARTMENT OF PUBLIC SAFETY AND TO ASSIGN THE RESPONSIBILITIES FOR THE STORAGE AND MANAGEMENT OF EVIDENCE HOUSED IN THE WAREHOUSE TO THE DEPARTMENT OF PUBLIC SAFETY, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON JUSTICE AND PUBLIC SAFETY, is withdrawn from the Appropriations Subcommittee on Justice and Public Safety and re-referred to Judiciary Subcommittee A.

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On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 969**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND OTHER CHANGES TO THE GENERAL STATUTES REGARDING THE DEPARTMENT OF PUBLIC SAFETY AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON JUSTICE AND PUBLIC SAFETY, is withdrawn from the Committee on State Personnel and re-referred to Judiciary Subcommittee A.

CALENDAR

Action is taken on the following:

H.B. 1015, A BILL TO BE ENTITLED AN ACT TO SET THE PUBLIC UTILITY REGULATORY FEE, THE ELECTRIC MEMBERSHIP CORPORATION REGULATORY FEE, AND THE INSURANCE REGULATORY CHARGE, 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, Dockham, Dollar, Earle, Faircloth, Faison, Farmer-Butterfield, Fisher, Floyd, Frye, Gill, Gillespie, Glazier, Goodman, Graham, 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, Mobley, Moffitt, R. Moore, T. Moore, Murry, Owens, Parfitt, Pierce, Pittman, Pridgen, Randleman, Rapp, Ross, Sager, Saine, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Wainwright, Walend, E. Warren, H. Warren, Weiss, West, Wilkins, and Wray - 115.

Voting in the negative: None.

Excused absences: Representatives Mills, Parmon, and Womble - 3.

H.B. 941, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE APPROPRIATE MEASUREMENT OF PSEUDOEPHEDRINE PRODUCTS FOR PURPOSES OF THE PSEUDOEPHEDRINE TRANSACTION LIMITS, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON METHAMPHETAMINE ABUSE, passes its second reading, by electronic vote (115-0), and there being no objection is read a third time.

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

H.B. 966, A BILL TO BE ENTITLED AN ACT TO REPEAL THE PROHIBITION ON TEACHER PREPAYMENT PROVISION IN THE SCHOOL AND TEACHER PAPERWORK REDUCTION ACT OF 2011, AS RECOMMENDED BY THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE, 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. 1028 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE NORTH CAROLINA APPRAISAL BOARD TO REPORT THE RECORDS OF APPRAISAL MANAGEMENT COMPANIES TO THE NORTH CAROLINA DEPARTMENT OF REVENUE, 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. 5 (Senate 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 DE-ANNEXING SPECIFIED LOCAL INVOLUNTARY ANNEXATION AREAS, BY REPEALING SPECIFIED INVOLUNTARY ANNEXATION ORDINANCES, AND BY PROHIBITING MUNICIPAL INITIATION OF ANY PROCEDURE TO INVOLUNTARILY ANNEX THOSE AREAS FOR TWELVE YEARS.

On motion of Representative LaRoque, the House concurs in the material Senate committee substitute bill, which changes the title, 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, Blackwell, Blust, Boles, Bradley, Brawley, Brisson, L. Brown, R. Brown, Brubaker, Burr, Cleveland, Collins, Cook, Current, Daughtry, Dixon, Dockham, Dollar, Faircloth, Folwell, Frye, Gillespie, Hager, Hastings, Hilton, Hollo, Holloway, Horn, Howard, Hurley, Iler, Ingle, Johnson, Jones, Jordan, Justice, Killian, LaRoque, Lewis, McComas,

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McCormick, McElraft, McGee, McGrady, Moffitt, T. Moore, Murry, Pittman, Pridgen, Randleman, Sager, Saine, Samuelson, Sanderson, Setzer, Stam, Starnes, Steen, Stevens, Stone, Torbett, Walend, H. Warren, and West - 66.

Voting in the negative: Representatives Adams, K. Alexander, M. Alexander, Bell, Bordsen, Bryant, Carney, Cotham, Crawford, Earle, Faison, Farmer-Butterfield, Fisher, Floyd, 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, Pierce, Rapp, Ross, Spear, Tolson, Wainwright, E. Warren, Weiss, Wilkins, and Wray - 49.

Excused absences: Representatives Brandon, Mills, Parmon, and Womble - 4.

Representative Shepard requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (67-49).

H.B. 925 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REQUIRE A VOTE OF THE RESIDENTS PRIOR TO THE ADOPTION OF AN ANNEXATION ORDINANCE INITIATED BY A MUNICIPALITY.

On motion of Representative Moffitt, the House concurs in the material Senate Committee Substitute Bill No. 2, which changes the title, 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, Blackwell, Blust, Boles, Bradley, Brawley, Brisson, L. Brown, R. Brown, Brubaker, Burr, Cleveland, Collins, Cook, Crawford, Current, Daughtry, Dixon, Dockham, Dollar, Faircloth, Faison, Folwell, Hager, Hastings, Hilton, Hollo, Holloway, Horn, Howard, Hurley, Iler, Ingle, Johnson, Jones, Jordan, Justice, Killian, Langdon, LaRoque, Lewis, McComas, McCormick, McElraft, McGee, McGrady, McLawhorn, Moffitt, T. Moore, Murry, Pittman, Pridgen, Randleman, Sager, Saine, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Torbett, Walend, H. Warren, and West - 70.

Voting in the negative: Representatives Adams, K. Alexander, M. Alexander, Bell, Bordsen, Bryant, Carney, Cotham, Earle, Farmer-Butterfield, Fisher, Floyd, Gill, Glazier, Goodman, Graham, Hackney,

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Haire, Hall, Hamilton, Harrison, Hill, Insko, Jackson, Jeffus, Keever, Lucas, Luebke, Martin, McGuirt, Michaux, Mobley, R. Moore, Owens, Parfitt, Pierce, Rapp, Ross, Tolson, Wainwright, E. Warren, Weiss, Wilkins, and Wray - 44.

Excused absences: Representatives Brandon, Frye, Mills, Parmon, and Womble - 5.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following report from standing committee is presented:

By Representatives McElraft, Samuelson, and West, Chairs, for the Committee on Environment:

H.B. 952, A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM STATE AIR TOXICS EMISSIONS CONTROLS THOSE SOURCES OF EMISSIONS THAT ARE SUBJECT TO CERTAIN FEDERAL EMISSIONS REQUIREMENTS, TO DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO REQUIRE PERMIT CONDITIONS THAT ELIMINATE UNACCEPTABLE RISKS TO HUMAN HEALTH, TO DIRECT THE DIVISION OF AIR QUALITY TO REVIEW THE STATE AIR TOXICS PROGRAM, AND TO REQUIRE REPORTS ON THE IMPLEMENTATION OF THIS ACT, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of May 29. 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.R. 1001**, A HOUSE RESOLUTION TO REPEAL EXECUTIVE ORDER 85 RELATING TO THE CREATION OF A DEPARTMENT OF MANAGEMENT AND ADMINISTRATION, 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 T. Moore, pursuant to Rule 39.2 and without objection, **S.B. 696** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE GENERAL ADMINISTRATION OF THE UNIVERSITY OF NORTH CAROLINA TO STUDY WAYS TO

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INCREASE PRIMARY CARE RESIDENCIES IN UNDERSERVED AREAS OF NORTH CAROLINA, 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 COMMITTEE

On motion of Representative T. Moore and without objection, **S.B. 9** 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 Committee on Judiciary and pursuant to Rule 44.2, is placed on the Calendar of May 29.

WITHDRAWAL OF BILLS FROM CALENDAR

On motion of Representative T. Moore and without objection, the following bills are withdrawn from the Calendar of May 25 and placed on the Calendar of May 29.

H.B. 5 (Senate 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 DE-ANNEXING SPECIFIED LOCAL INVOLUNTARY ANNEXATION AREAS, BY REPEALING SPECIFIED INVOLUNTARY ANNEXATION ORDINANCES, AND BY PROHIBITING MUNICIPAL INITIATION OF ANY PROCEDURE TO INVOLUNTARILY ANNEX THOSE AREAS FOR TWELVE YEARS.

H.B. 925 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REQUIRE A VOTE OF THE RESIDENTS PRIOR TO THE ADOPTION OF AN ANNEXATION ORDINANCE INITIATED BY A MUNICIPALITY.

H.B. 1015, A BILL TO BE ENTITLED AN ACT TO SET THE PUBLIC UTILITY REGULATORY FEE, THE ELECTRIC MEMBERSHIP CORPORATION REGULATORY FEE, AND THE INSURANCE REGULATION CHARGE.

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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. 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.

H.B. 482 (Senate 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 AND TO DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO WAIVE THE PENALTY ASSESSED AGAINST CERTAIN POOR COUNTIES FOR CERTAIN WATER QUALITY VIOLATIONS.

S.B. 709 (House 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.

Representative LaRoque moves, seconded by Representative Torbett, that the House adjourn, in memory of those who gave their lives for our country, and subject to the receipt of Committee Reports, to reconvene May 25 at 9:00 a.m.

The motion carries.

No Committee Reports having been received, the House stands adjourned at 2:36 p.m.

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ONE HUNDRED SIXTEENTH DAY

HOUSE OF REPRESENTATIVES
Friday, May 25, 2012

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

The following poem is offered as the prayer by Representative Nelson Dollar in memory of his mother who recently passed away:

"WE'LL MEET AGAIN SOME DAY

"God saw you were getting tired
And a cure was not to be
So he put his arms around you
And whispered: 'Come with me'.
With tearful eyes we watched you suffer
And saw you fade away.
Although we love you dearly
We could not make you stay.
A golden heart stopped beating,
Hard working hands at rest.
God broke our hearts
To prove He only takes the best.
So, each time we see your picture
You seem to smile and say:
'Don't cry for me. I'm in God's keeping.
We'll meet again someday'.
(Author Unknown)

Representative Dollar reports the Journal of May 24 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.

**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:

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H.B. 947, A BILL TO BE ENTITLED AN ACT TO PROVIDE MONETARY COMPENSATION TO PERSONS ASEXUALIZED OR STERILIZED UNDER THE AUTHORITY OF THE EUGENICS BOARD 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 Appropriations.

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

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced and read the first time:

By Representative Owens:

H.B. 1124, A BILL TO BE ENTITLED AN ACT TO ALLOW FARM EQUIPMENT TO TRAVEL ON THE FULLY CONTROLLED ACCESS PORTIONS OF U.S. 17 IN PASQUOTANK COUNTY ONLY, is referred to the Committee on Transportation and, if favorable, to the Committee on Government.

By Representatives Horn, Farmer-Butterfield, Floyd, Glazier, Parfitt, and H. Warren:

H.B. 1125, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE EDUCATION OF NORTH CAROLINA HIGH SCHOOL STUDENTS ABOUT TEEN DATING VIOLENCE AND ABUSE, is referred to the Committee on Education.

By Representatives Horn, Gill, Iler, Jones, Pittman, Saine, Shepard, Torbett, and H. Warren:

H.B. 1126, A BILL TO BE ENTITLED AN ACT TO REPEAL THE LAW INCREASING THE NUMBER OF INSTRUCTIONAL DAYS IN THE PUBLIC SCHOOLS, is referred to the Committee on Education.

By Representatives Torbett and Current (Primary Sponsors):

H.B. 1127, A BILL TO BE ENTITLED AN ACT TO PROVIDE FUNDS FOR THE GASTON COLLEGE EAST CAMPUS MULTICAMPUS SITE, is referred to the Appropriations Subcommittee on Education.

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By Representative Torbett:

H.B. 1128, A BILL TO BE ENTITLED AN ACT TO PROVIDE TIER ONE TREATMENT FOR OPPORTUNITY ADVANCEMENT ZONES, is referred to the Committee on Commerce and Job Development and, if favorable, to the Committee on Finance.

By Representatives Boles, Floyd, Glazier, Harrison, Ingle, Pittman, Saine, Shepard, H. Warren, and Wray:

H.B. 1129, A BILL TO BE ENTITLED AN TO ACT REMOVE THE REQUIREMENT THAT FIREFIGHTERS AND RESCUE SQUAD WORKERS 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.

By Representatives Wilkins and Crawford (Primary Sponsors); and Pittman:

H.B. 1130, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONSTRUCTION, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENT PROJECTS OF THE NORTH CAROLINA NATIONAL GUARD, is referred to the Committee on Appropriations.

By Representative McElraft:

H.B. 1131, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CARTERET COUNTY BOARD OF COMMISSIONERS TO REDISTRIBUTE ITS RESIDENCY DISTRICTS FOR THE 2012 PRIMARY AND GENERAL ELECTIONS, is referred to the Committee on Government.

By Representatives Hackney and Insko (Primary Sponsors); and Glazier:

H.B. 1132, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON THE TOWN OF CHAPEL HILL'S VOTER-OWNED ELECTIONS ORDINANCE AUTHORITY, is referred to the Committee on Rules, Calendar, and Operations of the House.

May 25, 2012

By Representative Justice:

H.B. 1133, A BILL TO BE ENTITLED AN ACT TO REVISE PENDER COUNTY COMMISSIONER DISTRICTS, is referred to the Committee on Government.

By Representatives Wray, Collins, Daughtry, and Pridgen (Primary Sponsors); Floyd, Folwell, Lewis, McComas, and Stone:

H.B. 1134, A BILL TO BE ENTITLED AN ACT TO STUDY THE IMPOSITION OF TOLLS ON INTERSTATE 95 AND TO DELAY TOLLING UNTIL APPROVED BY THE GENERAL ASSEMBLY, is referred to the Committee on Transportation and, if favorable, to the Committee on Appropriations.

By Representative Johnson:

H.B. 1135, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2011 AND FOR OTHER PURPOSES, is referred to the Committee on Appropriations.

By Representatives Adams, Insko, Earle, and Ross (Primary Sponsors); M. Alexander, Carney, Fisher, Floyd, Glazier, Hall, Harrison, Luebke, R. Moore, and Weiss:

H.B. 1136, A BILL TO BE ENTITLED AN ACT REPEALING THE WOMAN'S RIGHT TO KNOW ACT AND PROHIBITING THE DEPARTMENT OF HEALTH AND HUMAN SERVICES FROM USING STATE APPROPRIATIONS TO MAINTAIN ANY REQUIREMENTS OF THE WOMAN'S RIGHT TO KNOW ACT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives R. Brown and Dockham (Primary Sponsors); Glazier, Harrison, Ingle, Pittman, Pridgen, Spear, Torbett, and H. Warren:

H.B. 1137, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO PRODUCE A SPECIAL REGISTRATION PLATE WITH THE FLAG OF THE UNITED STATES OF AMERICA ON ITS FACE, is referred to the Committee on Transportation and, if favorable, to the Committee on Finance.

May 25, 2012

By Representatives R. Brown, Dockham, and L. Brown (Primary Sponsors):

H.B. 1138, A BILL TO BE ENTITLED AN ACT TO PERMIT THE COUNTY OF DAVIDSON TO UTILIZE THE DESIGN-BUILD METHOD OF CONSTRUCTION AND RENOVATION OF COUNTY BUILDINGS, is referred to the Committee on Government.

By Representatives Weiss, Harrison, Luebke, and McGrady (Primary Sponsors); K. Alexander, Carney, Fisher, Glazier, Hall, Insko, and R. Moore:

H.B. 1139, A BILL TO BE ENTITLED AN ACT TO PROVIDE INCENTIVES FOR THE DEVELOPMENT AND MANUFACTURE OF COMPONENTS FOR PLUG-IN ELECTRIC VEHICLES, is referred to the Committee on Commerce and Job Development and, if favorable, to the Committee on Transportation and, if favorable, to the Committee on Finance.

By Representatives M. Alexander, Harrison, Glazier, and Martin (Primary Sponsors); Carney, Fisher, Hall, Insko, Luebke, and Weiss:

H.B. 1140, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE ADDITIONAL FUNDS FOR THE NEW PUBLIC HEALTH LAB, is referred to the Committee on Appropriations.

By Representatives Fisher, Moffitt, and Keever (Primary Sponsors); Carney and Insko:

H.B. 1141, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO PRODUCE A SPECIAL REGISTRATION PLATE FOR RIVERLINK, is referred to the Committee on Transportation and, if favorable, to the Committee on Finance.

By Representatives Fisher, Insko, and Pittman:

H.B. 1142, A BILL TO BE ENTITLED AN ACT TO EXEMPT TRAILERS USED BY FARMERS TO TRANSPORT LIVESTOCK FROM VEHICLE REGISTRATION AND CERTIFICATE OF TITLE REQUIREMENTS, INCLUDING THE FEES ASSOCIATED WITH THOSE REQUIREMENTS, WHEN THE TRAILERS ARE USED TO TRANSPORT LIVESTOCK FROM FARM TO FARM OR FROM FARM TO MARKET, is referred to the Committee on Transportation and, if favorable, to the Committee on Finance.

By Representatives Gill, Hall, Ross, and Jackson (Primary Sponsors); Carney, Floyd, Glazier, Harrison, Insko, Michaux, and Weiss:

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H.R. 1143, A HOUSE RESOLUTION HONORING THE SHAW UNIVERSITY WOMEN'S BASKETBALL TEAM ON WINNING THE 2012 NATIONAL COLLEGIATE ATHLETIC ASSOCIATION DIVISION II CHAMPIONSHIP, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Adams, Earle, Insko, and Ross (Primary Sponsors); K. Alexander, M. Alexander, Carney, Floyd, Glazier, Hall, Harrison, Luebke, R. Moore, and Weiss:

H.B. 1144, A BILL TO BE ENTITLED AN ACT APPROPRIATING FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF PUBLIC HEALTH, FOR CONTINUED FUNDING OF PLANNED PARENTHOOD, INC., AND AFFILIATED ORGANIZATIONS; AND REPEALING THE PROHIBITION ON FUNDING FOR PLANNED PARENTHOOD DURING THE 2011-2013 FISCAL BIENNIUM, is referred to the Committee on Appropriations.

By Representatives Ross, Owens, Carney, and Tolson (Primary Sponsors); Fisher, Floyd, Glazier, Hall, Harrison, Insko, and R. Moore:

H.B. 1145, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE JOINT LEGISLATIVE PUBLIC INFRASTRUCTURE OVERSIGHT COMMISSION, is referred to the Committee on Appropriations.

By Representatives Stam, Randleman, Jones, and Jordan (Primary Sponsors); and H. Warren:

H.B. 1146, A BILL TO BE ENTITLED AN ACT TO MAKE THE INDIVIDUAL INCOME TAX CREDIT FOR CHILDREN WITH DISABILITIES WHO REQUIRE SPECIAL EDUCATION REFUNDABLE, is referred to the Committee on Education and, if favorable, to the Committee on Finance.

MESSAGES FROM THE SENATE

The following are received from the Senate:

H.B. 803 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT ALLOWING A COURT TO ASSESS ATTORNEYS' FEES IN CIVIL NO-CONTACT ORDERS, is returned for concurrence in the Senate committee substitute bill and referred to Judiciary Subcommittee C.

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S.B. 798, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES TO THE EMERGENCY MANAGEMENT STATUTES; AND TO ESTABLISH THE JOINT LEGISLATIVE EMERGENCY MANAGEMENT OVERSIGHT COMMITTEE, AS RECOMMENDED BY THE SENATE SELECT COMMITTEE ON EMERGENCY PREPAREDNESS AND RESPONSE, is read the first time and referred to Judiciary Subcommittee C.

S.B. 816, A BILL TO BE ENTITLED AN ACT TO REWRITE THE BANKING LAWS OF NORTH CAROLINA, AS RECOMMENDED BY THE JOINT LEGISLATIVE STUDY COMMISSION ON THE MODERNIZATION OF NORTH CAROLINA BANKING LAWS, is read the first time and referred to the Committee on Banking.

On motion of Representative Dollar, seconded by Representatives Gill and Mobley, the House adjourns at 9:12 a.m. to reconvene Tuesday, May 29, 2012, at 10:00 a.m.

ONE HUNDRED SEVENTEENTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, May 29, 2012

The House meets at 10:00 a.m. pursuant to adjournment and is called to order by Representative Folwell, Speaker Pro Tempore.

The following prayer is offered by Representative Jennifer Weiss:

"We gather together and give thanks for the many blessings You have bestowed upon us and for giving us the opportunity to serve the people of North Carolina. As we come together today, the day after Memorial Day, we remember with love, respect and gratitude the many men and women who served in the military, fought and gave their lives to protect us and to protect our freedom. Many of us participated in Memorial Day observances in our communities over the week-end. Today, I would like to share part of a poem with you that I read at a Memorial Day observance in Cary yesterday. The poem is 'For the Fallen' by Laurence Binyon. Although it was written in 1914 in honor of the British soldiers who fought in World War I, I believe that its themes apply to our own Memorial Day.

"They went with songs to the battle, they were young,
Straight of limb, true of eye, steady and aglow.

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They were staunch to the end against odds uncounted:
They fell with their faces to the foe.
They shall grow not old, as we that are left grow old:
Age shall not weary them, nor the years condemn.
At the going down of the sun and in the morning
We will remember them.'
"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 May 25 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Dockham, Samuelson, and Womble for today.

RULE SUSPENDED

Without objection, the Chair states that Rule 28(f) is suspended in order that the Committee on Appropriations may continue meeting while the House is in Session.

SUBCOMMITTEE REFERRAL

Representatives Brubaker, Crawford, Dollar, Gillespie, and Johnson, Chairs, for the Standing Committee on Appropriations, refer **S.B. 582** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ADDITIONAL CLASS III GAMING ON INDIAN LANDS PURSUANT TO A TRIBAL-STATE GAMING COMPACT, TO CREATE THE INDIAN GAMING EDUCATION REVENUE FUND, AND TO APPROPRIATE FUNDS, to the Appropriations Subcommittee on Natural and Economic Resources.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced and read the first time:

By Representative Crawford:

H.B. 1147, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2011 AND FOR OTHER PURPOSES, is referred to the Committee on Appropriations.

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By Representative Gillespie:

H.B. 1148, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2011 AND FOR OTHER PURPOSES, is referred to the Committee on Appropriations.

By Representatives Murry and McComas (Primary Sponsors); Brandon, Hamilton, Moffitt, R. Moore, and Shepard:

H.B. 1149, A BILL TO BE ENTITLED AN ACT TO ENACT NEW MARKETS JOB GROWTH INVESTMENT INITIATIVE, is referred to the Committee on Commerce and Job Development.

By Representatives Insko, Gill, and Lucas:

H.B. 1150, A BILL TO BE ENTITLED AN ACT TO ALLOW THE USE OF BIOPTIC LENSES WHEN TESTING FOR A DRIVERS LICENSE AND THE ISSUANCE OF A RESTRICTED LICENSE TO AN INDIVIDUAL THAT PASSES CERTAIN REQUIREMENTS AFTER PASSING THE DRIVERS LICENSE EYE TEST, is referred to the Committee on Transportation.

By Representatives Insko, Rapp, McLawhorn, and Glazier (Primary Sponsors); M. Alexander, Carney, Fisher, Floyd, Gill, Graham, Harrison, Jeffus, Lucas, Parfitt, Weiss, and Wray:

H.B. 1151, A BILL TO BE ENTITLED AN ACT TO RESTORE FUNDING TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF CHILD DEVELOPMENT AND EARLY EDUCATION, FOR VARIOUS PROGRAMS AFFECTING EARLY CHILDHOOD EDUCATION AND CARE, is referred to the Committee on Appropriations.

MESSAGES FROM THE SENATE

The following is received from the Senate:

H.B. 345 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE MOVE-OVER LAW TO INCLUDE ALL HIGHWAY MAINTENANCE VEHICLES AND UTILITY VEHICLES, is returned for concurrence in the Senate committee substitute bill and referred to the Committee on Transportation.

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On motion of Representative T. Moore, the House recesses, subject to the receipt of Committee Reports, the receipt of Messages from the Senate, and the referral of bills to committees, at 10:05 a.m.

RECESS

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

INTRODUCTION OF PAGES

Pages for the week of May 28 are introduced to the membership. They are: Caroline Barwick of Sampson; Christian Bauer of Durham; Alston Bourne of Edgecombe; David Bradley of Wilson; Bre Capel of Buncombe; Seth Davis of Nash; Andrew Garofolo of Wake; Caitlin Garrabrant of Wake; Jesse Hart of Swain; Ashton Hunt of Rutherford; Hunter Kopp of Brunswick; Page Mangum of Buncombe; Kacie Mauldin of Stanly; Darius Moore of Cumberland; Caroline Parker of Buncombe; Andrew Pelletier of Washington; Aysha' Williams of Forsyth; Stephen Potter of Forsyth; Sarah Robinson of Henderson; Morgan Speight of Davidson; Stephanie Stevenson of Nash; Olivia Turner of Franklin; Roslyn Ward of Wake; Jonathan Wolff of Mecklenburg; and Carrington Wooten of Lenoir.

CALENDAR

Action is taken on the following:

H.B. 5 (Senate 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 DE-ANNEXING SPECIFIED LOCAL INVOLUNTARY ANNEXATION AREAS, BY REPEALING SPECIFIED INVOLUNTARY ANNEXATION ORDINANCES, AND BY PROHIBITING MUNICIPAL INITIATION OF ANY PROCEDURE TO INVOLUNTARILY ANNEX THOSE AREAS FOR TWELVE YEARS.

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

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Those voting in the affirmative are: Representatives Avila, Blackwell, Blust, Boles, Bradley, Brawley, Brisson, L. Brown, R. Brown, Brubaker, Burr, Cleveland, Collins, Cook, Crawford, Current, Daughtry, Dixon, Dollar, Faircloth, Folwell, Frye, Gillespie, 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, Pittman, Pridgen, Randleman, Sager, Saine, Sanderson, Setzer, Shepard, Stam, Starnes, Steen, Stevens, Stone, Torbett, Walend, H. Warren, and West - 66.

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, 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, and Wray - 50.

Excused absences: Representatives Dockham, Samuelson, and Womble - 3.

H.B. 925 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REQUIRE A VOTE OF THE RESIDENTS PRIOR TO THE ADOPTION OF AN ANNEXATION ORDINANCE INITIATED BY A MUNICIPALITY.

On motion of Representative Moffitt, the House concurs in the material Senate Committee Substitute Bill No. 2, which changes the title, on its third roll call reading, by the following vote, and the bill is ordered enrolled and presented to the Governor.

Those voting in the affirmative are: Speaker Tillis; Representatives Avila, Blackwell, Blust, Boles, Bradley, Brandon, Brawley, Brisson, L. Brown, R. Brown, Brubaker, Burr, Cleveland, Collins, Cook, Crawford, Current, Daughtry, Dixon, Dollar, Faircloth, Faison, Folwell, Frye, Gillespie, Hager, Hastings, 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, Pittman, Pridgen, Randleman, Sager, Saine, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Torbett, Walend, H. Warren, and West - 72.

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Voting in the negative: Representatives Adams, K. Alexander, M. Alexander, Bell, Bordsen, Bryant, Carney, Cotham, Earle, Farmer-Butterfield, Fisher, Floyd, Gill, Glazier, Goodman, Graham, Hackney, Haire, Hall, Hamilton, Harrison, Hill, Insko, Jackson, Jeffus, Kever, Lucas, Luebke, Martin, McGuirt, Michaux, Mobley, R. Moore, Owens, Parfitt, Parmon, Pierce, Rapp, Ross, Tolson, Wainwright, E. Warren, Weiss, Wilkins, and Wray - 45.

Excused absences: Representatives Dockham, Samuelson, and Womble - 3.

H.B. 1015, A BILL TO BE ENTITLED AN ACT TO SET THE PUBLIC UTILITY REGULATORY FEE, THE ELECTRIC MEMBERSHIP CORPORATION REGULATORY FEE, AND THE INSURANCE REGULATORY CHARGE, 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, Floyd, Folwell, Frye, Gill, Gillespie, Glazier, Goodman, Graham, Hackney, Hager, Haire, Hall, Hamilton, Harrison, Hastings, Hill, Hilton, Hollo, Holloway, Horn, Howard, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Jordan, Justice, Kever, 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, Pittman, Pridgen, Randleman, Rapp, Ross, Sager, Saine, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Wainwright, Walend, E. Warren, H. Warren, Weiss, West, Wilkins, and Wray - 116.

Voting in the negative: None.

Excused absences: Representatives Dockham, Samuelson, and Womble - 3.

H.B. 952 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM STATE AIR TOXICS EMISSIONS CONTROLS THOSE SOURCES OF EMISSIONS THAT ARE SUBJECT TO CERTAIN FEDERAL EMISSIONS REQUIREMENTS, TO DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO REQUIRE PERMIT CONDITIONS THAT ELIMINATE UNACCEPTABLE

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RISKS TO HUMAN HEALTH, TO DIRECT THE DIVISION OF AIR QUALITY TO REVIEW THE STATE AIR TOXICS PROGRAM, AND TO REQUIRE REPORTS ON THE IMPLEMENTATION OF THIS ACT, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, passes its second reading, by electronic vote (70-46), and there being no objection is read a third time.

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

RE-REFERRALS

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **S.B. 423**, A BILL TO BE ENTITLED AN ACT DIRECTING THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO STUDY THE TEACHER TENURE LAW, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Education.

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 1145**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE JOINT LEGISLATIVE PUBLIC INFRASTRUCTURE OVERSIGHT 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. 991**, A BILL TO BE ENTITLED AN ACT TO POSTPONE THE EFFECTIVE DATE OF CHANGES MADE TO THE JACKSON COUNTY OCCUPANCY TAX DURING THE 2011 REGULAR SESSION OF THE GENERAL ASSEMBLY, 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. 1087**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF FONTANA DAM TO LEVY AN OCCUPANCY TAX, 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. 1023**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR EXPUNCTION OF NONVIOLENT FELONIES OR NONVIOLENT MISDEMEANORS AFTER FIFTEEN YEARS FOR PERSONS WHO HAVE HAD NO OTHER CONVICTIONS FOR FELONIES OR MISDEMEANORS OTHER THAN TRAFFIC VIOLATIONS UNDER

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THE LAWS OF THE UNITED STATES, THIS STATE, OR ANY OTHER JURISDICTION, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION, is withdrawn from Judiciary Subcommittee C and re-referred to Judiciary Subcommittee A.

Representative LaRoque moves, seconded by Representative Folwell, that the House adjourn, in honor of Samuel L. Moore, uncle of Representative Folwell and a World War II Veteran, and subject to the receipt of Committee Reports, the receipt of Messages from the Senate, and the referral of bills to committees, to reconvene May 30 at 1:00 p.m.

The motion carries.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committee and permanent subcommittee are presented:

By Representatives Justice and West, Chairs for the Appropriations Subcommittee on Natural and Economic Resources, with approval of standing committee Chair for report to be made directly to the floor of the House:

S.B. 582 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ADDITIONAL CLASS III GAMING ON INDIAN LANDS PURSUANT TO A TRIBAL-STATE GAMING COMPACT, TO CREATE THE INDIAN GAMING EDUCATION REVENUE FUND, AND TO APPROPRIATE FUNDS, with a favorable report and recommendation that the bill be re-referred to the Committee on Commerce and Job Development.

The bill is re-referred to the Committee on Commerce and Job Development.

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

H.B. 947 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE MONETARY COMPENSATION TO PERSONS ASEXUALIZED OR STERILIZED UNDER THE AUTHORITY OF THE EUGENICS BOARD OF NORTH CAROLINA, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

May 29, 2012

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. 950, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2011 AND FOR OTHER PURPOSES, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of May 30. The original bill is placed on the Unfavorable Calendar.

The House stands adjourned at 6:06 p.m.

ONE HUNDRED EIGHTEENTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, May 30, 2012

The House meets at 1:00 p.m. pursuant to adjournment and is called to order by Representative Folwell, Speaker Pro Tempore.

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 29 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. Representative Dixon is excused for a portion of the Session.

ENROLLED BILLS

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

H.B. 778, AN ACT TO AMEND LAWS RELATING TO THE NORTH CAROLINA INNOCENCE INQUIRY COMMISSION AND THE PRESERVATION OF BIOLOGICAL EVIDENCE.

May 30, 2012

H.B. 925, AN ACT TO REQUIRE A VOTE OF THE RESIDENTS PRIOR TO THE ADOPTION OF AN ANNEXATION ORDINANCE INITIATED BY A MUNICIPALITY.

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

H.B. 5, 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 DEANNEXING SPECIFIED LOCAL INVOLUNTARY ANNEXATION AREAS, BY REPEALING SPECIFIED INVOLUNTARY ANNEXATION ORDINANCES, AND BY PROHIBITING MUNICIPAL INITIATION OF ANY PROCEDURE TO INVOLUNTARILY ANNEX THOSE AREAS FOR TWELVE 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. 797, AN ACT TO ENSURE ADEQUATE FUNDING IN THE STATE MEDICAID PROGRAM FOR THE 2011-2012 FISCAL YEAR; TO PROHIBIT THE DRAWING DOWN OR TRANSFERRING OF MEDICAID DISPROPORTIONATE SHARE RECEIPTS OR OTHER FUNDS IF DOING SO WOULD CREATE OR INCREASE A FINANCIAL OBLIGATION IN THE 2012-2013 FISCAL YEAR; AND TO REQUIRE PRIOR APPROVAL FROM THE GENERAL ASSEMBLY BEFORE ISSUING ANY REQUESTS FOR PROPOSALS OR ENTERING INTO ANY NEW CONTRACTS FOR THE OPERATIONAL OVERSIGHT OR MANAGEMENT OF HEALTH SERVICES FOR INMATES IN THE STATE PRISON SYSTEM. (S.L. 2012-2)

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:

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H.B. 942, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE ELECTRONIC RECORD-KEEPING REQUIREMENTS FOR PSEUDO-EPHEDRINE PRODUCTS, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON METHAMPHETAMINE ABUSE, 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. 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, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the Senate committee substitute bill.

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

By Representative 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. 1066, A BILL TO BE ENTITLED AN ACT TO CLARIFY, MODIFY, AND CONSOLIDATE THE LAW APPLICABLE TO THE PASSING OF TITLE TO INTERESTS IN REAL AND PERSONAL PROPERTY DEvised BY A WILL AND THE RIGHTS OF LIEN CREDITORS AND PURCHASERS FOR VALUE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 31.

H.B. 1067, A BILL TO BE ENTITLED AN ACT TO CONFORM THE LAW GOVERNING CO-OWNERS WITH RIGHT OF SURVIVORSHIP UNDER THE SIMULTANEOUS DEATH ACT TO THE LAW GOVERNING THE HOLDING OF UNEQUAL SHARES IN A JOINT TENANCY WITH RIGHT OF SURVIVORSHIP, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 31.

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H.B. 1068, A BILL TO BE ENTITLED AN ACT TO AMEND ARTICLE 9 OF THE UNIFORM COMMERCIAL CODE RELATING TO SECURED TRANSACTIONS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 31.

H.B. 1069, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MINIMUM AMOUNT OF INTESTATE PERSONAL PROPERTY PASSING TO THE SURVIVING SPOUSE AND THE AMOUNT OF THE YEAR'S ALLOWANCE FROM A DECEDENT'S ESTATE FOR A SURVIVING CHILD, TO REINSERT ERRONEOUSLY REMOVED REFERENCES TO A CHILD'S "NEXT FRIEND" IN THE STATUTES RELATING TO A CHILD'S YEAR'S ALLOWANCE, AND TO SPECIFY THAT THE CHILD'S YEAR'S ALLOWANCE MAY BE PAID TO A WIDOWER ON THE CHILD'S BEHALF AS WELL AS TO A WIDOW, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 31.

By Representative McComas, Chair, for the Committee on Commerce and Job Development:

S.B. 582 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ADDITIONAL CLASS III GAMING ON INDIAN LANDS PURSUANT TO A TRIBAL-STATE GAMING COMPACT, TO CREATE THE INDIAN GAMING EDUCATION REVENUE FUND, AND TO APPROPRIATE FUNDS, 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 31. The Senate committee substitute bill is placed on the Unfavorable Calendar.

SUBCOMMITTEE REFERRAL

Representative McComas, Chair, for the Standing Committee on Commerce and Job Development, refers **H.B. 1149**, A BILL TO BE ENTITLED AN ACT TO ENACT NEW MARKETS JOB GROWTH INVESTMENT INITIATIVE, to the Commerce and Job Development Subcommittee on Business and Labor.

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INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced and read the first time:

By Representatives Luebke, Michaux, and Hall (Primary Sponsors):

H.B. 1152, A BILL TO BE ENTITLED AN ACT TO LIMIT THE NUMBER OF CHARTER SCHOOLS LOCATED IN DURHAM COUNTY, is referred to the Committee on Education and, if favorable, to the Committee on Finance.

By Representatives Luebke, Michaux, and Hall (Primary Sponsors):

H.B. 1153, A BILL TO BE ENTITLED AN ACT TO SET STANDARDS FOR CHARTER SCHOOLS LOCATED IN DURHAM COUNTY, is referred to the Committee on Education and, if favorable, to the Committee on Government.

By Representatives Justice, Floyd, and Folwell:

H.B. 1154, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CAPE FEAR COMMUNITY COLLEGE ALSTON W. BURKE ANNEX CAMPUS, is referred to the Committee on Appropriations.

By Representative T. Moore:

H.B. 1155, A BILL TO BE ENTITLED AN ACT TO INCREASE REVENUE TO THE HIGHWAY TRUST FUND FROM THE HIGHWAY USE TAX BY STIMULATING THE SALE OF MOTOR VEHICLES BY ALLOWING BALLOON PAYMENTS ON MOTOR VEHICLE LOANS THAT EXCEED TEN THOUSAND DOLLARS, is referred to Judiciary Subcommittee C.

By Representatives Weiss, Insko, M. Alexander, and Glazier (Primary Sponsors); Adams, Carney, Fisher, Gill, Graham, Hamilton, Harrison, Jeffus, Keever, Luebke, Mobley, R. Moore, Parfitt, Parmon, and Wray:

H.B. 1156, A BILL TO BE ENTITLED AN ACT APPROPRIATING FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF PUBLIC HEALTH, FOR TOBACCO PREVENTION AND CESSATION PROGRAMS, is referred to the Committee on Appropriations.

By Representatives Parfitt, Shepard, and Parmon (Primary Sponsors); Gill, Graham, Insko, Keever, Lucas, and Murry:

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H.B. 1157, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE BEHAVIOR ANALYSIS PRACTICE ACT, is referred to the Committee on Health and Human Services and, if favorable, to the Committee on Finance.

By Representative Dollar:

H.B. 1158, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2011 AND FOR OTHER PURPOSES, is referred to the Committee on Appropriations.

By Representatives McLawhorn, Glazier, Lucas, and Rapp (Primary Sponsors); M. Alexander, Bell, Carney, Floyd, Gill, Hall, Hamilton, Harrison, Insko, Keever, Martin, Mobley, Parfitt, Parmon, Wainwright, and Weiss:

H.B. 1159, A BILL TO BE ENTITLED AN ACT TO WAIVE THE TWELVE-MONTH STATE RESIDENCY REQUIREMENT FOR CERTAIN VETERANS AND THEIR DEPENDENTS, THUS ALLOWING THEM TO QUALIFY FOR THE RESIDENT TUITION RATE, is referred to the Committee on Appropriations.

By Representatives McLawhorn and E. Warren (Primary Sponsors); Adams, M. Alexander, Bell, Brandon, Floyd, Gill, Glazier, Graham, Hamilton, Insko, Keever, Lucas, Luebke, Mobley, Parfitt, Parmon, Wainwright, Weiss, and Wray:

H.B. 1160, A BILL TO BE ENTITLED AN ACT APPROPRIATING FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF PUBLIC HEALTH, TO PREVENT INFANT MORTALITY IN NORTH CAROLINA, AS RECOMMENDED BY THE NORTH CAROLINA CHILD FATALITY TASK FORCE, is referred to the Committee on Appropriations.

By Representatives Wilkins, Glazier, Rapp, and Hamilton (Primary Sponsors); Adams, M. Alexander, Bell, Carney, Floyd, Gill, Hall, Harrison, Insko, Keever, Lucas, McLawhorn, Mobley, Parfitt, Parmon, Wainwright, and Wray:

H.B. 1161, A BILL TO BE ENTITLED AN ACT TO RESTORE FUNDING FOR STATE HIGHWAY PATROL BASIC SCHOOLS, is referred to the Committee on Appropriations.

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By Representatives Wilkins and Wray (Primary Sponsors); K. Alexander, M. Alexander, Brandon, Cotham, Farmer-Butterfield, Floyd, Hall, Insko, Lucas, McLawhorn, R. Moore, Parmon, and Weiss:

H.B. 1162, A BILL TO BE ENTITLED AN ACT TO ASSIST SMALL BUSINESS MANUFACTURERS IN EXPANDING EXPORT OPPORTUNITIES, is referred to the Committee on Appropriations.

By Representatives Daughtry and Collins (Primary Sponsors):

H.B. 1163, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE MERGER OF DUKE ENERGY AND PROGRESS ENERGY WITHOUT THE PROVISION OF RELIEF TO THE MUNICIPAL POWER AGENCIES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Jackson, M. Alexander, Bell, Carney, Floyd, Glazier, Hall, Hamilton, Harrison, Lucas, Luebke, McLawhorn, Parfitt, Weiss, and Wray:

H.B. 1164, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF JUSTICE TO EXPAND ITS METHAMPHETAMINE TEAM, is referred to the Committee on Appropriations.

By Representatives Jackson, M. Alexander, Carney, Gill, Glazier, Graham, Hall, Hamilton, Harrison, Kever, Lucas, Luebke, McLawhorn, Mobley, Parfitt, Parmon, Weiss, and Wray:

H.B. 1165, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF JUSTICE TO EXPAND THE INTERNET CRIMES AGAINST CHILDREN RESPONSE TEAM, is referred to the Committee on Appropriations.

By Representatives Luebke, McGuirt, Hall, and Harrison (Primary Sponsors); Adams, K. Alexander, Farmer-Butterfield, Gill, Insko, Kever, Mobley, and Parmon:

H.B. 1166, A BILL TO BE ENTITLED AN ACT TO TEMPORARILY RAISE THE INCOME TAX RATE PAID BY HIGHLY COMPENSATED TAXPAYERS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Luebke, Rapp, Gill, and Harrison (Primary Sponsors); Insko, Kever, Mobley, Parmon, and Weiss:

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H.B. 1167, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE TAX CAP ON THE TAX PAID ON THE SALES PRICE OF AIRCRAFT, BOATS, AND RECREATIONAL VEHICLES SOLD AT RETAIL, is referred to the Committee on Finance and, if favorable, to the Committee on Appropriations.

By Representatives Killian, Brandon, Farmer-Butterfield, Floyd, Hamilton, Harrison, Horn, Keever, Lucas, McGee, McLawhorn, R. Moore, and Parmon:

H.B. 1168, A BILL TO BE ENTITLED AN ACT TO HELP VETERANS MAXIMIZE THEIR FEDERAL GI EDUCATION BENEFITS, is referred to the Committee on Education and, if favorable, to the Committee on Appropriations.

By Representative Justice:

H.B. 1169, A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF BURGAW, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

By Representative Justice:

H.B. 1170, A BILL TO BE ENTITLED AN ACT TO AMEND THE PROCESS BY WHICH MEMBERS OF THE PENDER COUNTY BOARD OF ALCOHOLIC CONTROL ARE SELECTED; TO REMOVE THE REQUIREMENT THAT THE PENDER COUNTY BOARD OF ALCOHOLIC CONTROL LOCATE ONE OR MORE STORES IN THE TOWNS OF BURGAW AND ATKINSON; AND TO AMEND THE DISTRIBUTION OF CERTAIN NET PROFITS FROM THE PENDER COUNTY BOARD OF ALCOHOLIC CONTROL, is referred to the Commerce and Job Development Subcommittee on Alcoholic Beverage Control.

By Representatives Weiss, Luebke, Ross, and Hall (Primary Sponsors); M. Alexander, Brandon, Carney, Fisher, Gill, Glazier, Hackney, Hamilton, Harrison, Insko, Keever, Lucas, Martin, R. Moore, Parmon, Wainwright, and Wray:

H.B. 1171, A BILL TO BE ENTITLED AN ACT TO EXTEND THE SUNSET FOR THE EARNED INCOME TAX CREDIT, is referred to the Committee on Finance and, if favorable, to the Committee on Appropriations.

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By Representative LaRoque:

H.B. 1172, A BILL TO BE ENTITLED AN ACT TO REMOVE THE LEAGUE OF MUNICIPALITIES AND THE ASSOCIATION OF COUNTY COMMISSIONERS FROM PARTICIPATION IN THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives LaRoque and Saine (Primary Sponsors):

H.B. 1173, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PROBATION VIOLATOR WHO ABSCONDS OR OTHERWISE WILLFULLY AVOIDS ARREST AFTER THE ISSUANCE OF A WARRANT SHALL FORFEIT ANY PUBLIC ASSISTANCE BENEFITS UNTIL SURRENDERING TO THE COURT, is referred to Judiciary Subcommittee C and, if favorable, to the Committee on Finance.

By Representatives Pierce, Floyd, and Goodman:

H.B. 1174, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE SCOTLAND COUNTY TO IMPOSE A PRIVILEGE TAX ON ESTABLISHMENTS WITH SWEEPSTAKES MACHINES, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

By Representatives Murry, M. Alexander, Bradley, Carney, Cook, Cotham, Faircloth, Fisher, Floyd, Gill, Glazier, Hamilton, Harrison, Ingle, Insko, Jackson, Jones, Lucas, Moffitt, Parfitt, Setzer, Shepard, H. Warren, Weiss, and Wray:

H.R. 1175, A HOUSE RESOLUTION HONORING THE CHRONIC OBSTRUCTIVE PULMONARY DISEASE (COPD) COALITION OF NORTH CAROLINA AND EXPRESSING APPRECIATION FOR THE ORGANIZERS' COMMITMENT TO RAISING AWARENESS OF THIS DISEASE.

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

By Representatives Pierce, Floyd, Hamilton, Harrison, Insko, Jackson, McLawhorn, and Mobley:

H.B. 1176, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN VETERANS SHALL BE CHARGED THE RESIDENT TUITION TO ATTEND A PUBLIC INSTITUTION OF HIGHER EDUCATION IN NORTH CAROLINA WITHOUT HAVING FIRST MAINTAINED LEGAL

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RESIDENCE IN NORTH CAROLINA FOR AT LEAST ONE YEAR, is referred to the Committee on Education and, if favorable, to the Committee on Appropriations.

By Representatives Earle and Glazier (Primary Sponsors); Adams, K. Alexander, M. Alexander, Carney, Harrison, Insko, Lucas, Mobley, Parfitt, Parmon, and Ross:

H.B. 1177, A BILL TO BE ENTITLED AN ACT TO STUDY PUBLIC ACCESS AND SECURITY ISSUES IN THE LEGISLATIVE BUILDING AND LEGISLATIVE OFFICE BUILDING, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Haire and West (Primary Sponsors):

H.B. 1178, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE UNIVERSITY PARTICIPANT PROGRAM AT WESTERN CAROLINA UNIVERSITY, is referred to the Committee on Appropriations.

By Representatives Graham, Pierce, and T. Moore (Primary Sponsors); Bell, Carney, Floyd, Gill, and Lucas:

H.B. 1179, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE STATE TO TERMINATE ITS LEASE OF THE INDIAN CULTURAL CENTER PROPERTY; TO DIRECT HOW THE PROPERTY IS TO BE DISPOSED OF; AND TO AMEND THE STATUTORY RECOGNITION OF THE LUMBEE TRIBE OF NORTH CAROLINA, is referred to the Committee on Finance.

By Representatives Owens, Spear, Collins, and McGee (Primary Sponsors); K. Alexander, Carney, Floyd, Gill, Hamilton, Insko, Lucas, Mobley, Moffitt, and R. Moore:

H.B. 1180, A BILL TO BE ENTITLED AN ACT TO IMPOSE A STATE TAX ON THE PRIVILEGE OF OPERATING A VIDEO SWEEPSTAKES ESTABLISHMENT IN THIS STATE AND USE THE PROCEEDS FROM THE STATE TAX FOR LOCAL LAW ENFORCEMENT AND PUBLIC EDUCATION AND TO AUTHORIZE COUNTIES AND CITIES TO IMPOSE A TAX ON THE PRIVILEGE OF OPERATING A VIDEO SWEEPSTAKES ESTABLISHMENT, is referred to Judiciary Subcommittee B and, if favorable, to the Committee on Finance.

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By Representative McElraft:

H.B. 1181, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF EMERALD ISLE TO LEVY AN ADDITIONAL ONE PERCENT SALES AND USE TAX, THE PROCEEDS OF WHICH SHALL BE USED FOR BEACH NOURISHMENT, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

By Representatives Moffitt and Brawley (Primary Sponsors); Murry and Shepard:

H.B. 1182, A BILL TO BE ENTITLED AN ACT TO ALLOW CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA TO CARRY FORWARD SEVENTY PERCENT OF THE INSTITUTION'S REALIZED SAVINGS IN THE OPERATION AND MAINTENANCE OF PLANT AND TO USE THOSE FUNDS FOR NON-RECURRING CAPITAL AND OPERATING EXPENSES; AND TO ALLOW EACH COMMUNITY COLLEGE TO RETAIN UP TO TWO PERCENT OF THE COLLEGE'S CURRENT OPERATIONS CREDIT BALANCE AND TO USE THOSE FUNDS FOR NONRECURRING EXPENDITURES THAT WILL NOT IMPOSE ADDITIONAL FINANCIAL OBLIGATIONS ON THE STATE, is referred to the Committee on Finance.

By Representatives Haire, Adams, Bell, Floyd, Insko, Keever, Lucas, and Parmon:

H.B. 1183, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A TEACHER LEADERSHIP INITIATIVE OPERATED BY THE NORTH CAROLINA CENTER FOR THE ADVANCEMENT OF TEACHING, is referred to the Committee on Education and, if favorable, to the Committee on Appropriations.

By Representatives Faison, Hall, Harrison, Luebke, McGrady, and Weiss:

H.B. 1184, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT THE BAN ON DISCHARGE OF WASTES TO THE SUBSURFACE OR GROUNDWATERS OF THE STATE BY MEANS OF WELLS APPLIES TO THE INJECTION OF FLUIDS USING A WELL FOR THE PURPOSE OF OIL AND GAS EXPLORATION OR PRODUCTION, is referred to the Committee on Environment and, if favorable, to Judiciary Subcommittee C and, if favorable, to the Committee on Commerce and Job Development.

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By Representatives Faison, Hall, and Luebke:

H.B. 1185, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CONTRACTS TO LEASE OR CONVEY THE FEE SIMPLE TITLE TO OIL, GAS, OR MINERAL RIGHTS SEPARATE FROM THE SURFACE FEE SIMPLE OWNERSHIP ARE AGAINST PUBLIC POLICY, VOID, AND UNENFORCEABLE, is referred to the Committee on Environment and, if favorable, to Judiciary Subcommittee C and, if favorable, to the Committee on Commerce and Job Development.

By Representatives Faison and Hall (Primary Sponsors); Bell, Gill, Harrison, Insko, Mobley, and Parmon:

H.B. 1186, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE RESTORATION OF PERSONNEL POSITIONS ELIMINATED IN THE PUBLIC SCHOOLS, THE UNIVERSITY OF NORTH CAROLINA, THE COMMUNITY COLLEGE SYSTEM, AND STATE GOVERNMENT EMPLOYMENT PURSUANT TO THE PROVISIONS OF THE 2011 APPROPRIATIONS ACT; TO REDUCE PROGRAM AND SERVICE REDUCTIONS IN MEDICAID AND HEALTH CHOICE; AND TO PROVIDE ADDITIONAL FUNDING TO THE HIGHWAY PATROL AND TO THE SAVINGS RESERVE ACCOUNT, ALL IN THAT ORDER, BY TEMPORARILY INCREASING THE SALES AND USE TAX BY SEVENTENTHS OF ONE PERCENT UNTIL JULY 1, 2015, is referred to the Committee on Commerce and Job Development and, if favorable, to the Committee on Appropriations and, if favorable to the Committee on Finance.

By Representatives Harrison, Glazier, McGrady, and Fisher (Primary Sponsors); Adams, M. Alexander, Carney, Cotham, Gill, Hamilton, Insko, Jackson, Kever, Lucas, Luebke, Martin, Parfitt, and Weiss:

H.B. 1187, A BILL TO BE ENTITLED AN ACT TO PROTECT CHILDREN FROM THE HEALTH IMPACTS OF TOXIC CHEMICALS IN CHILDREN'S PRODUCTS BY PROHIBITING THE MANUFACTURE AND SALE OF CHILDREN'S PRODUCTS CONTAINING BISPHENOL A, TRIS, OR PHTHALATES; AND BY REQUIRING THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES, IN CONSULTATION WITH THE DIVISION OF PUBLIC HEALTH OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, TO IDENTIFY AND DESIGNATE CHEMICALS OF HIGH CONCERN AND PRIORITY CHEMICALS; AND BY REQUIRING NOTICE AND AN ALTERNATIVES ASSESSMENT BY MANUFACTURERS OF CHILDREN'S PRODUCTS CONTAINING CERTAIN PRIORITY CHEMICALS, is referred to the Committee on Environment and, if favorable, to Judiciary Subcommittee C and, if favorable, to the Committee on Appropriations.

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By Representatives Owens, Hamilton, and Wray:

H.B. 1188, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE NONPROFIT ORGANIZATIONS TO OPERATE "CASINO NIGHTS," TO PROVIDE FOR THE REGULATION OF NONPROFIT ORGANIZATIONS HOLDING CASINO NIGHTS, TO ALLOW FOR LICENSING AND REGULATION OF GAMING TABLE DEALERS, AND ALLOW THE CONSUMPTION OF ALCOHOLIC BEVERAGES AT CASINO NIGHTS, is referred to Judiciary Subcommittee B.

By Representatives Haire, Insko, and Keever:

H.B. 1189, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE TIMELY PAYMENT OF SPECIAL BONDS FOR THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA, is referred to the Committee on Appropriations.

By Representative Shepard:

H.B. 1190, A BILL TO BE ENTITLED AN ACT TO PERMIT THE TOWN OF NORTH TOPSAIL BEACH TO USE OCCUPANCY TAX PROCEEDS TO RETIRE DEBT INCURRED FOR BEACH NOURISHMENT PROJECTS, is referred to the Committee on Finance.

By Representative Cleveland:

H.R. 1191, A HOUSE RESOLUTION SPECIFICALLY DISAPPROVING EXECUTIVE ORDER NO. 85, ISSUED MARCH 25, 2011, UNDER PROVISIONS OF THE NORTH CAROLINA CONSTITUTION GRANTING EITHER HOUSE OF THE GENERAL ASSEMBLY TO DO SO, AS THE GENERAL ASSEMBLY HAS ACCOMPLISHED ADMINISTRATIVE REORGANIZATIONS BY LEGISLATION, is referred to Judiciary Subcommittee C.

By Representatives Adams, Wainwright, Michaux, and R. Moore (Primary Sponsors); Carney, Floyd, Gill, Hall, Harrison, Insko, Mobley, Parmon, Weiss, and Wray:

H.B. 1192, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE "CASTLE DOCTRINE" AND TO REPEAL THE "STAND YOUR GROUND LAWS" SO THAT THE COMMON LAW CONTINUES TO GOVERN THE LAWFUL USE OF FORCE IN DEFENSE OF ONE'S SELF OR ANOTHER PERSON, is referred to Judiciary Subcommittee C.

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By Representatives Adams and Harrison (Primary Sponsors):

H.B. 1193, A BILL TO BE ENTITLED AN ACT TO INCREASE THE SMALL BREWERY BREWING LIMIT FROM TWENTY-FIVE THOUSAND BARRELS TO ONE HUNDRED THOUSAND BARRELS BEFORE THE BREWERY MUST USE A WHOLESALE DISTRIBUTOR TO DISTRIBUTE ITS PRODUCTS, is referred to the Commerce and Job Development Subcommittee on Alcoholic Beverage Control.

By Representatives Adams and Harrison (Primary Sponsors); Gill, Insko, Keever, and McGrady:

H.B. 1194, A BILL TO BE ENTITLED AN ACT TO ENSURE THAT A PERMITTEE OR TRANSFEREE OF AN EXISTING SOLID WASTE MANAGEMENT FACILITY (1) CANNOT CIRCUMVENT THE CLOSURE REQUIREMENTS FOR THE FACILITY AND (2) CANNOT CIRCUMVENT ANY COMPONENT OF THE PERMIT PROCESS FOR A NEW PERMIT OR A SUBSTANTIAL AMENDMENT TO A PERMIT WHEN SUBSTANTIAL ENERGY-PRODUCING ACTIVITIES ARE ADDED TO THE ACTIVITIES CONDUCTED AT THE FACILITY AND THE FACILITY IS LOCATED IN A MINORITY OR LOW-INCOME COMMUNITY PROTECTED BY TITLE VI OF THE FEDERAL CIVIL RIGHTS ACT, is referred to the Committee on Environment and, if favorable, to the Committee on Judiciary.

By Representative Gillespie:

H.B. 1195, 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, AS RECOMMENDED BY THE GOVERNOR AND INTRODUCED BY THE APPROPRIATIONS COMMITTEE CHAIRS PURSUANT TO G.S. 143C-5-1, is referred to the Committee on Appropriations.

CALENDAR

Action is taken on the following:

Representative T. Moore gives notice, pursuant to Rule 32(a), and **H.R. 1175**, A HOUSE RESOLUTION HONORING THE CHRONIC OBSTRUCTIVE PULMONARY DISEASE (COPD) COALITION OF NORTH CAROLINA AND EXPRESSING APPRECIATION FOR THE ORGANIZERS' COMMITMENT TO RAISING AWARENESS OF THIS DISEASE, is placed on today's Calendar for immediate consideration.

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The resolution is adopted, by electronic vote (112-0), and ordered printed.

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

SPEAKER TILLIS PRESIDING.

H.B. 950 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2011 AND FOR OTHER PURPOSES.

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

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

Representative Stevens offers Amendment No. 3.

Amendment No. 3 is temporarily displaced.

Representative Parfitt offers Amendment No. 4 which fails of adoption by electronic vote (51-66).

Representatives Bradley and Folwell request and are granted leave of the House to change their votes from "aye" to "no". Representative Dixon requests and is granted leave of the House to be recorded as voting "no". The adjusted vote total is (49-69).

Representative Brubaker offers Amendment No. 5 which is adopted by electronic vote (118-0).

Representative Lucas offers Amendment No. 6 which fails of adoption by electronic vote (53-65).

Representative Jackson offers Amendment No. 7 which fails of adoption by electronic vote (51-65).

Representative Blust requests and is granted leave of the House to be recorded as voting "no". The adjusted vote total is (51-66).

Representative Earle offers Amendment No. 8 which fails of adoption by electronic vote (49-69).

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Representative Jackson offers Amendment No. 9 which fails of adoption by electronic vote (51-63).

Representative Dixon requests and is granted leave of the House to be recorded as voting "no". The adjusted vote total is (51-64).

Representative Glazier offers Amendment No. 10 which fails of adoption by electronic vote (48-70).

Representative Hamilton offers Amendment No. 11.

Amendment No. 11 is temporarily displaced.

Amendment No. 3, which was temporarily displaced, is before the Body.

Amendment No. 3 fails of adoption by electronic vote (49-63).

Representative Farmer-Butterfield offers Amendment No. 12 which fails of adoption by electronic vote (49-69).

Representative Murry requests and is granted leave of the House to change his vote from "aye" to "no". The adjusted vote total is (48-70).

Without objection, the bill is temporarily displaced.

On motion of the Speaker, the House recesses, subject to the introduction of bills and resolutions, the receipt of Committee Reports, and the receipt of Messages from the Senate, at 5:31 p.m.

RECESS

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:

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H.B. 142, A BILL TO BE ENTITLED AN ACT TO MAKE A TECHNICAL CORRECTION TO THE INDUSTRIAL FACILITIES SALES TAX REFUND, 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.

H.B. 1025, A BILL TO BE ENTITLED AN ACT TO EXTEND THE SUNSET OF CERTAIN TAX PROVISIONS, AS PROPOSED BY THE REVENUE LAWS STUDY COMMITTEE, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of May 31. 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:

S.B. 486 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE RELEASE OF A SUBDIVIDED TRACT OF LAND FROM A TAX LIEN UPON PAYMENT OF TAXES DUE ON THAT TRACT, with a favorable report as to the House committee substitute bill, unfavorable as to Senate Committee Substitute Bill No. 2, and recommendation that the House committee substitute bill be re-referred to the Committee on Finance.

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

RE-REFERRALS

On motion of the Chair, pursuant to Rule 39.2 and without objection, **S.B. 525** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STREAMLINE DUPLICATE OVERSIGHT OF CERTAIN DHHS SERVICE PROVIDERS, is withdrawn from the Committee on Appropriations and re-referred to the Committee on Health and Human Services.

On motion of the Chair, pursuant to Rule 39.2 and without objection, **S.B. 231** (Committee Substitute), A BILL TO BE ENTITLED AN ACT REQUIRING THE INTERCONNECTION OF PUBLIC WATER SYSTEMS

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OR WASTEWATER SYSTEMS TO REGIONAL SYSTEMS LOCATED IN THE SAME SUBBASIN WHEN NECESSARY TO PROMOTE PUBLIC HEALTH, PROTECT THE ENVIRONMENT, AND ENSURE COMPLIANCE WITH APPLICABLE RULES AND TO REQUIRE THAT AN ANALYSIS OF REASONABLE ALTERNATIVES BE DONE BEFORE CONSTRUCTING OR ALTERING A PUBLIC WATER SYSTEM OR WASTEWATER SYSTEM, is withdrawn from the Committee on Environment and re-referred to the Committee on Government.

On motion of the Chair, pursuant to Rule 39.2 and without objection, **H.B. 944**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF CULTURAL RESOURCES AND THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO STUDY VARIOUS REVENUE ENHANCEMENTS AND POTENTIAL SAVINGS AT STATE HISTORIC SITES AND MUSEUMS, THE STATE ZOO, STATE PARKS, AND STATE AQUARIUMS, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE, is withdrawn from the Committee on Finance and re-referred to the Committee on Government.

On motion of the Chair, pursuant to Rule 39.2 and without objection, **H.B. 1058**, A BILL TO BE ENTITLED AN ACT INITIATING REFORM OF THE WORKFORCE DEVELOPMENT LAWS OF NORTH CAROLINA, MODIFYING THE COMPOSITION OF THE NORTH CAROLINA COMMISSION ON WORKFORCE DEVELOPMENT, AND ESTABLISHING THE JOINT LEGISLATIVE WORKFORCE DEVELOPMENT SYSTEM REFORM COMMITTEE, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE BASED ON RECOMMENDATIONS FROM THE PROGRAM EVALUATION DIVISION, is withdrawn from the Committee on Finance and re-referred to the Committee on Commerce and Job Development.

On motion of the Chair, pursuant to Rule 39.2 and without objection, **S.B. 755**, A BILL TO BE ENTITLED AN ACT TO ENACT THE EQUAL ACCESS ACT, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Education.

The House reconvenes pursuant to recess and is called to order by Representative T. Moore.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following report from standing committee is presented:

May 30, 2012

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

H.J.R. 1034, A JOINT RESOLUTION TO CONFIRM THE APPOINTMENT OF TAMARA NANCE TO THE NORTH CAROLINA INDUSTRIAL COMMISSION, with a favorable report.

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

REPRESENTATIVE FOLWELL, SPEAKER PRO TEMPORE, PRESIDING.

CALENDAR (continued)

H.B. 950 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2011 AND FOR OTHER PURPOSES, which was temporarily displaced, is before the Body.

Representative Weiss offers Amendment No. 13.

Amendment No. 13 is temporarily displaced.

Representative Harrison offers Amendment No. 14 which fails of adoption by electronic vote (44-66).

Representative T. Moore requests and is granted leave of the House to be recorded as voting "no". The adjusted vote total is (44-67).

Representative Mobley offers Amendment No. 15 which fails of adoption by electronic vote (44-72).

Representative Justice offers Amendment No. 16 which is adopted by electronic vote (116-1).

Representative Pierce offers Amendment No. 17 which is adopted by electronic vote (61-54).

Representative McGrady requests and is granted leave of the House to be recorded as voting "no". The adjusted vote total is (61-55).

SPEAKER TILLIS PRESIDING.

May 30, 2012

Amendment No. 13, which was temporarily displaced, is before the Body.

Amendment No. 13 fails of adoption by electronic vote (51-67).

Representative Parfitt offers Amendment No. 18 which fails of adoption by electronic vote (47-71).

Representative Insko offers Amendment No. 19 which fails of adoption by electronic vote (52-66).

Representative Keever offers Amendment No. 20 which fails of adoption by electronic vote (47-71).

Representative Fisher offers Amendment No. 21 which is adopted by electronic vote (103-11).

Representatives McComas and H. Warren request and are granted leave of the House to change their votes from "no" to "aye". The adjusted vote total is (105-9).

Amendment No. 11, which was temporarily displaced, is before the Body.

Representative Hamilton withdraws Amendment No. 11.

Representative Hamilton offers Amendment No. 22.

On motion of the Speaker, the bill, with Amendment No. 22 pending, is temporarily displaced.

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. 950 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2011 AND FOR OTHER PURPOSES, which was temporarily displaced, with Amendment No. 22 pending, is before the Body.

May 30, 2012

Amendment No. 22 is adopted by electronic vote (73-42).

The bill, as amended, passes its second reading, by electronic vote (73-46), and there being no objection is read a third time.

The bill, as amended, passes its third reading, by electronic vote (73-46), and is ordered engrossed and sent to the Senate by Special Message.

Representative T. Moore gives notice, pursuant to Rule 36(b), and **H.J.R. 1034**, A JOINT RESOLUTION TO CONFIRM THE APPOINTMENT OF TAMARA NANCE TO THE NORTH CAROLINA INDUSTRIAL COMMISSION, is placed on today's Calendar for immediate consideration.

Pursuant to Rule 24.1A, Representative Weiss requests that she be excused from voting on this bill because the appointee is a former colleague of her husband. This request is granted.

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.

On motion of Representative LaRoque, seconded by Representative McComas, the House adjourns at 11:02 p.m. to reconvene May 31 at 1:00 p.m.

ONE HUNDRED NINETEENTH DAY

HOUSE OF REPRESENTATIVES
Thursday, May 31, 2012

The House meets at 1:00 p.m. pursuant to adjournment and is called to order by Representative Folwell, Speaker Pro Tempore.

The following prayer is offered by Representative Bert Jones:

"Our Father and our God,

"As elected leaders and Representatives of this State, we humbly acknowledge that You are indeed Almighty God, the Sovereign Ruler of Nations. We also acknowledge our dependence upon You for the continuance of Your blessings that provide for our liberties and our preservation.

May 31, 2012

"We thank You for the wisdom and the testimony of these words that begin the Constitution of our State. We pray that we would always be mindful of and act consistently with these truths as we would seek to govern as good stewards of Your provision.

"We pray for wisdom and discernment, that we would seek first to honor You as we face difficult issues and make laws. We pray for righteousness, as Your word reminds us that righteousness exalts a nation.

"Please help us to trust in the Lord with all our hearts and lean not to our own understandings, but in all our ways we would acknowledge You, that You would direct our paths. Give us divine help that we might be swift to hear, slow to speak and slow to wrath. Help us to speak the truth, but also to speak the truth in love.

"And, by the power of Your Holy Spirit, help us to be kind to one another, tenderhearted, forgiving one another, even as God in Christ offers forgiveness to us, according to Your word.

"With each one here praying in their own way, I offer my prayer in the worthy name of Your Son, the Lord Jesus Christ. Amen."

Representative LaRoque, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 30 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Faison and Womble for today. Representatives Samuelson and Wainwright are excused for a portion of the Session.

ENROLLED BILLS

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

H.B. 340, 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.

CHAPTERED BILLS

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

May 31, 2012

H.B. 5, 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 DEANNEXING SPECIFIED LOCAL INVOLUNTARY ANNEXATION AREAS, BY REPEALING SPECIFIED INVOLUNTARY ANNEXATION ORDINANCES, AND BY PROHIBITING MUNICIPAL INITIATION OF ANY PROCEDURE TO INVOLUNTARILY ANNEX THOSE AREAS FOR TWELVE YEARS. (S.L. 2012-3)

**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. 943, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE APPROVAL OF THE BOARD OF COMMISSIONERS OF DAVIDSON COUNTY BEFORE A CITY NOT PRIMARILY LOCATED WITHIN DAVIDSON COUNTY MAY ANNEX ANY TERRITORY WITHIN DAVIDSON 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. 945, A BILL TO BE ENTITLED AN ACT TO ANNEX TO THE CITY OF MARION A SECTION OF RIGHT-OF-WAY OF US HIGHWAY 70 WEST WHERE A SIDEWALK TO BE MAINTAINED BY THE CITY IS TO BE CONSTRUCTED, 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. 963, A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF COLUMBIA, 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.

May 31, 2012

H.B. 994, A BILL TO BE ENTITLED AN ACT TO ALLOW THE COUNTY OF ROCKINGHAM TO USE DESIGN-BUILD DELIVERY METHODS, 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. 1029, A BILL TO BE ENTITLED AN ACT TO REMOVE THE REQUIREMENT THAT THE TOWN MANAGER OF MAYODAN BE A RESIDENT OF THAT TOWN, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 4.

H.B. 1032, A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED NONCONTIGUOUS PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF MORGANTON, 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 Holloway and Langdon, Chairs, for the Committee on Education:

H.B. 1063, A BILL TO BE ENTITLED AN ACT TO GIVE THE JOHNSTON COUNTY BOARD OF EDUCATION ADDITIONAL FLEXIBILITY WITH REGARD TO INSTRUCTIONAL TIME LOST AT MCGEE'S CROSSROADS ELEMENTARY SCHOOL, with a favorable report.

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

MESSAGES FROM THE SENATE

The following is received from the Senate:

H.B. 517 (Senate 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, is returned for concurrence in the Senate committee substitute bill and referred to Judiciary Subcommittee B.

May 31, 2012

CALENDAR

Action is taken on the following:

On motion of Representative T. Moore and without objection, **H.B. 1063**, A BILL TO BE ENTITLED AN ACT TO GIVE THE JOHNSTON COUNTY BOARD OF EDUCATION ADDITIONAL FLEXIBILITY WITH REGARD TO INSTRUCTIONAL TIME LOST AT MCGEE'S CROSSROADS ELEMENTARY SCHOOL, 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 by Special Message.

H.B. 142 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROMOTE ECONOMIC DEVELOPMENT AND TO PROVIDE FISCAL RELIEF TO CITIZENS OF THE STATE BY (1) TEMPORARILY CAPPING THE GAS TAX, (2) DELAYING THE IMPOSITION OF THE TOLLS ON FERRY ROUTES, (3) EXEMPTING CERTAIN MOTIONS FROM CIVIL MOTIONS FILING FEE, (4) WAIVING THE FILING FEE OTHERWISE DUE FROM UNEMPLOYED INDIVIDUALS ORGANIZING LIMITED COMPANIES, (5) CLARIFYING AND EXTENDING THE APPROPRIATE FILING PERIOD FOR AN ECONOMIC INCENTIVE, (6) EXPANDING THE USE OF INDUSTRIAL DEVELOPMENT FUNDS FOR CERTAIN PROJECTS, AND (7) MAKING A TECHNICAL CORRECTION TO THE PORT ENHANCEMENT ZONE.

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

Representative Howard offers Amendment No. 2 which is adopted by electronic vote (114-1). This amendment changes the title.

Representative Collins offers Amendment No. 3.

SPEAKER TILLIS PRESIDING.

Representative Collins withdraws Amendment No. 3.

The bill, as amended, passes its second reading by electronic vote (117-0). The caption having been amended, the bill remains on the Calendar.

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H.B. 942 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE IDENTIFICATION AND ELECTRONIC RECORD-KEEPING REQUIREMENTS FOR PSEUDOEPHEDRINE PRODUCTS, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON METHAMPHETAMINE ABUSE, 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. 1025 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE SUNSET OF CERTAIN TAX PROVISIONS, 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. 1066, A BILL TO BE ENTITLED AN ACT TO CLARIFY, MODIFY, AND CONSOLIDATE THE LAW APPLICABLE TO THE PASSING OF TITLE TO INTERESTS IN REAL AND PERSONAL PROPERTY DEvised BY A WILL AND THE RIGHTS OF LIEN CREDITORS AND PURCHASERS FOR VALUE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

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

The bill, as amended, passes its second reading, by electronic vote (116-0), and there being no objection is read a third time.

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

H.B. 1067, A BILL TO BE ENTITLED AN ACT TO CONFORM THE LAW GOVERNING CO-OWNERS WITH RIGHT OF SURVIVORSHIP UNDER THE SIMULTANEOUS DEATH ACT TO THE LAW GOVERNING THE HOLDING OF UNEQUAL SHARES IN A JOINT TENANCY WITH RIGHT OF SURVIVORSHIP, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

Representative Ross offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (116-0), and there being no objection is read a third time.

May 31, 2012

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

H.B. 1068, A BILL TO BE ENTITLED AN ACT TO AMEND ARTICLE 9 OF THE UNIFORM COMMERCIAL CODE RELATING TO SECURED TRANSACTIONS, 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.

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

H.B. 1069, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MINIMUM AMOUNT OF INTESTATE PERSONAL PROPERTY PASSING TO THE SURVIVING SPOUSE AND THE AMOUNT OF THE YEAR'S ALLOWANCE FROM A DECEDENT'S ESTATE FOR A SURVIVING CHILD, TO REINSERT ERRONEOUSLY REMOVED REFERENCES TO A CHILD'S "NEXT FRIEND" IN THE STATUTES RELATING TO A CHILD'S YEAR'S ALLOWANCE, AND TO SPECIFY THAT THE CHILD'S YEAR'S ALLOWANCE MAY BE PAID TO A WIDOWER ON THE CHILD'S BEHALF AS WELL AS TO A WIDOW, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, passes its second reading, by electronic vote (116-0), and there being no objection is read a third time.

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

S.B. 582 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ADDITIONAL CLASS III GAMING ON INDIAN LANDS PURSUANT TO A TRIBAL-STATE GAMING COMPACT, TO CREATE THE INDIAN GAMING EDUCATION REVENUE FUND, AND TO APPROPRIATE FUNDS, passes its second reading by electronic vote (66-49).

On motion of the Chair and without objection, the bill is placed on the Calendar of June 5.

WITHDRAWAL OF BILL FROM COMMITTEE

On motion of Representative T. Moore and without objection, **H.B. 345** (Senate Committee Substitute), 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 Transportation and placed on the Calendar of June 5.

May 31, 2012

Representative LaRoque moves, seconded by Representative T. Moore, that the House adjourn, subject to the introduction of bills and resolutions, the receipt of Committee Reports, and the referral of bills to committees, to reconvene June 4 at 5:30 p.m.

The motion carries.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced and read the first time:

By Representative Owens:

H.B. 1196, A BILL TO BE ENTITLED AN ACT TO PROVIDE A PROCESS FOR CONVEYING AN INTEREST IN REAL PROPERTY OWNED BY ALBEMARLE MENTAL HEALTH CENTER TO EAST CAROLINA BEHAVIORAL HEALTH, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

By Representative Holloway:

H.B. 1197, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE STOKES COUNTY TO REQUIRE THE PAYMENT OF DELINQUENT PROPERTY TAXES BEFORE RECORDING DEEDS CONVEYING PROPERTY, is referred to the Committee on Government.

By Representatives Pierce and Floyd:

H.B. 1198, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT VOLUNTEER FIREFIGHTERS SERVING WITH THE CITY OF RAEFORD FIRE DEPARTMENT MAY PARTICIPATE IN THE VOLUNTEER SAFETY WORKERS COMPENSATION FUND, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

By Representative Hager:

H.B. 1199, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF LAKE LURE TO CONVEY CERTAIN DESCRIBED PROPERTY BY GIFT, PRIVATE SALE, OR LONG-TERM LEASE, is referred to the Committee on Finance.

May 31, 2012

By Representative McGee:

H.B. 1200, A BILL TO BE ENTITLED AN ACT TO AMEND THE PROVISIONS OF THE WINSTON-SALEM FIREMEN'S RETIREMENT FUND, is referred to the Committee on Government.

By Representatives Insko, Rapp, Harrison, and Keever (Primary Sponsors); M. Alexander, Current, Fisher, Glazier, Hackney, Luebke, Parfitt, and Weiss:

H.J.R. 1201, A JOINT RESOLUTION REQUESTING THAT CONGRESS PROPOSE AN AMENDMENT TO THE UNITED STATES CONSTITUTION TO OVERTURN THE UNITED STATES SUPREME COURT RULING IN CITIZENS UNITED V. FEDERAL ELECTION COMMISSION CONCERNING CORPORATE CAMPAIGN SPENDING, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Bryant, Bradley, and Wray (Primary Sponsors):

H.B. 1202, A BILL TO BE ENTITLED AN ACT TO DEANNEX FROM THE CITY OF ROANOKE RAPIDS A PARCEL PREVIOUSLY ANNEXED BY A LEGISLATIVE ANNEXATION AND AMENDING THE AUTHORIZING LEGISLATION FOR THE HALIFAX-NORTHAMPTON REGIONAL AIRPORT AUTHORITY, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

By Representatives E. Warren and Tolson (Primary Sponsors):

H.B. 1203, A BILL TO BE ENTITLED AN ACT TO MODIFY THE AMOUNT OF THE MARTIN COUNTY OCCUPANCY TAX REVENUE THAT MAY BE RETAINED BY THE COUNTY FOR ADMINISTRATIVE EXPENSES, is referred to the Committee on Finance.

By Representatives Horn, McGuirt, and Burr (Primary Sponsors):

H.B. 1204, A BILL TO BE ENTITLED AN ACT AUTHORIZING UNION COUNTY TO CONSTRUCT LAW ENFORCEMENT AND HUMAN SERVICES FACILITIES USING DESIGN-BUILD DELIVERY METHODS, is referred to the Committee on Government.

May 31, 2012

By Representative Crawford:

H.B. 1205, A BILL TO BE ENTITLED AN ACT TO MAKE IT UNLAWFUL TO GO ON CERTAIN POSTED PROPERTY WITHOUT WRITTEN PERMISSION, is referred to the Committee on Government.

By Representative Crawford:

H.B. 1206, A BILL TO BE ENTITLED AN ACT TO MORE ACCURATELY DESCRIBE THE CORPORATE LIMITS OF THE TOWN OF BUTNER, is referred to the Committee on Government.

By Representatives Crawford and Wilkins (Primary Sponsors):

H.B. 1207, A BILL TO BE ENTITLED AN ACT TO ALLOW GRANVILLE COUNTY, PERSON COUNTY, THE CITY OF CREEDMOOR, THE TOWN OF BUTNER, AND THE TOWN OF STEM TO COLLECT DELINQUENT STORMWATER UTILITY FEES IN THE SAME MANNER AS DELINQUENT PERSONAL AND REAL PROPERTY TAXES, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

By Representative Jones (Primary Sponsor):

H.B. 1208, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ROCKINGHAM COUNTY TO USE FEES FOR THE USE OF DISPOSAL FACILITIES PROVIDED BY THE COUNTY FOR PUBLIC SCHOOL AND OTHER COUNTY PURPOSES BY LEVYING A SURCHARGE ON THE FEE, is referred to the Committee on Government.

By Representative Jones (Primary Sponsor):

H.B. 1209, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ROCKINGHAM COUNTY TO MAKE APPROPRIATIONS FROM A UTILITY OR PUBLIC SERVICE ENTERPRISE FUND USED FOR OPERATION OF A LANDFILL TO THE COUNTY GENERAL FUND UPON CERTAIN FINDINGS, is referred to the Committee on Government.

By Representative Spear:

H.B. 1210, A BILL TO BE ENTITLED AN ACT TO AMEND THE SEASON FOR THE TAKING OF FOXES BY TRAPPING IN HYDE COUNTY, is referred to the Committee on Government.

May 31, 2012

By Representatives Burr, Holloway, and Dockham (Primary Sponsors); Frye, Hamilton, Harrison, Lucas, McGrady, and Wray:

H.B. 1211, A BILL TO BE ENTITLED AN ACT TO ALLOW LOCAL GOVERNMENT UNITS TO ENROLL THEIR EMPLOYEES, RETIREES, AND DEPENDENTS IN THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES, SUBJECT TO CERTAIN CONDITIONS, is referred to the Committee on State Personnel.

By Representative Hackney:

H.B. 1212, A BILL TO BE ENTITLED AN ACT AS TO THE COUNTY OF CHATHAM TO BROADEN THE EXCEPTION TO THE PUBLIC RECORDS ACT FOR IDENTIFYING INFORMATION OF MINORS PARTICIPATING IN LOCAL GOVERNMENT PARKS AND RECREATION PROGRAMS TO INCLUDE ALL LOCAL GOVERNMENT PROGRAMS, AND ALSO TO PROTECT E-MAIL ADDRESSES OF MINORS IN SUCH PROGRAMS, is referred to the Committee on Government.

By Representatives Insko, Hall, Luebke, and Michaux (Primary Sponsors); and Keever:

H.B. 1213, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE KESTREL HEIGHTS SCHOOL TO ELECT TO PARTICIPATE IN THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES, is referred to the Committee on Education and, if favorable, to the Committee on State Personnel.

By Representative Stone:

H.B. 1214, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF SANFORD TO CONVEY CERTAIN PROPERTY AT A PUBLIC OR PRIVATE SALE, is referred to the Committee on Government.

By Representative McGrady:

H.B. 1215, A BILL TO BE ENTITLED AN ACT TO SUPPORT THE STATE THEATER OF NORTH CAROLINA KNOWN AS THE FLAT ROCK PLAYHOUSE, is referred to the Committee on Finance.

By Representatives Dixon and Hamilton:

H.B. 1216, A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN RESTRICTIONS ON SATELLITE ANNEXATIONS FOR THE TOWN

May 31, 2012

OF WALLACE, is referred to the Committee on Government and, if favorable, to the Committee on Finance.

By Representatives Fisher, Moffitt, and Keever (Primary Sponsors):

H.B. 1217, A BILL TO BE ENTITLED AN ACT TO ADJUST THE BOUNDARIES OF THE TOWN OF WOODFIN AND THE CITY OF ASHEVILLE, AS REQUESTED BY THE GOVERNING BOARDS OF THOSE MUNICIPALITIES, BY (1) ANNEXING INTO THE CITY OF ASHEVILLE CERTAIN STATE-OWNED PROPERTY, (2) REMOVING CERTAIN STATE-OWNED PROPERTY FROM THE TOWN OF WOODFIN AND ANNEXING IT INTO THE CITY OF ASHEVILLE, (3) REMOVING CERTAIN STATE-OWNED AND PRIVATE PROPERTY FROM THE CITY OF ASHEVILLE AND ANNEXING IT INTO THE TOWN OF WOODFIN, AND (4) UPON PETITION OF THE OWNER AND WITH THE CONCURRENCE OF THE TOWN OF WOODFIN, ALLOWING THE CITY OF ASHEVILLE TO ANNEX CERTAIN PROPERTY IN THE TOWN OF WOODFIN THAT, AS A RESULT OF THE OPERATION OF THIS ACT, IS SURROUNDED BY THE CITY OF ASHEVILLE OR A COMBINATION OF THE CITY OF ASHEVILLE AND UNINCORPORATED AREA, AND PROVIDING FOR THE CITY OF ASHEVILLE AND THE TOWN OF WOODFIN TO ENTER INTO AGREEMENTS REGARDING THE PROVISION OF MUNICIPAL SERVICES TO CERTAIN PROPERTIES IN EACH OTHER'S JURISDICTION, is referred to the Committee on Government.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Crawford, Dollar, and Hollo, Chairs, for the Committee on Health and Human Services:

H.B. 981, A BILL TO BE ENTITLED AN ACT TO PROHIBIT ANY CONVEYANCE OF STATE-OWNED REAL PROPERTY ENCOMPASSING THE DOROTHEA DIX HOSPITAL CAMPUS WITHOUT THE APPROVAL OF THE GENERAL ASSEMBLY, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON 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), the committee substitute bill is placed on the Calendar of June 4. The original bill is placed on the Unfavorable Calendar.

May 31, 2012

By Representatives McElraft, Samuelson, and West, Chairs, for the Committee on Environment:

H.B. 954, A BILL TO BE ENTITLED AN ACT TO AMEND OR REPEAL VARIOUS ENVIRONMENTAL AND NATURAL RESOURCES REPORTING REQUIREMENTS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW 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.

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, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to Senate Committee Substitute Bill No. 2, and recommendation that the House committee substitute bill be re-referred to the Committee on Finance.

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

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

H.B. 956, A BILL TO BE ENTITLED AN ACT RELATING TO THE USE OF OPEN SPACE FUNDS FOR JOHNSTON COUNTY, 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.

By Representatives Brawley and McGee, Chairs, for the Committee on Banking:

May 31, 2012

H.B. 960, A BILL TO BE ENTITLED AN ACT TO ENSURE PAYMENT OF JUST COMPENSATION TO PROPERTY OWNERS WITH MORTGAGE DEBT EXCEEDING THE FAIR MARKET VALUE OF THE PROPERTY BY AUTHORIZING THE CONSIDERATION OF OUTSTANDING MORTGAGE DEBT WHEN DETERMINING DAMAGES IN A CONDEMNATION ACTION, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON STATE-OWNED ASSETS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 4.

The House stands adjourned at 4:15 p.m.

ONE HUNDRED TWENTIETH DAY

HOUSE OF REPRESENTATIVES
Monday, June 4, 2012

The House meets at 5:30 p.m. pursuant to adjournment and is called to order by Representative Folwell, Speaker Pro Tempore.

The following prayer is offered by Representative Marilyn Avila:

"Dear Heavenly Father:

"We praise You today as our Creator and Sustainer of all life.

"We thank You today for all things in our lives - the good that helps us see Your grace and the bad that helps see Your mercy.

"We pray today for Your guidance as the governing authorities You have appointed to lead our State. Make us ever mindful that it is not through our own strength that we take up these positions of leadership. As Your appointed, we ask for Your wisdom, love, and compassion as we make decisions.

"We pray today for protection of each of our servicemen and women as they defend our country and the freedoms we hold so dear. Be with their families, comfort them, and ease their anxieties.

"All of this I ask in the name of my Lord and Savior, Jesus Christ. Amen."

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The Chair leads the Body in the Pledge of Allegiance.

Representative Gillespie, 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.

Leaves of absence are granted Representatives L. Brown, Dixon, Dockham, McGrady, Murry, and Womble for today. Representatives Cotham, Hastings, McComas, Mills, and T. Moore are excused for a portion of the Session.

ENROLLED BILLS

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

H.B. 821, 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.

CHAPTERED BILLS

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

S.B. 745, 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

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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; AND TO ALLOW THE ABC COMMISSION TO GRANT A WAIVER ALLOWING THE GENERAL MANAGER OF A LOCAL BOARD TO ALSO BE THE FINANCE OFFICER. (S.L. 2012-4)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

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 HOUSE RESOLUTION EXPRESSING APPRECIATION TO THE MEMBERS WHO WILL BE LEAVING THE HOUSE OF REPRESENTATIVES AT THE END OF THEIR CURRENT TERMS.

Pursuant to Rule 31(a), the bill is filed and assigned the number **H.R. 1219**. Pursuant to Rule 32(a), the resolution is placed on today's Calendar for its first reading.

By Representatives Brawley and McGee, Chairs, for the Committee on Banking:

S.B. 816, A BILL TO BE ENTITLED AN ACT TO REWRITE THE BANKING LAWS OF NORTH CAROLINA, AS RECOMMENDED BY THE JOINT LEGISLATIVE STUDY COMMISSION ON THE MODERNIZATION OF NORTH CAROLINA BANKING LAWS, with a favorable report as to the House committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of June 5. The original bill is placed on the Unfavorable Calendar.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following is introduced and read the first time:

By Representatives Gill, Hurley, Adams, and Cotham (Primary Sponsors); K. Alexander, M. Alexander, Carney, Faircloth, Fisher, Glazier, Hamilton, Harrison, Ingle, Insko, Lucas, Luebke, Ross, and Weiss:

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H.R. 1218, A HOUSE RESOLUTION EXPRESSING SUPPORT FOR A NATIONAL WOMEN'S HISTORY MUSEUM IN WASHINGTON, D.C., is referred to the Committee on Rules, Calendar, and Operations of the House.

MESSAGE FROM THE SENATE

The following is received from the Senate:

H.B. 637 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS APPLICABLE TO ADOPTIONS, AS RECOMMENDED BY THE NORTH CAROLINA BAR ASSOCIATION, 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 5.

CALENDAR

Action is taken on the following:

H.B. 1029, A BILL TO BE ENTITLED AN ACT TO REMOVE THE REQUIREMENT THAT THE TOWN MANAGER OF MAYODAN BE A RESIDENT OF THAT TOWN, passes its second reading, by electronic vote (101-0), and there being no objection is read a third time.

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

H.B. 142 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROMOTE ECONOMIC DEVELOPMENT AND TO PROVIDE FISCAL RELIEF TO CITIZENS OF THE STATE BY (1) TEMPORARILY CAPPING THE GAS TAX, (2) DELAYING THE IMPOSITION OF THE TOLLS ON FERRY ROUTES, (3) EXEMPTING CERTAIN MOTIONS FROM CIVIL MOTIONS FILING FEE, (4) WAIVING THE FILING FEE OTHERWISE DUE FROM UNEMPLOYED INDIVIDUALS ORGANIZING LIMITED COMPANIES, (5) CLARIFYING AND EXTENDING THE APPROPRIATE FILING PERIOD FOR AN ECONOMIC INCENTIVE, (6) EXPANDING THE USE OF INDUSTRIAL DEVELOPMENT FUNDS FOR CERTAIN PROJECTS, (7) MAKING A TECHNICAL CORRECTION TO THE PORT ENHANCEMENT ZONE, AND (8) EXTENDING THE LOCAL GOVERNMENT HOLD HARMLESS SUNSET FOR REPEALED REIMBURSEMENTS.

The bill, as amended, passes its third reading, by electronic vote (103-0), and is ordered engrossed and sent to the Senate.

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H.B. 960, A BILL TO BE ENTITLED AN ACT TO ENSURE PAYMENT OF JUST COMPENSATION TO PROPERTY OWNERS WITH MORTGAGE DEBT EXCEEDING THE FAIR MARKET VALUE OF THE PROPERTY BY AUTHORIZING THE CONSIDERATION OF OUTSTANDING MORTGAGE DEBT WHEN DETERMINING DAMAGES IN A CONDEMNATION ACTION, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON STATE-OWNED ASSETS.

On motion of Representative Moffitt and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of June 5.

H.B. 981 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT ANY CONVEYANCE OF STATE-OWNED REAL PROPERTY ENCOMPASSING THE DOROTHEA DIX HOSPITAL CAMPUS WITHOUT THE APPROVAL OF THE GENERAL ASSEMBLY, AND TO ESTABLISH THE INTENT OF THE GENERAL ASSEMBLY THAT THE NET PROCEEDS FROM ANY DISPOSITION OF THAT REAL PROPERTY BE USED FOR MENTAL HEALTH, DEVELOPMENTAL DISABILITY, AND SUBSTANCE ABUSE SERVICES PROGRAMS.

On motion of Representative Hurley and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of June 5.

S.B. 77 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT PROVIDING THAT AFTER DECEMBER 31, 2012, 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.

On motion of Representative Stam and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of June 5.

SPEAKER TILLIS PRESIDING.

INTRODUCTION OF PAGES

Pages for the week of June 4 are introduced to the membership. They are: Marcus Alexander of Lincoln; Michaela Andersen of Catawba; Jason Atwood of New Hanover; Christian Bare of Rutherford; Matthew Bigelow of Wake; Faith Brooks of Iredell; Dalton Coffey of Lee; Catherine DeBerry

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of Union; Timothy Fox, Jr., of Hoke; Will Hibbard of Durham; Rebekah Hollifield of Mitchell; Spence Hutcheson of Durham; Breanna Jackson of Mitchell; Abby Jones of Brunswick; Madison Laton of Cobb County, Georgia; Shelby Maher of Alexander; Amelia Mangan of Caldwell; Patrick McCleary of Carteret; Wesley Neville of Johnston; Marley Rush of Randolph; Shelby Soutter of Wake; Mary Catherine Starnes of Caldwell; Richard Wetherill of New Hanover; Victoria Winstead of Person; and Simms Wright of Forsyth.

On motion of the Speaker, the House recesses at 5:52 p.m.

RECESS

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

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative T. Moore and without objection, **H.R. 1219**, A HOUSE RESOLUTION EXPRESSING APPRECIATION TO THE MEMBERS WHO WILL BE LEAVING THE HOUSE OF REPRESENTATIVES AT THE END OF THEIR CURRENT TERMS, 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 T. Moore and without objection, **H.B. 517** (Senate 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, is withdrawn from Judiciary Subcommittee B and pursuant to Rule 36(b), is placed on the Calendar of June 5.

MESSAGE FROM THE SENATE

The following is received from the Senate:

H.B. 966 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REPEAL THE PROHIBITION ON TEACHER PREPAYMENT, CLARIFY ELIGIBILITY FOR THE NC PRE-K PROGRAM, AND ENACT 2012-2013 SALARY SCHEDULES FOR TEACHERS AND SCHOOL

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ADMINISTRATORS, 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 5.

Upon concurrence the Senate committee substitute bill changes the title.

Representative LaRoque moves, seconded by Representative Burr, that the House adjourn, subject to the receipt of Messages from the Senate and the referral of bills to committees, to reconvene June 5 at 9:00 a.m.

The motion carries.

MESSAGES FROM THE SENATE

The following are received from the Senate:

H.B. 302 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO BROADEN THE EXEMPTION FROM CHARITABLE LICENSING REQUIREMENTS FOR CERTAIN NONPROFIT ADULT RESIDENTIAL TREATMENT FACILITIES AND TO EXTEND THE SUNSET ON A WAIVER RELATING TO ALTERNATIVE STAFFING REQUIREMENTS FOR FACILITIES THAT USE ELECTRONIC SUPERVISION DEVICES, 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 5.

Upon concurrence the Senate committee substitute bill changes the title.

H.B. 503 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXEMPT PARENTALLY SUPPLIED FOODS FROM NUTRITION STANDARDS AND EVALUATIONS, AND TO CLARIFY ELIGIBILITY AND REPEAL CO-PAY REQUIREMENTS FOR THE NC PRE-K PROGRAM, 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 5.

Upon concurrence the Senate committee substitute bill changes the title.

The House stands adjourned at 8:00 p.m.

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ONE HUNDRED TWENTY-FIRST DAY

HOUSE OF REPRESENTATIVES
Tuesday, June 5, 2012

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

Prayer is offered by Representative Bill Cook.

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 Howard and Womble for today. Representatives Daughtry, Dockham, Jackson, LaRoque, Lewis, and E. Warren are excused for a portion of the Session.

SPECIAL MESSAGE FROM THE SENATE

The following Special Message is received from the Senate:

S.B. 795 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO IMPROVE K-3 LITERACY; PROVIDE LITERACY VOLUNTEER LEAVE TIME; ASSIGN SCHOOL PERFORMANCE GRADES; MAXIMIZE INSTRUCTIONAL TIME; ADJUST SCHOOL CALENDAR; FUND FIVE ADDITIONAL INSTRUCTIONAL DAYS WITHIN THE EXISTING SCHOOL CALENDAR; ESTABLISH AN NC TEACHER CORPS; STRENGTHEN TEACHER LICENSURE REQUIREMENTS; PROVIDE PROOF OF STATE-FUNDED LIABILITY INSURANCE; ESTABLISH PLANS FOR PAY FOR EXCELLENCE; CLARIFY NC PRE-K PROGRAM ELIGIBILITY AND ADD SLOTS; REPEAL PROHIBITION ON TEACHER PREPAYMENT; PROVIDE A TAX DEDUCTION FOR EDUCATIONAL SUPPLIES; AND ESTABLISH TEACHER CONTRACTS, is read the first time and referred to the Committee on Education and, if favorable, to the Committee on Appropriations.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 805 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ISOTHERMAL COMMUNITY COLLEGE MAY

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OPT OUT OF PARTICIPATION IN THE WILLIAM D. FORD FEDERAL DIRECT LOAN PROGRAM, is read the first time and referred to the Committee on Education.

S.B. 806, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE LAW DEALING WITH THE ANNUAL ASSESSMENTS OF MORTGAGE BANKERS, MORTGAGE BROKERS, AND MORTGAGE SERVICERS, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON THE MODERNIZATION OF NORTH CAROLINA BANKING LAWS, is read the first time and referred to the Committee on Finance.

S.B. 824, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE SECRETARY OF REVENUE'S INTERPRETATION OF THE LAW CONCERNING THE SECRETARY'S AUTHORITY TO ADJUST NET INCOME OR REQUIRE A COMBINED RETURN BE MADE THROUGH RULE MAKING AND TO PROVIDE AN EXPEDITED PROCESS FOR RULE MAKING ON THIS ISSUE, is read the first time and referred to the Committee on Finance.

S.B. 886, A BILL TO BE ENTITLED AN ACT TO CODIFY THE PROVISIONS OF EXECUTIVE ORDER NO. 2 THAT STRENGTHEN THE BOARD OF TRANSPORTATION ETHICS POLICY, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, is read the first time and referred to the Committee on Transportation.

S.B. 889, A BILL TO BE ENTITLED AN ACT TO CHANGE THE DEFINITION ON AN AREA THAT CAN BE REPRESENTED BY A RURAL PLANNING ORGANIZATION, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, is read the first time and referred to the Committee on Transportation.

S.B. 890, A BILL TO BE ENTITLED AN ACT TO CODIFY THE PROVISIONS OF EXECUTIVE ORDER NO. 2 THAT DELEGATE TO THE SECRETARY OF TRANSPORTATION THE AUTHORITY TO APPROVE HIGHWAY CONSTRUCTION PROJECTS AND CONSTRUCTION PLANS, AND TO AWARD HIGHWAY CONSTRUCTION CONTRACTS, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, is read the first time and referred to the Committee on Transportation.

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S.B. 891, A BILL TO BE ENTITLED AN ACT TO UPDATE CHAPTER 136 OF THE GENERAL STATUTES WITH THE TERM "CHIEF ENGINEER," WHICH REPLACES THE TERM "STATE HIGHWAY ADMINISTRATOR," AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, is read the first time and referred to the Committee on Transportation.

S.B. 892, A BILL TO BE ENTITLED AN ACT TO CODIFY THE PROVISIONS OF EXECUTIVE ORDER NO. 2 THAT REQUIRE THE DEPARTMENT OF TRANSPORTATION TO DEVELOP AND UTILIZE A STRATEGIC PRIORITIZATION PROCESS FOR SELECTION OF TRANSPORTATION PROJECTS, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, is read the first time and referred to the Committee on Transportation.

S.B. 893 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENSURE THE PRIVACY OF TOLL DATA COLLECTED BY THE DEPARTMENT OF TRANSPORTATION THROUGH THE NORTH CAROLINA TURNPIKE AUTHORITY, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, is read the first time and referred to the Committee on Transportation.

CALENDAR

Action is taken on the following:

H.B. 966 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REPEAL THE PROHIBITION ON TEACHER PREPAYMENT, CLARIFY ELIGIBILITY FOR THE NC PRE-K PROGRAM, AND ENACT 2012-2013 SALARY SCHEDULES FOR TEACHERS AND SCHOOL ADMINISTRATORS.

On motion of Representative Holloway, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (105-6), and the bill is ordered enrolled and presented to the Governor.

Representative R. Moore requests and is granted leave of the House to change his vote from "no" to "aye". The adjusted vote total is (106-5).

RE-REFERRALS

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 1088**, A BILL TO BE ENTITLED AN ACT CONCERNING THE DIVISION BETWEEN GRAHAM AND SWAIN

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COUNTIES OF TVA PAYMENTS IN LIEU OF TAXES, AND CLARIFYING THE COMMON BOUNDARY BETWEEN THOSE COUNTIES, 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. 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 withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to Judiciary Subcommittee B.

On motion of T. Moore, the House recesses, subject to the appointment of conferees, the ratification of bills, the receipt of Committee Reports, the receipt of Conference Reports, the receipt of Messages from the Senate, and the referral of bills to committees, at 9:32 a.m.

RECESS

ENROLLED BILLS

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

H.B. 966, AN ACT TO REPEAL THE PROHIBITION ON TEACHER PREPAYMENT, CLARIFY ELIGIBILITY FOR THE NC PRE-K PROGRAM, AND ENACT 2012-2013 SALARY SCHEDULES FOR TEACHERS AND SCHOOL ADMINISTRATORS.

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 Iler and Mills, Chairs, for the Committee on Transportation:

H.B. 961, A BILL TO BE ENTITLED AN ACT TO EXEMPT PERSONS WHO HAVE BEEN LAWFULLY SUMMONED FOR JURY SERVICE FROM PAYING FERRY TOLLS TO TRAVEL TO AND FROM THEIR HOMES AND THE SITE OF THAT SERVICE, with a favorable report.

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

H.B. 1036, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF TRANSPORTATION AND THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO JOINTLY STUDY EXPEDITING WATER QUALITY REGULATION MONITORING AND IMPLEMENTATION FOR TRANSPORTATION PROJECTS, 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. 1065, A BILL TO BE ENTITLED AN ACT TO ALLOW THE MOORE COUNTY BOARD OF EDUCATION TO (I) PERMIT THE USE OF PUBLIC SCHOOL BUSES TO SERVE THE TRANSPORTATION NEEDS OF THE 2014 U.S. OPEN GOLF TOURNAMENT AND (II) BEGIN THE 2013-2014 SCHOOL YEAR ONE WEEK EARLIER, with a favorable report.

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

H.B. 1096, A BILL TO BE ENTITLED AN ACT TO SAVE MONEY BY REMOVING LOCAL SCHOOL ADMINISTRATIVE UNITS FROM THE SEPARATE BID REQUIREMENTS FOR JUICE AND WATER, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON CHILDHOOD OBESITY, 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. 1003, A BILL TO BE ENTITLED AN ACT (1) TO PROHIBIT LOCAL SCHOOL ADMINISTRATIVE UNITS FROM ASSESSING INDIRECT COSTS TO A CHILD NUTRITION PROGRAM UNLESS THE PROGRAM IS FINANCIALLY SOLVENT AND (2) TO APPROPRIATE FUNDS TO PROMOTE OPTIMAL PRICING FOR CHILD NUTRITION PROGRAM FOODS AND SUPPLIES, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE BASED ON RECOMMENDATIONS FROM THE PROGRAM EVALUATION DIVISION, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

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

H.B. 1055, A BILL TO BE ENTITLED AN ACT RELATING TO PROVIDER ENDORSEMENT FUNCTIONS OF LOCAL MANAGEMENT ENTITIES, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON HEALTH AND HUMAN SERVICES, with a favorable report.

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

H.B. 1056, A BILL TO BE ENTITLED AN ACT TO LIMIT ACCESS TO IDENTIFYING INFORMATION OF MINOR PARTICIPANTS IN PROGRAMS FUNDED BY THE NORTH CAROLINA PARTNERSHIP FOR CHILDREN OR OTHER LOCAL PARTNERSHIPS, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON HEALTH AND HUMAN SERVICES, with a favorable report.

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

H.B. 1075, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN GOVERNANCE OF LOCAL MANAGEMENT ENTITIES WITH RESPECT TO THE IMPLEMENTATION OF STATEWIDE EXPANSION OF THE 1915(B)/(C) MEDICAID WAIVER, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON HEALTH AND HUMAN SERVICES, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

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

H.B. 1081, A BILL TO BE ENTITLED AN ACT RELATING TO CHANGES PERTAINING TO LICENSED CLINICAL SOCIAL WORKERS, CLINICAL ADDICTION SPECIALISTS, AND PSYCHOLOGISTS, AS RECOMMENDED BY THE JOINT OVERSIGHT COMMITTEE ON HEALTH AND HUMAN SERVICES, with a favorable report.

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

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

H.R. 1219, A HOUSE RESOLUTION EXPRESSING APPRECIATION TO THE MEMBERS WHO WILL BE LEAVING THE HOUSE OF REPRESENTATIVES AT THE END OF THEIR CURRENT TERMS, with a

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favorable report as to the committee substitute resolution, unfavorable as to the original resolution.

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

S.B. 236 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO GIVE PRIORITY TO LOCAL EVENTS AT SPECIFIED PUBLICLY OWNED CONVENTION CENTERS, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the Senate committee substitute bill.

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

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Stam and without objection, **S.B. 77** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT PROVIDING THAT AFTER DECEMBER 31, 2012, 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 withdrawn from the Calendar and placed on the Calendar of June 12.

CALENDAR (continued)

S.B. 582 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ADDITIONAL CLASS III GAMING ON INDIAN LANDS PURSUANT TO A TRIBAL-STATE GAMING COMPACT, TO CREATE THE INDIAN GAMING EDUCATION REVENUE FUND, AND TO APPROPRIATE FUNDS.

Representative Stam offers Amendment No. 1 which fails of adoption by electronic vote (31-86).

The bill passes its third reading, by electronic vote (68-49), and is ordered sent to the Senate for concurrence in the House committee substitute bill by Special Message.

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

H.B. 947 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE MONETARY COMPENSATION TO PERSONS ASEXUALIZED OR STERILIZED UNDER THE AUTHORITY OF THE EUGENICS BOARD OF NORTH CAROLINA.

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

Representative Blust offers Amendment No. 2 which fails of adoption by electronic vote (33-84).

Representative Lewis requests and is granted leave of the House to change his vote from "aye" to "no". The adjusted vote total is (32-85).

REPRESENTATIVE FOLWELL, SPEAKER PRO TEMPORE PRESIDING.

The bill, as amended, passes its second reading, by electronic vote (86-31), 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.

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

H.B. 954 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND OR REPEAL VARIOUS ENVIRONMENTAL AND NATURAL RESOURCES REPORTING REQUIREMENTS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW 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 by Special Message.

H.B. 960, A BILL TO BE ENTITLED AN ACT TO ENSURE PAYMENT OF JUST COMPENSATION TO PROPERTY OWNERS WITH MORTGAGE DEBT EXCEEDING THE FAIR MARKET VALUE OF THE

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PROPERTY BY AUTHORIZING THE CONSIDERATION OF OUTSTANDING MORTGAGE DEBT WHEN DETERMINING DAMAGES IN A CONDEMNATION ACTION, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON STATE-OWNED ASSETS.

Representative Moffitt offers Amendment No. 1 which is adopted by electronic vote (105-10).

On motion of the Speaker, the bill is temporarily displaced.

H.B. 981 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT ANY CONVEYANCE OF STATE-OWNED REAL PROPERTY ENCOMPASSING THE DOROTHEA DIX HOSPITAL CAMPUS WITHOUT THE APPROVAL OF THE GENERAL ASSEMBLY, AND TO ESTABLISH THE INTENT OF THE GENERAL ASSEMBLY THAT THE NET PROCEEDS FROM ANY DISPOSITION OF THAT REAL PROPERTY BE USED FOR MENTAL HEALTH, DEVELOPMENTAL DISABILITY, AND SUBSTANCE ABUSE SERVICES PROGRAMS.

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

Representatives Hamilton and Harrison request and are granted leave of the House to change their votes from "no" to "aye". The adjusted vote total is (115-0).

The bill, as amended, passes its second reading, by electronic vote (115-0), and there being no objection is read a third time.

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

S.B. 816 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REWRITE THE BANKING LAWS OF NORTH CAROLINA, AS RECOMMENDED BY THE JOINT LEGISLATIVE STUDY COMMISSION ON THE MODERNIZATION OF NORTH CAROLINA BANKING LAWS, passes its second reading by electronic vote (108-2).

Representatives Ingle and Spear request and are granted leave of the House to be recorded as voting "aye". The adjusted vote total is (110-2).

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

H.B. 302 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO BROADEN THE EXEMPTION FROM CHARITABLE LICENSING REQUIREMENTS FOR CERTAIN NONPROFIT ADULT RESIDENTIAL TREATMENT FACILITIES AND TO EXTEND THE SUNSET ON A WAIVER RELATING TO ALTERNATIVE STAFFING REQUIREMENTS FOR FACILITIES THAT USE ELECTRONIC SUPERVISION DEVICES.

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

H.B. 345 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE MOVE-OVER LAW TO INCLUDE ALL HIGHWAY MAINTENANCE VEHICLES AND UTILITY VEHICLES.

On motion of Representative Randleman, the House concurs in the Senate committee substitute bill, by electronic vote (113-1), and the bill is ordered enrolled and presented to the Governor.

H.B. 503 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXEMPT PARENTALLY SUPPLIED FOODS FROM NUTRITION STANDARDS AND EVALUATIONS, AND TO CLARIFY ELIGIBILITY AND REPEAL CO-PAY REQUIREMENTS FOR THE NC PRE-K PROGRAM.

On motion of Representative LaRoque, the House does not concur in the Senate committee substitute bill, by electronic vote (115-1), and conferees are requested.

The Speaker appoints Representative LaRoque, Chair; Representatives Insko, Murry, Carney, Hollo, and Brandon as conferees on the part of the House and the Senate is so notified by Special Message.

H.B. 517 (Senate 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.

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On motion of Representative Stevens, the House does not concur in the Senate committee substitute bill, by electronic vote (116-0), and conferees are requested.

H.B. 637 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS APPLICABLE TO ADOPTIONS, AS RECOMMENDED BY THE NORTH CAROLINA BAR ASSOCIATION.

On motion of Representative Stevens and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of June 6.

RE-REFERRAL

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 1179**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE STATE TO TERMINATE ITS LEASE OF THE INDIAN CULTURAL CENTER PROPERTY; TO DIRECT HOW THE PROPERTY IS TO BE DISPOSED OF; AND TO AMEND THE STATUTORY RECOGNITION OF THE LUMBEE TRIBE OF NORTH CAROLINA, is withdrawn from the Committee on Finance and re-referred to Judiciary Subcommittee C.

BILLS PLACED ON CALENDAR

On motion of Representative T. Moore and without objection, the following bills which were reported from committees earlier today, are placed on today's Calendar: **H.B. 1096, H.B. 1081, H.B. 1075, H.B. 1065, H.B. 961, H.B. 1036, H.B. 1055, H.B. 1056, and S.B. 236.**

CALENDAR (continued)

H.B. 1081, A BILL TO BE ENTITLED AN ACT RELATING TO CHANGES PERTAINING TO LICENSED CLINICAL SOCIAL WORKERS, CLINICAL ADDICTION SPECIALISTS, AND PSYCHOLOGISTS, AS RECOMMENDED BY THE JOINT OVERSIGHT COMMITTEE ON HEALTH AND HUMAN 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 by Special Message.

H.B. 1075 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN GOVERNANCE OF LOCAL MANAGEMENT ENTITIES WITH RESPECT TO THE IMPLEMENTATION OF

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STATEWIDE EXPANSION OF THE 1915(B)/(C) MEDICAID WAIVER, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON HEALTH AND HUMAN SERVICES.

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

H.B. 1065, A BILL TO BE ENTITLED AN ACT TO ALLOW THE MOORE COUNTY BOARD OF EDUCATION TO (I) PERMIT THE USE OF PUBLIC SCHOOL BUSES TO SERVE THE TRANSPORTATION NEEDS OF THE 2014 U.S. OPEN GOLF TOURNAMENT AND (II) BEGIN THE 2013-2014 SCHOOL YEAR ONE WEEK EARLIER, 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. 961, A BILL TO BE ENTITLED AN ACT TO EXEMPT PERSONS WHO HAVE BEEN LAWFULLY SUMMONED FOR JURY SERVICE FROM PAYING FERRY TOLLS TO TRAVEL TO AND FROM THEIR HOMES AND THE SITE OF THAT SERVICE, passes its second reading, by electronic vote (102-14), and there being no objection is read a third time.

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

H.B. 1036, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF TRANSPORTATION AND THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO JOINTLY STUDY EXPEDITING WATER QUALITY REGULATION MONITORING AND IMPLEMENTATION FOR TRANSPORTATION PROJECTS, 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. 1055, A BILL TO BE ENTITLED AN ACT RELATING TO PROVIDER ENDORSEMENT FUNCTIONS OF LOCAL MANAGEMENT ENTITIES, AS RECOMMENDED BY THE JOINT LEGISLATIVE

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OVERSIGHT COMMITTEE ON HEALTH AND HUMAN SERVICES, 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.

CONFEREES APPOINTED

The Speaker appoints the following conferees on **H.B. 517** (Senate 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: Representative Stevens, Chair; Representatives Spear, Randleman, Brisson, and Hurley.

The Senate is so notified by Special Message.

CALENDAR (continued)

H.B. 1056, A BILL TO BE ENTITLED AN ACT TO LIMIT ACCESS TO IDENTIFYING INFORMATION OF MINOR PARTICIPANTS IN PROGRAMS FUNDED BY THE NORTH CAROLINA PARTNERSHIP FOR CHILDREN OR OTHER LOCAL PARTNERSHIPS, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON HEALTH AND HUMAN SERVICES, 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.

S.B. 236 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT ADOPTING THE EASTERN TIGER SWALLOWTAIL AS THE OFFICIAL STATE BUTTERFLY, DESIGNATING THE SHELBY LIVERMUSH FESTIVAL AS THE OFFICIAL FALL LIVERMUSH FESTIVAL OF THE STATE OF NORTH CAROLINA, DESIGNATING THE MARION LIVERMUSH FESTIVAL AS THE OFFICIAL SPRING LIVERMUSH FESTIVAL OF THE STATE OF NORTH CAROLINA, AND DESIGNATING THE SWANSBORO MULLET FESTIVAL AS

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THE OFFICIAL MULLET FESTIVAL OF NORTH CAROLINA, 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 for concurrence in the House committee substitute bill by Special Message.

H.B. 1096, A BILL TO BE ENTITLED AN ACT TO SAVE MONEY BY REMOVING LOCAL SCHOOL ADMINISTRATIVE UNITS FROM THE SEPARATE BID REQUIREMENTS FOR JUICE AND WATER, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON CHILDHOOD OBESITY, passes its second reading, by electronic vote (115-0), and there being no objection is read a third time.

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

H.B. 1075 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN GOVERNANCE OF LOCAL MANAGEMENT ENTITIES WITH RESPECT TO THE IMPLEMENTATION OF STATE-WIDE EXPANSION OF THE 1915(B)/(C) MEDICAID WAIVER, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON HEALTH AND HUMAN SERVICES, which was temporarily displaced, is before the Body.

The bill passes its second reading, by electronic vote (106-9), and there being no objection is read a third time.

Representative Iler requests and is 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 by Special Message.

Representative LaRoque moves, seconded by Representative Hilton, that the House adjourn, subject to the appointment of conferees, the ratification of bills, the receipt of Committee Reports, the receipt of Conference Reports, the receipt of Messages from the Senate, and the referral of bills to committees, to reconvene June 6 at 3:00 p.m.

The motion carries.

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SPECIAL MESSAGES FROM THE SENATE

The following Special Messages are received from the Senate:

H.B. 707 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ELIMINATE OBSOLETE REGISTER OF DEEDS PROVISIONS FROM THE GENERAL STATUTES, TO AMEND LOCAL AGENCY CHARGES FOR VITAL RECORDS SEARCHES, TO CLARIFY THE LAW GOVERNING PERSONS HOLDING THE POWER TO DIRECT TRUSTEES, TRUST PROTECTORS, AND DIRECTED TRUSTEES AND OTHER FIDUCIARIES, TO MAKE TECHNICAL CHANGES IN THE LAW GOVERNING TRUSTS AND DECEDENTS' ESTATES, AND TO AUTHORIZE THE REVISOR OF STATUTES TO PRINT OFFICIAL COMMENTS TO THE UNIFORM TRUST CODE, 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 6.

Upon concurrence the Senate committee substitute bill changes the title.

H.B. 843 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODERNIZE THE NORTH CAROLINA EMERGENCY MANAGEMENT ACT AND RELATED STATUTES, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of June 6.

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:

S.B. 755, A BILL TO BE ENTITLED AN ACT TO ENACT THE EQUAL ACCESS ACT, with a favorable report as to the House committee substitute bill, unfavorable as to the original bill.

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

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By Representatives Iler and Mills, Chairs, for the Committee on Transportation:

H.B. 957, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO PRODUCE A SPECIAL PLATE TO BENEFIT THE NORTH CAROLINA TRANSPORTATION MUSEUM, 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. 1035, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONTINUED ISSUANCE OF SPECIAL LICENSE PLATES WITH UNIQUE PLATE BACKGROUND DESIGNS, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of June 6. The original bill is placed on the Unfavorable Calendar.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative T. Moore and without objection, **S.B. 755**, A BILL TO BE ENTITLED AN ACT TO ENACT THE EQUAL ACCESS ACT, is withdrawn from the Calendar pursuant to Rule 36(b), and re-referred to the Committee on Rules, Calendar, and Operations of the House.

SPECIAL MESSAGE FROM THE SENATE

The following Special Message is received from the Senate:

H.B. 391 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE THE LAWS RELATING TO COUNTY RESEARCH AND PRODUCTION SERVICE DISTRICTS TO REFLECT CHANGED CIRCUMSTANCES, TO ALLOW FLEXIBILITY IN PROVISION OF SERVICES IN URBAN AREAS OF SUCH DISTRICTS, AND TO AMEND THE COUNTY SERVICE DISTRICT ACT OF 1973 RELATING TO APPROVAL OF PROPERTY TAXES IN MULTIJURISDICTIONAL INDUSTRIAL PARK DISTRICTS, is returned for concurrence in the Senate committee substitute bill and referred to the Committee on Finance.

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Upon concurrence the Senate committee substitute bill changes the title.

The Speaker rules the Senate committee substitute bill to be material, thus constituting its first reading.

The House stands adjourned at 6:46 p.m.

ONE HUNDRED TWENTY-SECOND DAY

HOUSE OF REPRESENTATIVES
Wednesday, June 6, 2012

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 June 5 has been examined and found correct. Upon his motion, the Journal is approved as written.

A leave of absence is granted Representative Goodman for today. Representatives Haire, Hurley, West, and Womble are excused for a portion of the Session.

ENROLLED BILLS

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

H.B. 302, AN ACT TO BROADEN THE EXEMPTION FROM CHARITABLE LICENSING REQUIREMENTS FOR CERTAIN NON-PROFIT ADULT RESIDENTIAL TREATMENT FACILITIES AND TO EXTEND THE SUNSET ON A WAIVER RELATING TO ALTERNATIVE STAFFING REQUIREMENTS FOR FACILITIES THAT USE ELECTRONIC SUPERVISION DEVICES.

H.B. 345, AN ACT TO MODIFY THE MOVE-OVER LAW TO INCLUDE ALL HIGHWAY MAINTENANCE VEHICLES AND UTILITY VEHICLES.

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S.B. 582, AN ACT TO AUTHORIZE ADDITIONAL CLASS III GAMING ON INDIAN LANDS PURSUANT TO A TRIBAL-STATE GAMING COMPACT, TO CREATE THE INDIAN GAMING EDUCATION REVENUE FUND, AND TO APPROPRIATE FUNDS.

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

H.B. 1063, AN ACT TO GIVE THE JOHNSTON COUNTY BOARD OF EDUCATION ADDITIONAL FLEXIBILITY WITH REGARD TO INSTRUCTIONAL TIME LOST AT MCGEE'S CROSSROADS ELEMENTARY SCHOOL.

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 report to be made directly to the floor of the House:

H.B. 1149, A BILL TO BE ENTITLED AN ACT TO ENACT NEW MARKETS JOB GROWTH INVESTMENT INITIATIVE, with a favorable report as the committee substitute bill, unfavorable as to the original bill, and with recommendation that the committee substitute bill be re-referred to the Committee on Finance.

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

By Representative T. Moore, Chair, for Judiciary Subcommittee C, with approval of standing committee Chair for report to be made directly to the floor of the House:

H.B. 1008, A BILL TO BE ENTITLED AN ACT TO PROHIBIT TELEVISIONS FOR DEATH ROW INMATES, with a favorable report.

Pursuant to Rule 38(a), the bill is re-referred to the Committee on Appropriations.

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H.B. 1173, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PROBATION VIOLATOR WHO ABSCONDS OR OTHERWISE WILLFULLY AVOIDS ARREST AFTER THE ISSUANCE OF A WARRANT SHALL FORFEIT ANY PUBLIC ASSISTANCE BENEFITS UNTIL SURRENDERING TO THE COURT, 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. 1179, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE STATE TO TERMINATE ITS LEASE OF THE INDIAN CULTURAL CENTER PROPERTY; TO DIRECT HOW THE PROPERTY IS TO BE DISPOSED OF; AND TO AMEND THE STATUTORY RECOGNITION OF THE LUMBEE TRIBE OF 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.

S.B. 798, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES TO THE EMERGENCY MANAGEMENT STATUTES; AND TO ESTABLISH THE JOINT LEGISLATIVE EMERGENCY MANAGEMENT OVERSIGHT COMMITTEE, AS RECOMMENDED BY THE SENATE SELECT COMMITTEE ON EMERGENCY PREPAREDNESS AND RESPONSE, 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. 1021, A BILL TO BE ENTITLED AN ACT TO CLARIFY CERTAIN PROVISIONS OF THE JUSTICE REINVESTMENT ACT, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON JUSTICE 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 7. The original bill is placed on the Unfavorable Calendar.

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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, 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 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. 968, A BILL TO BE ENTITLED AN ACT TO TRANSFER THE WAREHOUSE FORMERLY OPERATED BY THE LAW ENFORCEMENT SUPPORT SERVICES DIVISION AND ITS CONTENTS FROM THE DEPARTMENT OF JUSTICE TO THE DEPARTMENT OF PUBLIC SAFETY AND TO ASSIGN THE RESPONSIBILITIES FOR THE STORAGE AND MANAGEMENT OF EVIDENCE HOUSED IN THE WAREHOUSE TO THE DEPARTMENT OF PUBLIC SAFETY, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON JUSTICE AND PUBLIC SAFETY, with a favorable report.

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

S.B. 518 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROTECT CONSUMERS BY REQUIRING NOTICE OF BUYER'S RIGHT TO CHOOSE TITLE INSURER AND CLOSING ATTORNEY, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the Senate committee substitute bill.

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

By Representatives Dockham, Dollar, and Lewis, Chairs, for the Committee on Redistricting:

S.B. 799, A BILL TO BE ENTITLED AN ACT TO REMEDY INFIRMITIES FOUND BY A FEDERAL COURT IN A LOCAL ACT RELATING TO ELECTION OF THE BOARD OF COMMISSIONERS OF GUILFORD COUNTY, with a favorable report.

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

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. 1121, A BILL TO BE ENTITLED AN ACT TO ALLOW ABC STORES IN MECKLENBURG COUNTY TO BE OPEN ON LABOR DAY IN 2012, with a favorable report.

The serial referral to the Committee on Government is stricken.

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

H.B. 1170, A BILL TO BE ENTITLED AN ACT TO AMEND THE PROCESS BY WHICH MEMBERS OF THE PENDER COUNTY BOARD OF ALCOHOLIC CONTROL ARE SELECTED; TO REMOVE THE REQUIREMENT THAT THE PENDER COUNTY BOARD OF ALCOHOLIC CONTROL LOCATE ONE OR MORE STORES IN THE TOWNS OF BURGAW AND ATKINSON; AND TO AMEND THE DISTRIBUTION OF CERTAIN NET PROFITS FROM THE PENDER COUNTY BOARD OF ALCOHOLIC CONTROL, with a favorable report.

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

RE-REFERRAL

On motion of Representative T. Moore, a serial referral for **H.B. 1091**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ORANGE COUNTY TO PROVIDE GRANTS TO PROMOTE BROADBAND IN UNSERVED AREAS FOR ECONOMIC DEVELOPMENT IN THE COUNTY, to the Committee on Rules, Calendar, and Operations of the House is added.

WITHDRAWAL OF BILLS FROM COMMITTEE

On motion of Representative T. Moore and without objection, the following bills are withdrawn from the Committee on Finance and pursuant to Rule 36(b), are placed on the Calendar.

H.B. 956 (Committee Substitute), A BILL TO BE ENTITLED AN ACT RELATING TO THE USE OF OPEN SPACE FUNDS FOR JOHNSTON COUNTY.

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H.B. 943, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE APPROVAL OF THE BOARD OF COMMISSIONERS OF DAVIDSON COUNTY BEFORE A CITY NOT PRIMARILY LOCATED WITHIN DAVIDSON COUNTY MAY ANNEX ANY TERRITORY WITHIN DAVIDSON COUNTY.

H.B. 945, A BILL TO BE ENTITLED AN ACT TO ANNEX TO THE CITY OF MARION A SECTION OF RIGHT-OF-WAY OF US HIGHWAY 70 WEST WHERE A SIDEWALK TO BE MAINTAINED BY THE CITY IS TO BE CONSTRUCTED.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced and read the first time:

By Representatives Pridgen, Bradley, Cook, Faircloth, Jones, Mills, Saine, Sanderson, Shepard, Stevens, and H. Warren:

H.B. 1220, A BILL TO BE ENTITLED AN ACT TO LIMIT MEMBERS OF THE GENERAL ASSEMBLY TO LIMIT MEMBERS TO THREE CONSECUTIVE FOUR-YEAR TERMS, AND TO PROVIDE FOR STAGGERED FOUR-YEAR TERMS, is referred to the Committee on Judiciary.

By Representatives Burr and Dollar (Primary Sponsors); Faircloth and Ingle:

H.J.R. 1221, A JOINT RESOLUTION TO MODIFY EXECUTIVE ORDER NO. 85 TO DELETE THE PROPOSED CREATION OF A DIVISION OF PREVENTION, ACCESS AND PUBLIC HEALTH SERVICES, is referred to Judiciary Subcommittee C.

MESSAGES FROM THE SENATE

The following are received from the Senate:

H.B. 493 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE LAWS RELATED TO LANDLORD TENANT RELATIONSHIPS AND ESTABLISHING A PROCESS WHEREBY A LANDLORD MAY REMOVE FROM A RESIDENTIAL DWELLING UNIT TANGIBLE PERSONAL PROPERTY BELONGING TO A DECEASED TENANT AFTER FILING AN AFFIDAVIT WITH THE CLERK OF COURT IN THE COUNTY IN WHICH THE RESIDENTIAL DWELLING UNIT IS LOCATED, 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.

Upon concurrence the Senate committee substitute bill changes the title.

H.B. 589 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT 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 returned for concurrence in the Senate committee substitute bill.

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

Upon concurrence the Senate committee substitute bill changes the title.

H.B. 673 (Senate 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, 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. 808, A BILL TO BE ENTITLED AN ACT TO MODERNIZE THE REQUIREMENTS OF THE COMPREHENSIVE STRATEGIC ECONOMIC DEVELOPMENT PLAN AND TO SIMPLIFY AND STREAMLINE OTHER REPORTING REQUIREMENTS FOR THE DEPARTMENT OF COMMERCE, is read the first time and referred to the Committee on Commerce and Job Development.

S.B. 810 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO (1) REESTABLISH THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE; (2) MAKE VARIOUS TECHNICAL AND CLARIFYING CHANGES TO THE ADMINISTRATIVE PROCEDURES ACT; (3) EXTEND THE EFFECTIVE DATE FOR CHANGES TO FINAL DECISION-MAKING AUTHORITY IN CERTAIN CONTESTED CASES; (4) LIMIT THE PERIOD DURING WHICH RECORDS OF UNCLAIMED PROPERTY MUST BE MAINTAINED;

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(5A) DIRECT AGENCIES TO SUBMIT A REPORT ON NOTICE GIVEN BEFORE AUDITING OR EXAMINING A BUSINESS TO THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE; (5B) REQUIRE THE DEPARTMENT OF LABOR TO PROVIDE NOTICE PRIOR TO INSPECTIONS; (6) CLARIFY THAT THE DISCHARGE OF WASTE INTO WATERS OF THE STATE DOES NOT INCLUDE THE RELEASE OF AIR CONTAMINANTS INTO THE OUTDOOR ATMOSPHERE; (7) AUTHORIZE RATHER THAN REQUIRE THE COMMISSION FOR PUBLIC HEALTH TO ADOPT RULES FOR THE TESTING OF WATER FROM NEW DRINKING WATER WELLS FOR CERTAIN VOLATILE ORGANIC COMPOUNDS; (8) DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO TRACK AND REPORT ON PERMIT PROCESSING TIMES; (9) DELAY THE EFFECTIVE DATE FOR COMPLIANCE WITH WADING POOL FENCING REQUIREMENTS FROM JULY 1, 2012, TO JANUARY 1, 2013; (10) DIRECT THE COMMISSION FOR PUBLIC HEALTH TO AMEND THE RULES GOVERNING THE DURATION OF PERMITS FOR SANITARY LANDFILLS AND THE PERIOD IN WHICH THOSE PERMITS ARE REVIEWED; (11) EXEMPT FROM SANITATION REGULATIONS OF FOOD AND LODGING FACILITIES SEASONAL MARKETS AT WHICH THE OPERATOR OF THE MARKET SELLS PRODUCTS PRODUCED ONLY BY THE OPERATOR; AND (12) AMEND THE CRITERIA FOR DESIGNATION AS A PORT ENHANCEMENT ZONE, is read the first time and referred to the Committee on Commerce and Job Development.

S.B. 895 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND STATUTES RELATED TO MOTORCYCLE LICENSES, TO ELIMINATE A REQUIREMENT TO LIST RACE ON DRIVERS LICENSES, AND TO DELAY THE IMPLEMENTATION OF TWO CHANGES TO DRIVERS LICENSES PENDING AN INFORMATION TECHNOLOGY SYSTEM UPGRADE, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, is read the first time and referred to the Committee on Transportation.

MOMENT OF SILENCE REQUESTED

The following moment of silence is offered by Representative Pittman in honor of the Americans who died in the D-Day invasion at Normandy 68 years ago today:

-----Moment of Silence-----

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CALENDAR

Action is taken on the following:

H.B. 637 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS APPLICABLE TO ADOPTIONS, AS RECOMMENDED BY THE NORTH CAROLINA BAR ASSOCIATION.

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

H.B. 707 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ELIMINATE OBSOLETE REGISTER OF DEEDS PROVISIONS FROM THE GENERAL STATUTES, TO AMEND LOCAL AGENCY CHARGES FOR VITAL RECORDS SEARCHES, TO CLARIFY THE LAW GOVERNING PERSONS HOLDING THE POWER TO DIRECT TRUSTEES, TRUST PROTECTORS, AND DIRECTED TRUSTEES AND OTHER FIDUCIARIES, TO MAKE TECHNICAL CHANGES IN THE LAW GOVERNING TRUSTS AND DECEDENTS' ESTATES, AND TO AUTHORIZE THE REVISOR OF STATUTES TO PRINT OFFICIAL COMMENTS TO THE UNIFORM TRUST CODE.

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

H.B. 843 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODERNIZE THE NORTH CAROLINA EMERGENCY MANAGEMENT ACT AND RELATED STATUTES.

On motion of Representative Hilton, the House concurs in the Senate committee substitute bill, by electronic vote (113-1), and the bill is ordered enrolled and presented to the Governor by Special Message.

H.B. 960, A BILL TO BE ENTITLED AN ACT TO ENSURE PAYMENT OF JUST COMPENSATION TO PROPERTY OWNERS WITH MORTGAGE DEBT EXCEEDING THE FAIR MARKET VALUE OF THE PROPERTY BY AUTHORIZING THE CONSIDERATION OF OUTSTANDING MORTGAGE DEBT WHEN DETERMINING DAMAGES IN A CONDEMNATION ACTION, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON STATE-OWNED ASSETS.

Representative Stam offers Amendment No. 2 which is adopted by electronic vote (76-40).

June 6, 2012

The bill, as amended, passes its second reading, by electronic vote (117-0), and there being no objection is read a third time.

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

S.B. 816 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REWRITE THE BANKING LAWS OF NORTH CAROLINA, AS RECOMMENDED BY THE JOINT LEGISLATIVE STUDY COMMISSION ON THE MODERNIZATION OF NORTH CAROLINA BANKING LAWS, passes its third reading, by electronic vote (116-1), and is ordered sent to the Senate for concurrence in the House committee substitute bill by Special Message.

H.B. 1035 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONTINUED ISSUANCE OF SPECIAL LICENSE PLATES WITH UNIQUE PLATE BACKGROUND DESIGNS, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

Representative Folwell 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 (113-0). The caption having been amended, the bill is ordered engrossed, and remains on the Calendar.

Representatives Brandon and Hager request and are granted leave of the House to be recorded as voting "aye". The adjusted vote total is (115-0).

SPECIAL MESSAGE FROM THE SENATE

The following Special Message is received from the Senate:

H.B. 437 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT HOLDING THE NEW HANOVER COUNTY BOARD OF COMMISSIONERS ACCOUNTABLE FOR THE WORK OF THE AIRPORT AUTHORITY APPOINTED BY THE COMMISSION OR RECEIVING COUNTY FUNDS, is returned for concurrence in the Senate committee substitute bill.

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

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CALENDAR (continued)

H.B. 707 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ELIMINATE OBSOLETE REGISTER OF DEEDS PROVISIONS FROM THE GENERAL STATUTES, TO AMEND LOCAL AGENCY CHARGES FOR VITAL RECORDS SEARCHES, TO CLARIFY THE LAW GOVERNING PERSONS HOLDING THE POWER TO DIRECT TRUSTEES, TRUST PROTECTORS, AND DIRECTED TRUSTEES AND OTHER FIDUCIARIES, TO MAKE TECHNICAL CHANGES IN THE LAW GOVERNING TRUSTS AND DECEDENTS' ESTATES, AND TO AUTHORIZE THE REVISOR OF STATUTES TO PRINT OFFICIAL COMMENTS TO THE UNIFORM TRUST CODE, which was temporarily displaced, is before the Body.

On motion of Representative Stam, 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.

Representative Haire requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (116-0).

BILLS PLACED ON CALENDAR

On motion of Representative T. Moore and without objection the following bills which were reported from committees earlier today, are placed on today's Calendar: **H.B. 1121, H.B. 1170, and S.B. 798.**

On motion of Representative T. Moore and without objection, the following bills that were received from the Senate for concurrence are placed on today's Calendar: **H.B. 493, H.B. 673, and H.B. 589.**

CALENDAR (continued)

H.B. 1121, A BILL TO BE ENTITLED AN ACT TO ALLOW ABC STORES IN MECKLENBURG COUNTY TO BE OPEN ON LABOR DAY IN 2012.

Pursuant to Rule 24.1A, Representative Martin requests that he be excused from voting on this bill because he is a member of the Convention Host Committee. This request is granted.

The bill passes its second reading and there being no objection is read a third time.

June 6, 2012

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

H.B. 1170, A BILL TO BE ENTITLED AN ACT TO AMEND THE PROCESS BY WHICH MEMBERS OF THE PENDER COUNTY BOARD OF ALCOHOLIC CONTROL ARE SELECTED; TO REMOVE THE REQUIREMENT THAT THE PENDER COUNTY BOARD OF ALCOHOLIC CONTROL LOCATE ONE OR MORE STORES IN THE TOWNS OF BURGAW AND ATKINSON; AND TO AMEND THE DISTRIBUTION OF CERTAIN NET PROFITS FROM THE PENDER COUNTY BOARD OF ALCOHOLIC CONTROL, 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.

S.B. 798, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES TO THE EMERGENCY MANAGEMENT STATUTES; AND TO ESTABLISH THE JOINT LEGISLATIVE EMERGENCY MANAGEMENT OVERSIGHT COMMITTEE, AS RECOMMENDED BY THE SENATE SELECT COMMITTEE ON EMERGENCY PREPAREDNESS AND RESPONSE, passes its second reading by electronic vote (112-1).

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

H.B. 493 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE LAWS RELATED TO LANDLORD TENANT RELATIONSHIPS AND ESTABLISHING A PROCESS WHEREBY A LANDLORD MAY REMOVE FROM A RESIDENTIAL DWELLING UNIT TANGIBLE PERSONAL PROPERTY BELONGING TO A DECEASED TENANT AFTER FILING AN AFFIDAVIT WITH THE CLERK OF COURT IN THE COUNTY IN WHICH THE RESIDENTIAL DWELLING UNIT IS LOCATED.

Pursuant to Rule 24.1A(c), the request that Representative Hackney be excused from voting on May 11, 2011, is continued.

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

June 6, 2012

H.B. 673 (Senate 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.

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

H.B. 589 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT 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, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (114-1), and the bill is ordered enrolled and presented to the Governor.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative McGee, Chair, for the Committee on State Personnel:

H.B. 1085, A BILL TO BE ENTITLED AN ACT TO, FOR THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES, WHICH COVERS RETIREES WITHIN THE RETIREMENT SYSTEM, (1) AMEND THE DEFINITION OF "DEPENDENT CHILD" IN ORDER TO COMPLY WITH THE AFFORDABLE CARE ACT, (2) LIMIT ENROLLMENT WITHOUT A QUALIFYING EVENT TO THE ANNUAL ENROLLMENT PERIOD, (3) REPEAL THE OPTIONAL PROGRAM OF LONG-TERM CARE BENEFITS, AND (4) MAKE A CLARIFYING CHANGE RELATED TO COINSURANCE, 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.

June 6, 2012

By Representatives Hager and Steen, Chairs, for the Committee on Public Utilities:

H.B. 1114, A BILL TO BE ENTITLED AN ACT PROVIDING THAT THE CITIES AND TOWNS THAT ARE MEMBERS OF THE NORTH CAROLINA EASTERN MUNICIPAL POWER AGENCY SHALL USE REVENUE DERIVED FROM RATES FOR ELECTRIC SERVICE FOR PAYING THE DIRECT AND INDIRECT COSTS OF OPERATING THE ELECTRIC SYSTEM, TRANSFERRING AMOUNTS THAT REPRESENT A RATE OF RETURN ON THE INVESTMENT IN THE ELECTRIC SYSTEM, AND MAKING DEBT SERVICE PAYMENTS, 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.

BILLS PLACED ON CALENDAR

On motion of T. Moore and without objection, the following bills which were read in today are added to today's Calendar: **H.B. 437**, **H.B. 968**, and **S.B. 799**.

CALENDAR (continued)

H.B. 437 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT HOLDING THE NEW HANOVER COUNTY BOARD OF COMMISSIONERS ACCOUNTABLE FOR THE WORK OF THE AIRPORT AUTHORITY APPOINTED BY THE COMMISSION OR RECEIVING COUNTY FUNDS.

On motion of Representative McComas, the House concurs in the Senate committee substitute bill, and the bill is ordered enrolled.

H.B. 968, A BILL TO BE ENTITLED AN ACT TO TRANSFER THE WAREHOUSE FORMERLY OPERATED BY THE LAW ENFORCEMENT SUPPORT SERVICES DIVISION AND ITS CONTENTS FROM THE DEPARTMENT OF JUSTICE TO THE DEPARTMENT OF PUBLIC SAFETY AND TO ASSIGN THE RESPONSIBILITIES FOR THE STORAGE AND MANAGEMENT OF EVIDENCE HOUSED IN THE WAREHOUSE TO THE DEPARTMENT OF PUBLIC SAFETY, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON JUSTICE AND PUBLIC SAFETY, passes its second reading, by electronic vote (114-1), and there being no objection is read a third time.

June 6, 2012

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

Representative LaRoque moves, seconded by Representative Bradley, that the House adjourn, subject to the appointment of conferees, the receipt of Committee Reports, the receipt of Conference Reports, the receipt of Messages from the Senate, and the referral of bills to committees, to reconvene June 7 at 12:00 Noon.

The motion carries.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative T. Moore and without objection, **H.B. 945**, A BILL TO BE ENTITLED AN ACT TO ANNEX TO THE CITY OF MARION A SECTION OF RIGHT-OF-WAY OF US HIGHWAY 70 WEST WHERE A SIDEWALK TO BE MAINTAINED BY THE CITY IS TO BE CONSTRUCTED, is withdrawn from the Calendar, pursuant to Rule 36(b), and re-referred to the Committee on Finance.

SPECIAL MESSAGES FROM THE SENATE

The following Special Messages are received from the Senate:

H.B. 149 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE CRIMINAL OFFENSE OF TERRORISM, is returned for concurrence in the Senate committee substitute bill.

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

H.B. 176 (Senate 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, is returned for concurrence in the Senate committee substitute bill.

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

June 6, 2012

H.B. 741 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO SET A MAXIMUM LENGTH FOR LAW ENFORCEMENT AND EMERGENCY MANAGEMENT VEHICLES, is returned for concurrence in the Senate committee substitute bill.

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

Upon concurrence the Senate committee substitute bill changes the title.

H.B. 296 (Senate 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, is returned for concurrence in the Senate committee substitute bill.

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

H.B. 328 (Senate Committee Substitute), 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 returned for concurrence in the Senate committee substitute bill.

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

H.B. 511 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT DISSOLVING THE GOLDSBORO-WAYNE AIRPORT AUTHORITY, 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. 818, A BILL TO BE ENTITLED AN ACT TO EXEMPT CLAY COUNTY FROM CERTAIN STATUTORY REQUIREMENTS IN THE RENOVATION AND RESTORATION OF ITS OLD COURTHOUSE BUILDING TO BE LEASED AND/OR USED AS A MULTIPURPOSE FACILITY, is read the first time and referred to the Committee on Government.

June 6, 2012

S.B. 830, A BILL TO BE ENTITLED AN ACT TO ALLOW IREDELL COUNTY TO ESTABLISH A SATELLITE REGISTER OF DEEDS OFFICE AND TO AUTHORIZE THE RECORDING OF DOCUMENTS AT THAT OFFICE, is read the first time and referred to the Committee on Government.

S.B. 859 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT REGULAR MUNICIPAL ELECTIONS IN THE TOWN OF PILOT MOUNTAIN AND THE TOWN OF DOBSON ARE HELD IN EVEN-NUMBERED YEARS, is read the first time and referred to the Committee on Government.

S.B. 820 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO (1) RECONSTITUTE THE MINING COMMISSION AS THE MINING AND ENERGY COMMISSION, (2) REQUIRE THE MINING AND ENERGY COMMISSION AND OTHER REGULATORY AGENCIES TO DEVELOP A MODERN REGULATORY PROGRAM FOR THE MANAGEMENT OF OIL AND GAS EXPLORATION AND DEVELOPMENT ACTIVITIES IN THE STATE, INCLUDING THE USE OF HORIZONTAL DRILLING AND HYDRAULIC FRACTURING FOR THAT PURPOSE, (3) AUTHORIZE HORIZONTAL DRILLING AND HYDRAULIC FRACTURING, BUT PROHIBIT THE ISSUANCE OF PERMITS FOR THESE ACTIVITIES PENDING SUBSEQUENT LEGISLATIVE ACTION, (4) ENHANCE LANDOWNER AND PUBLIC PROTECTIONS RELATED TO HORIZONTAL DRILLING AND HYDRAULIC FRACTURING, AND (5) ESTABLISH THE JOINT LEGISLATIVE COMMISSION ON ENERGY POLICY, is read the first time and referred to the Committee on Environment.

S.B. 841, A BILL TO BE ENTITLED AN ACT TO ENSURE THAT THE RESOURCES OF THE PROGRAM EVALUATION DIVISION ARE UTILIZED EFFECTIVELY BY THE GENERAL ASSEMBLY, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE, is read the first time and referred to the Committee on Finance.

S.B. 908, A BILL TO BE ENTITLED AN ACT TO REMOVE THE MATCHING FUNDS PROVISIONS OF THE PUBLIC CAMPAIGN ACT AND THE VOTER-OWNED ELECTION ACT AND TO MAKE CONFORMING AND RELATED CHANGES, is read the first time and referred to the Committee on Elections.

June 6, 2012

RE-REFERRAL

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 1181**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF EMERALD ISLE TO LEVY AN ADDITIONAL ONE PERCENT SALES AND USE TAX, THE PROCEEDS OF WHICH SHALL BE USED FOR BEACH NOURISHMENT, is withdrawn from the Committee on Government and re-referred to the Committee on Finance.

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

ONE HUNDRED TWENTY-THIRD DAY

HOUSE OF REPRESENTATIVES
Thursday, June 7, 2012

The House meets at 12:00 Noon pursuant to adjournment and is called to order by Representative Folwell, Speaker Pro Tempore.

The following prayer is offered by Representative Kelly Alexander:

"Lord, as we come together to deliberate on North Carolina's business
Give us the ability to discern Your will in all that we do.
Lift us up, where we belong
...above partisan bickering
...above ideological posturing
Lift us up where eagles fly, where statesmen and stateswomen gather
Where the interest of North Carolina is paramount
Lift us up on mountains high
Far from the world we know
Up where the clear winds blow
Lord, lift us up.
Amen."

Representative LaRoque, 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.

June 7, 2012

Leaves of absence are granted Representatives Adams, Goodman, Graham, Hurley, McComas, T. Moore, and Womble for today. Representative Murry is excused for a portion of the Session.

ENROLLED BILLS

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

H.B. 493, AN ACT AMENDING THE LAWS RELATED TO LANDLORD TENANT RELATIONSHIPS AND ESTABLISHING A PROCESS WHEREBY A LANDLORD MAY REMOVE FROM A RESIDENTIAL DWELLING UNIT TANGIBLE PERSONAL PROPERTY BELONGING TO A DECEASED TENANT AFTER FILING AN AFFIDAVIT WITH THE CLERK OF COURT IN THE COUNTY IN WHICH THE RESIDENTIAL DWELLING UNIT IS LOCATED.

H.B. 589, AN ACT 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.

H.B. 637, AN ACT TO AMEND THE LAWS APPLICABLE TO ADOPTIONS, AS RECOMMENDED BY THE NORTH CAROLINA BAR ASSOCIATION.

H.B. 660, 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.

H.B. 673, 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.

H.B. 707, AN ACT TO ELIMINATE OBSOLETE REGISTER OF DEEDS PROVISIONS FROM THE GENERAL STATUTES, TO AMEND LOCAL AGENCY CHARGES FOR VITAL RECORDS SEARCHES, TO CLARIFY THE LAW GOVERNING PERSONS HOLDING THE POWER TO DIRECT TRUSTEES, TRUST PROTECTORS, AND DIRECTED TRUSTEES AND OTHER FIDUCIARIES, TO MAKE TECHNICAL CHANGES IN THE LAW GOVERNING TRUSTS AND DECEDENTS' ESTATES, AND TO AUTHORIZE THE REVISOR OF STATUTES TO PRINT OFFICIAL COMMENTS TO THE UNIFORM TRUST CODE.

June 7, 2012

H.B. 843, AN ACT TO MODERNIZE THE NORTH CAROLINA EMERGENCY MANAGEMENT ACT AND RELATED STATUTES.

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

H.B. 437, AN ACT HOLDING THE NEW HANOVER COUNTY BOARD OF COMMISSIONERS ACCOUNTABLE FOR THE WORK OF THE AIRPORT AUTHORITY APPOINTED BY THE COMMISSION OR RECEIVING COUNTY FUNDS.

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

H.J.R. 1034, A JOINT RESOLUTION TO CONFIRM THE APPOINTMENT OF TAMARA NANCE TO THE NORTH CAROLINA INDUSTRIAL COMMISSION. (RESOLUTION 2012-3)

CHAPTERED BILLS

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

H.B. 1063, AN ACT TO GIVE THE JOHNSTON COUNTY BOARD OF EDUCATION ADDITIONAL FLEXIBILITY WITH REGARD TO INSTRUCTIONAL TIME LOST AT MCGEE'S CROSSROADS ELEMENTARY SCHOOL. (S.L. 2012-5)

RE-REFERRAL

On motion of Representative LaRoque, pursuant to Rule 39.2 and without objection, **H.B. 1200**, A BILL TO BE ENTITLED AN ACT TO AMEND THE PROVISIONS OF THE WINSTON-SALEM FIREMEN'S RETIREMENT FUND, is withdrawn from the Committee on Government and re-referred to the Committee on State Personnel.

WITHDRAWAL OF BILLS FROM CALENDAR

On motion of Representative LaRoque and without objection, **S.B. 798**, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES TO THE EMERGENCY MANAGEMENT STATUTES; AND TO ESTABLISH THE JOINT LEGISLATIVE EMERGENCY MANAGEMENT

June 7, 2012

OVERSIGHT COMMITTEE, AS RECOMMENDED BY THE SENATE SELECT COMMITTEE ON EMERGENCY PREPAREDNESS AND RESPONSE, is withdrawn from the Calendar and placed on the Calendar of June 12.

On motion of Representative LaRoque and without objection, **H.B. 956** (Committee Substitute), A BILL TO BE ENTITLED AN ACT RELATING TO THE USE OF OPEN SPACE FUNDS FOR JOHNSTON COUNTY, is withdrawn from the Calendar, pursuant to Rule 36(b), and placed on today's Calendar.

WITHDRAWAL OF BILL FROM COMMITTEE

On motion of Representative LaRoque and without objection, **S.B. 830**, A BILL TO BE ENTITLED AN ACT TO ALLOW IREDELL COUNTY TO ESTABLISH A SATELLITE REGISTER OF DEEDS OFFICE AND TO AUTHORIZE THE RECORDING OF DOCUMENTS AT THAT OFFICE, is withdrawn from the Committee on Government and pursuant to Rule 36(b), is placed on the Calendar of June 11.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Stam and without objection, **S.B. 416** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE RACIAL JUSTICE ACT TO PROVIDE FOR THE RELEVANCY OF STATISTICS FROM THE COUNTY OR PROSECUTORIAL DISTRICT WHERE THE CAPITAL DEFENDANT RECEIVED THE DEATH PENALTY, is withdrawn from the Calendar, pursuant to Rule 36(b), and re-referred to Judiciary Subcommittee B.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

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

By Representative R. Brown for Judiciary Subcommittee C, with approval of standing committee Chair for report to be made directly to the floor of the House:

H.R. 1191, A HOUSE RESOLUTION SPECIFICALLY DISAPPROVING EXECUTIVE ORDER NO. 85, ISSUED MARCH 25, 2011, UNDER PROVISIONS OF THE NORTH CAROLINA CONSTITUTION

June 7, 2012

GRANTING EITHER HOUSE OF THE GENERAL ASSEMBLY TO DO SO, AS THE GENERAL ASSEMBLY HAS ACCOMPLISHED ADMINISTRATIVE REORGANIZATIONS BY LEGISLATION, with recommendation that it be adopted.

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

By Representatives Howard, Folwell, Setzer, and Starnes, Chairs, for the Committee on Finance:

H.B. 991, A BILL TO BE ENTITLED AN ACT TO POSTPONE THE EFFECTIVE DATE OF CHANGES MADE TO THE JACKSON COUNTY OCCUPANCY TAX DURING THE 2011 REGULAR SESSION OF THE GENERAL ASSEMBLY, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 11.

H.B. 1087, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF FONTANA DAM TO LEVY AN OCCUPANCY TAX, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 11.

By Representatives Langdon and Sager, Chairs, for the Committee on Agriculture:

H.B. 1093, A BILL TO BE ENTITLED AN ACT TO PROVIDE REGULATORY RELIEF FOR FARMERS BY DESIGNATING THAT AN ADDITIONAL REPRESENTATIVE OF AGRICULTURE SHALL BE INCLUDED AMONG THE GENERAL ASSEMBLY'S APPOINTMENTS TO THE ENVIRONMENTAL MANAGEMENT COMMISSION; BY REQUIRING THAT NOTICE BE GIVEN TO THE BOARD OF AGRICULTURE WHEN ANY PROPOSED RULE WOULD DIRECTLY AFFECT AGRICULTURE; AND BY CLARIFYING THAT THE POWER TO ISSUE CIVIL PENALTIES CONFERRED BY STATUTE ON THE COMMISSIONER, BOARD OF AGRICULTURE, PESTICIDE BOARD, OR STRUCTURAL PEST CONTROL COMMITTEE INCLUDES THE POWER FOR THOSE BODIES TO DETERMINE THAT NONMONETARY SANCTIONS, EDUCATION, OR TRAINING ARE SUFFICIENT TO ADDRESS A VIOLATION OF RULE OR STATUTE, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON AGRICULTURAL REGULATIONS, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

June 7, 2012

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of June 11. The original bill is placed on the Unfavorable Calendar.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following is introduced and read the first time:

By Representatives Dollar, Crawford, and Gillespie (Primary Sponsors); M. Alexander, Carney, Faircloth, Fisher, Glazier, Harrison, Ingle, Jeffus, Jones, McGrady, Ross, Saine, Setzer, Shepard, Stone, E. Warren, Weiss, and Wray:

H.R. 1222, A HOUSE RESOLUTION HONORING THE NORTH CAROLINA SYMPHONY AND ITS FOUNDERS, is referred to the Committee on Rules, Calendar, and Operations of the House.

SPECIAL MESSAGE FROM THE SENATE

The following Special Message is received from the Senate:

S.B. 826 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL, CLARIFYING, AND ADMINISTRATIVE CHANGES TO THE TAX AND RELATED LAWS, is read the first time and referred to the Committee on Finance.

CALENDAR

Action is taken on the following:

S.B. 799, A BILL TO BE ENTITLED AN ACT TO REMEDY INFIRMITIES FOUND BY A FEDERAL COURT IN A LOCAL ACT RELATING TO ELECTION OF THE BOARD OF COMMISSIONERS OF GUILFORD COUNTY.

On motion of Representative Blust and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of June 11.

H.B. 1035 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONTINUED ISSUANCE OF SPECIAL LICENSE PLATES WITH UNIQUE PLATE BACKGROUND DESIGNS, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, AND TO CORRECT THE AMERICAN RED CROSS SPECIAL PLATE AUTHORIZATION, passes its third reading, by electronic vote (107-0), and is ordered sent to the Senate by Special Message.

June 7, 2012

H.B. 1021 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY CERTAIN PROVISIONS OF THE JUSTICE REINVESTMENT ACT, passes its second reading, by electronic vote (108-0), and there being no objection is read a third time.

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

H.B. 956 (Committee Substitute), A BILL TO BE ENTITLED AN ACT RELATING TO THE USE OF OPEN SPACE FUNDS FOR JOHNSTON COUNTY, passes its second reading, by electronic vote (105-1), 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.

WITHDRAWAL OF BILL FROM COMMITTEE

On motion of Representative LaRoque and without objection, **H.B. 1114** (Committee Substitute), A BILL TO BE ENTITLED AN ACT PROVIDING THAT THE CITIES AND TOWNS THAT ARE MEMBERS OF THE NORTH CAROLINA EASTERN MUNICIPAL POWER AGENCY SHALL USE REVENUE DERIVED FROM RATES FOR ELECTRIC SERVICE FOR PAYING THE DIRECT AND INDIRECT COSTS OF OPERATING THE ELECTRIC SYSTEM, TRANSFERRING AMOUNTS THAT REPRESENT A RATE OF RETURN ON THE INVESTMENT IN THE ELECTRIC SYSTEM, AND MAKING DEBT SERVICE PAYMENTS, AND TO MAKE CLARIFYING CHANGES TO THE AMOUNT OF THE RETURN ON INVESTMENT TRANSFER, is withdrawn from the Committee on Finance and pursuant to Rule 36(b), is placed on the Calendar of June 12.

Representative LaRoque moves, seconded by Representative Hill, that the House adjourn, subject to the appointment of conferees, the ratification of bills, the receipt of Committee Reports, the receipt of Conference Reports, the receipt of Messages from the Senate, and the referral of bills to committees, to reconvene June 11 at 7:00 p.m.

The motion carries.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

June 7, 2012

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

H.B. 987, A BILL TO BE ENTITLED AN ACT TO ALLOW PERSONS WHO WORK IN WAKE COUNTY TO BE ELIGIBLE FOR MEMBERSHIP ON THE BOARD OF TRUSTEES OF WAKE TECHNICAL COMMUNITY COLLEGE, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 11.

H.B. 988, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE AVERASBORO TOWNSHIP TOURISM DEVELOPMENT AUTHORITY, 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. 1041, A BILL TO BE ENTITLED AN ACT TO EXCHANGE CERTAIN DESCRIBED TRACTS OF LAND BETWEEN THE CITY OF ARCHDALE AND THE CITY OF HIGH POINT, 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. 1059, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF ASHEBORO TO TOW MOTOR VEHICLES IMPEDING THE OPERATION OF THE DOWNTOWN FARMERS' MARKET, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 11.

H.B. 1071, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE DATE FOR THE ORGANIZATIONAL MEETING OF THE WAKE COUNTY BOARD OF EDUCATION TO BE GOVERNED BY GENERAL LAW, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 11.

H.B. 1082, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF NAGS HEAD TO LEASE OUT PROPERTY FOR A LICENSED NURSING HOME FOR UP TO FORTY YEARS WITHOUT TREATING IT AS A SALE, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

June 7, 2012

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

H.B. 1086, A BILL TO BE ENTITLED AN ACT TO EXEMPT CLAY COUNTY FROM CERTAIN STATUTORY REQUIREMENTS IN THE RENOVATION AND RESTORATION OF ITS OLD COURTHOUSE BUILDING TO BE LEASED AND/OR USED AS A MULTIPURPOSE FACILITY, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 11.

H.B. 1090, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE REMAINING NINE PERCENT OF THE COMMON BOUNDARY BETWEEN ALAMANCE COUNTY AND ORANGE COUNTY NOT ADDRESSED BY SESSION LAW 2011-88 AND AS AUTHORIZED BY THE 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, 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. 1107, A BILL TO BE ENTITLED AN ACT AMENDING THE DIVISION OF ALCOHOLIC BEVERAGE CONTROL PROFITS IN GRANVILLE 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. 1108, A BILL TO BE ENTITLED AN ACT TO MAKE MODIFICATIONS TO THE BUTNER PUBLIC SAFETY AUTHORITY, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 11.

H.B. 1109, A BILL TO BE ENTITLED AN ACT TO PROTECT THE PROPERTY RIGHTS OF HOMEOWNERS BY REQUIRING THAT DEVELOPMENT PERMITS ISSUED TO REPAIR OR RECONSTRUCT SINGLE-FAMILY AND DUPLEX RESIDENTIAL DWELLINGS IN DARE COUNTY GREATER THAN FIVE THOUSAND SQUARE FEET AND CONSTRUCTED PRIOR TO AUGUST 11, 2009, SHALL INCLUDE A MINIMUM SETBACK OF SIXTY FEET OR THIRTY TIMES THE SHORELINE EROSION RATE, WHICHEVER IS GREATER, with a favorable report.

June 7, 2012

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 11.

H.B. 1110, A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTIES FROM THE CORPORATE LIMITS OF THE TOWN OF MATTHEWS AND ANNEX IT TO THE TOWN OF STALLINGS, BOTH AT THE REQUEST OF THE RESPECTIVE TOWN GOVERNING BOARDS, 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. 1122, A BILL TO BE ENTITLED AN ACT TO VALIDATE CERTAIN LEVIES AND COLLECTION OF FIRE DISTRICT TAXES IN MARTIN COUNTY AND TO ALLOW MARTIN COUNTY TO ABOLISH BY RESOLUTION ITS CHAPTER 69 FIRE PROTECTION DISTRICTS UPON ESTABLISHMENT OF FIRE PROTECTION SERVICE DISTRICTS UNDER CHAPTER 153A OF THE GENERAL STATUTES, 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. 1131, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CARTERET COUNTY BOARD OF COMMISSIONERS TO REDISTRIBUTE ITS RESIDENCY DISTRICTS FOR THE 2012 PRIMARY AND GENERAL ELECTIONS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 11.

H.B. 1133, A BILL TO BE ENTITLED AN ACT TO REVISE PENDER COUNTY COMMISSIONER DISTRICTS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 11.

H.B. 1138, A BILL TO BE ENTITLED AN ACT TO PERMIT THE COUNTY OF DAVIDSON TO UTILIZE THE DESIGN-BUILD METHOD OF CONSTRUCTION AND RENOVATION OF COUNTY BUILDINGS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 11.

H.B. 1169, A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF BURGAW, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

June 7, 2012

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

H.B. 1196, A BILL TO BE ENTITLED AN ACT TO PROVIDE A PROCESS FOR CONVEYING AN INTEREST IN REAL PROPERTY OWNED BY ALBEMARLE MENTAL HEALTH CENTER TO EAST CAROLINA BEHAVIORAL HEALTH, 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. 1197, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE STOKES 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 June 11.

H.B. 1202, A BILL TO BE ENTITLED AN ACT TO DEANNEX FROM THE CITY OF ROANOKE RAPIDS A PARCEL PREVIOUSLY ANNEXED BY A LEGISLATIVE ANNEXATION AND AMENDING THE AUTHORIZING LEGISLATION FOR THE HALIFAX-NORTHAMPTON REGIONAL AIRPORT AUTHORITY, 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. 1204, A BILL TO BE ENTITLED AN ACT AUTHORIZING UNION COUNTY TO CONSTRUCT LAW ENFORCEMENT AND HUMAN SERVICES FACILITIES USING DESIGN-BUILD DELIVERY METHODS, 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 11. The original bill is placed on the Unfavorable Calendar.

H.B. 1205, A BILL TO BE ENTITLED AN ACT TO MAKE IT UNLAWFUL TO GO ON CERTAIN POSTED PROPERTY WITHOUT WRITTEN PERMISSION, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 11.

H.B. 1206, A BILL TO BE ENTITLED AN ACT TO MORE ACCURATELY DESCRIBE THE CORPORATE LIMITS OF THE TOWN OF BUTNER, with a favorable report.

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Pursuant to Rule 38(b), the bill is re-referred to the Committee on Finance.

H.B. 1207, A BILL TO BE ENTITLED AN ACT TO ALLOW GRANVILLE COUNTY, PERSON COUNTY, THE CITY OF CREEDMOOR, THE TOWN OF BUTNER, AND THE TOWN OF STEM TO COLLECT DELINQUENT STORMWATER UTILITY FEES IN THE SAME MANNER AS DELINQUENT PERSONAL AND REAL PROPERTY TAXES, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

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

H.B. 1208, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ROCKINGHAM COUNTY TO USE FEES FOR THE USE OF DISPOSAL FACILITIES PROVIDED BY THE COUNTY FOR PUBLIC SCHOOL AND OTHER COUNTY PURPOSES BY LEVYING A SURCHARGE ON THE FEE, 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. 1209, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ROCKINGHAM COUNTY TO MAKE APPROPRIATIONS FROM A UTILITY OR PUBLIC SERVICE ENTERPRISE FUND USED FOR OPERATION OF A LANDFILL TO THE COUNTY GENERAL FUND UPON CERTAIN FINDINGS, reported without prejudice and with recommendation that the bill be re-referred to the Committee on Finance.

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

H.B. 1212, A BILL TO BE ENTITLED AN ACT AS TO THE COUNTY OF CHATHAM TO BROADEN THE EXCEPTION TO THE PUBLIC RECORDS ACT FOR IDENTIFYING INFORMATION OF MINORS PARTICIPATING IN LOCAL GOVERNMENT PARKS AND RECREATION PROGRAMS TO INCLUDE ALL LOCAL GOVERNMENT PROGRAMS, AND ALSO TO PROTECT E-MAIL ADDRESSES OF MINORS IN SUCH PROGRAMS, 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 11. The original bill is placed on the Unfavorable Calendar.

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H.B. 1217, A BILL TO BE ENTITLED AN ACT TO ADJUST THE BOUNDARIES OF THE TOWN OF WOODFIN AND THE CITY OF ASHEVILLE, AS REQUESTED BY THE GOVERNING BOARDS OF THOSE MUNICIPALITIES, BY (1) ANNEXING INTO THE CITY OF ASHEVILLE CERTAIN STATE-OWNED PROPERTY, (2) REMOVING CERTAIN STATE-OWNED PROPERTY FROM THE TOWN OF WOODFIN AND ANNEXING IT INTO THE CITY OF ASHEVILLE, (3) REMOVING CERTAIN STATE-OWNED AND PRIVATE PROPERTY FROM THE CITY OF ASHEVILLE AND ANNEXING IT INTO THE TOWN OF WOODFIN, AND (4) UPON PETITION OF THE OWNER AND WITH THE CONCURRENCE OF THE TOWN OF WOODFIN, ALLOWING THE CITY OF ASHEVILLE TO ANNEX CERTAIN PROPERTY IN THE TOWN OF WOODFIN THAT, AS A RESULT OF THE OPERATION OF THIS ACT, IS SURROUNDED BY THE CITY OF ASHEVILLE OR A COMBINATION OF THE CITY OF ASHEVILLE AND UNINCORPORATED AREA, AND PROVIDING FOR THE CITY OF ASHEVILLE AND THE TOWN OF WOODFIN TO ENTER INTO AGREEMENTS REGARDING THE PROVISION OF MUNICIPAL SERVICES TO CERTAIN PROPERTIES IN EACH OTHER'S JURISDICTION, with a favorable report.

Pursuant to Rule 38(b), the bill is re-referred to the Committee on Finance.

S.B. 231 (Committee Substitute), A BILL TO BE ENTITLED AN ACT REQUIRING THE INTERCONNECTION OF PUBLIC WATER SYSTEMS OR WASTEWATER SYSTEMS TO REGIONAL SYSTEMS LOCATED IN THE SAME SUBBASIN WHEN NECESSARY TO PROMOTE PUBLIC HEALTH, PROTECT THE ENVIRONMENT, AND ENSURE COMPLIANCE WITH APPLICABLE RULES AND TO REQUIRE THAT AN ANALYSIS OF REASONABLE ALTERNATIVES BE DONE BEFORE CONSTRUCTING OR ALTERING A PUBLIC WATER SYSTEM OR WASTEWATER SYSTEM, 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 11. The Senate committee substitute bill is placed on the Unfavorable Calendar.

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SPECIAL MESSAGES FROM THE SENATE

The following Special Messages are received from the Senate:

S.B. 612 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE PROGRAM EVALUATION DIVISION TO STUDY AND ASSESS THE LEASING OF PROPERTY BY STATE AGENCIES, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 803 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO ADMINISTRATION OF THE STATE RETIREMENT SYSTEMS, is read the first time and referred to the Committee on State Personnel.

S.B. 804, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND CONFORMING CHANGES TO STATUTES AFFECTING THE STATE RETIREMENT SYSTEMS, is read the first time and referred to the Committee on State Personnel.

S.B. 849 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE SALARY CONTINUATION LAWS TO PROVIDE THAT ONLY OFFICERS INJURED AND INCAPACITATED AS THE RESULT OF EXTREME ACTIVITY IN THE COURSE OF PERFORMING THEIR OFFICIAL DUTIES RECEIVE A HIGHER COMPENSATION RATE FOR THE TWO-YEAR PERIOD BEFORE REVERTING TO THE RATES PROVIDED UNDER THE WORKERS' COMPENSATION LAWS, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON JUSTICE AND PUBLIC SAFETY, is read the first time and referred to the Committee on Judiciary and, if favorable, to the Committee on State Personnel.

S.B. 869, A BILL TO BE ENTITLED AN TO ACT REMOVE THE REQUIREMENT THAT FIREFIGHTERS AND RESCUE SQUAD WORKERS 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 read the first time and referred to the Committee on Government and, if favorable, to the Committee on State Personnel.

S.B. 888 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT METROPOLITAN PLANNING ORGANIZATIONS AND RURAL TRANSPORTATION PLANNING ORGANIZATIONS ARE

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SUBJECT TO THE STATE GOVERNMENT ETHICS ACT, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, is read the first time and referred to the Committee on Government and, if favorable, to the Committee on Judiciary.

S.B. 929 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE THE RESIDENCY REQUIREMENTS FOR MEMBERS OF THE BOARD OF TRUSTEES OF A FIREMEN'S LOCAL RELIEF FUND, 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 LaRoque and without objection, **H.R. 1143**, A HOUSE RESOLUTION HONORING THE SHAW UNIVERSITY WOMEN'S BASKETBALL TEAM ON WINNING THE 2012 NATIONAL COLLEGIATE ATHLETIC ASSOCIATION DIVISION II CHAMPIONSHIP, 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 11.

The House stands adjourned at 4:23 p.m.

ONE HUNDRED TWENTY-FOURTH DAY

HOUSE OF REPRESENTATIVES
Monday, June 11, 2012

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 Martha Alexander:

"Our Heavenly Father, You are known by many names: Father, God, Allah, Yahweh, Lord, Abba, and O Holy One.

"We ask You for Your blessings upon all of us gathered here today.

"Fill us with joy, grace and an inner peace as we go about our daily tasks.

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"And we ask Your guidance as we deliberate and negotiate the many issues before us.

"Even though we are of different religious views as well as political views, let us not lose sight that we are here to serve **all** the citizens of North Carolina.

"Help us to have patience with each other as we work together to ensure that the laws we enact are for the betterment of our citizens and that they carry the elements of truth, charity and justice.

"Give us the strength to seek understanding and peace, which we endeavor to have, so that our lives may be a shining beacon to those around us. 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 June 7 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. Representative Samuelson is excused for a portion of the Session.

ENROLLED BILLS

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

S.B. 236, AN ACT ADOPTING THE EASTERN TIGER SWALLOW-TAIL AS THE OFFICIAL STATE BUTTERFLY, DESIGNATING THE SHELBY LIVERMUSH FESTIVAL AS THE OFFICIAL FALL LIVERMUSH FESTIVAL OF THE STATE OF NORTH CAROLINA, DESIGNATING THE MARION LIVERMUSH FESTIVAL AS THE OFFICIAL SPRING LIVERMUSH FESTIVAL OF THE STATE OF NORTH CAROLINA, AND DESIGNATING THE SWANSBORO MULLET FESTIVAL AS THE OFFICIAL MULLET FESTIVAL OF NORTH CAROLINA.

CHAPTERED BILLS

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

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S.B. 582, AN ACT TO AUTHORIZE ADDITIONAL CLASS III GAMING ON INDIAN LANDS PURSUANT TO A TRIBAL-STATE GAMING COMPACT, TO CREATE THE INDIAN GAMING EDUCATION REVENUE FUND, AND TO APPROPRIATE FUNDS. (S.L. 2012-6)

H.B. 778, AN ACT TO AMEND LAWS RELATING TO THE NORTH CAROLINA INNOCENCE INQUIRY COMMISSION AND THE PRESERVATION OF BIOLOGICAL EVIDENCE. (S.L. 2012-7)

H.B. 821, 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. (S.L. 2012-8)

H.B. 340, 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. (S.L. 2012-9)

H.B. 437, AN ACT HOLDING THE NEW HANOVER COUNTY BOARD OF COMMISSIONERS ACCOUNTABLE FOR THE WORK OF THE AIRPORT AUTHORITY APPOINTED BY THE COMMISSION OR RECEIVING COUNTY FUNDS. (S.L. 2012-10)

H.B. 925, AN ACT TO REQUIRE A VOTE OF THE RESIDENTS PRIOR TO THE ADOPTION OF AN ANNEXATION ORDINANCE INITIATED BY A MUNICIPALITY. (S.L. 2012-11) [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 McElraft, Samuelson, and West, Chairs, for the Committee on Environment:

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

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TO THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES AND TO MAKE CONFORMING CHANGES, 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 12. The Senate committee substitute bill is placed on the Unfavorable Calendar.

SPECIAL MESSAGES FROM THE SENATE

The following Special Messages are received from the Senate:

H.B. 244 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE STERLING MONTESSORI ACADEMY AND CHARTER SCHOOL, THE CASA ESPERANZA MONTESSORI CHARTER SCHOOL, AND KESTREL HEIGHTS SCHOOL TO ELECT TO PARTICIPATE IN THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES AND TO PROVIDE PROTECTIONS FOR WHISTLE-BLOWERS ALLEGING FRAUD OR OTHER MISCONDUCT RELATED TO THE STATE HEALTH PLAN, is returned for concurrence in the Senate committee substitute bill and referred to the Committee on Insurance.

Upon concurrence the Senate committee substitute bill changes the title.

H.B. 261 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE INTRASTATE MOTOR CARRIERS TO BE MARKED, 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 12.

H.B. 1025 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE SUNSET OF CERTAIN TAX PROVISIONS, is returned for concurrence in one Senate amendment.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 12.

S.B. 828 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE UNEMPLOYMENT INSURANCE LAWS, is read the first time and referred to the Committee on Finance.

June 11, 2012

CALENDAR

Action is taken on the following:

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

H.B. 296 (Senate 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.

On motion of Representative Bell, the House concurs in the Senate committee substitute bill, and the bill is ordered enrolled.

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

H.B. 328 (Senate Committee Substitute), 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.

On motion of Representative Sager, the House concurs in the Senate committee substitute bill and the bill is ordered enrolled.

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

H.B. 511 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT DISSOLVING THE GOLDSBORO-WAYNE AIRPORT AUTHORITY.

On motion of Representative Sager, the House concurs in the Senate committee substitute bill and the bill is ordered enrolled.

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

H.B. 149 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE CRIMINAL OFFENSE OF TERRORISM.

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

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

H.B. 176 (Senate 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.

On motion of Representative McLawhorn, the House concurs in the Senate committee substitute bill, by electronic vote (113-0), and the bill is ordered enrolled and presented to the Governor.

Representative Hastings requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (114-0).

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

H.R. 1219 (Committee Substitute), A HOUSE RESOLUTION EXPRESSING APPRECIATION TO THE MEMBERS WHO WILL BE LEAVING THE HOUSE OF REPRESENTATIVES AT THE END OF THEIR CURRENT TERMS.

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. 1086, A BILL TO BE ENTITLED AN ACT TO EXEMPT CLAY COUNTY FROM CERTAIN STATUTORY REQUIREMENTS IN THE RENOVATION AND RESTORATION OF ITS OLD COURTHOUSE BUILDING TO BE LEASED AND/OR USED AS A MULTIPURPOSE FACILITY.

On motion of Representative West and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of June 13.

H.R. 1143, A HOUSE RESOLUTION HONORING THE SHAW UNIVERSITY WOMEN'S BASKETBALL TEAM ON WINNING THE 2012 NATIONAL COLLEGIATE ATHLETIC ASSOCIATION DIVISION II CHAMPIONSHIP.

The resolution is adopted, by electronic vote (114-0), and ordered printed.

June 11, 2012

H.B. 1087, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF FONTANA DAM TO LEVY AN 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, Bell, Blackwell, Blust, Bordsen, Bradley, Brandon, Brisson, R. Brown, Brubaker, Bryant, Carney, Cook, Cotham, Crawford, Current, Daughtry, Dockham, Earle, Faircloth, Faison, Farmer-Butterfield, Fisher, Floyd, Frye, Gill, Glazier, Goodman, Graham, Hackney, Haire, Hall, Hamilton, Harrison, Hill, Hilton, Horn, Howard, Iler, Insko, Jackson, Jeffus, Johnson, Jones, Justice, Keever, Langdon, Lewis, Lucas, Luebke, Martin, McElraft, McGee, McGrady, McGuirt, McLawhorn, Michaux, Mobley, R. Moore, Owens, Parfitt, Parmon, Pierce, Pittman, Pridgen, Rapp, Ross, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Tolson, Torbett, Wainwright, Walend, E. Warren, H. Warren, Weiss, West, Wilkins, and Wray - 86.

Voting in the negative: Representatives Avila, Boles, Brawley, L. Brown, Burr, Cleveland, Collins, Dixon, Dollar, Gillespie, Hager, Hastings, Hollo, Holloway, Hurley, Ingle, Jordan, Killian, LaRoque, McComas, McCormick, Mills, T. Moore, Randleman, Sager, Saine, Sanderson, and Stone - 28.

Excused absences: Representatives Samuelson and Womble - 2.

SPEAKER TILLIS PRESIDING.

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:

S.B. 416 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE RACIAL JUSTICE ACT TO PROVIDE FOR THE RELEVANCY OF STATISTICS FROM THE COUNTY OR PROSECUTORIAL DISTRICT WHERE THE CAPITAL DEFENDANT RECEIVED THE DEATH PENALTY, with a favorable report as to House Committee Substitute Bill No. 2, which changes the title, unfavorable as to House Committee Substitute Bill No. 1.

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Pursuant to Rule 36(b), House Committee Substitute Bill No. 2 is placed on the Calendar of June 12. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

CALENDAR (continued)

H.B. 987, A BILL TO BE ENTITLED AN ACT TO ALLOW PERSONS WHO WORK IN WAKE COUNTY TO BE ELIGIBLE FOR MEMBERSHIP ON THE BOARD OF TRUSTEES OF WAKE TECHNICAL COMMUNITY COLLEGE, 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. 1059, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF ASHEBORO TO TOW MOTOR VEHICLES IMPEDING THE OPERATION OF THE DOWNTOWN FARMERS' MARKET, 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. 1108, A BILL TO BE ENTITLED AN ACT TO MAKE MODIFICATIONS TO THE BUTNER PUBLIC SAFETY 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 by Special Message.

H.B. 1138, A BILL TO BE ENTITLED AN ACT TO PERMIT THE COUNTY OF DAVIDSON TO UTILIZE THE DESIGN-BUILD METHOD OF CONSTRUCTION AND RENOVATION OF COUNTY BUILDINGS, passes its second reading and there being no objection is read a third time.

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

H.B. 1204 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING UNION COUNTY TO CONSTRUCT LAW ENFORCEMENT AND HUMAN SERVICES FACILITIES USING DESIGN-BUILD DELIVERY METHODS, 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 by Special Message.

H.B. 1205, A BILL TO BE ENTITLED AN ACT TO MAKE IT UNLAWFUL TO GO ON CERTAIN POSTED PROPERTY WITHOUT WRITTEN PERMISSION, 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.

S.B. 830, A BILL TO BE ENTITLED AN ACT TO ALLOW IREDELL COUNTY TO ESTABLISH A SATELLITE REGISTER OF DEEDS OFFICE AND TO AUTHORIZE THE RECORDING OF DOCUMENTS AT THAT OFFICE, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

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

H.B. 943, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE APPROVAL OF THE BOARD OF COMMISSIONERS OF DAVIDSON COUNTY BEFORE A CITY NOT PRIMARILY LOCATED WITHIN DAVIDSON COUNTY MAY ANNEX ANY TERRITORY WITHIN DAVIDSON 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. 991, A BILL TO BE ENTITLED AN ACT TO POSTPONE THE EFFECTIVE DATE OF CHANGES MADE TO THE JACKSON COUNTY OCCUPANCY TAX DURING THE 2011 REGULAR SESSION OF THE GENERAL ASSEMBLY, passes its second reading and there being no objection is read a third time.

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

H.B. 1071, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE DATE FOR THE ORGANIZATIONAL MEETING OF THE WAKE COUNTY BOARD OF EDUCATION TO BE GOVERNED BY GENERAL LAW.

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

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 by Special Message.

H.B. 1109, A BILL TO BE ENTITLED AN ACT TO PROTECT THE PROPERTY RIGHTS OF HOMEOWNERS BY REQUIRING THAT DEVELOPMENT PERMITS ISSUED TO REPAIR OR RECONSTRUCT SINGLE-FAMILY AND DUPLEX RESIDENTIAL DWELLINGS IN DARE COUNTY GREATER THAN FIVE THOUSAND SQUARE FEET AND CONSTRUCTED PRIOR TO AUGUST 11, 2009, SHALL INCLUDE A MINIMUM SETBACK OF SIXTY FEET OR THIRTY TIMES THE SHORELINE EROSION RATE, WHICHEVER IS GREATER.

On motion of Representative Spear and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of June 12.

H.B. 1131, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CARTERET COUNTY BOARD OF COMMISSIONERS TO REDISTRIBUTE ITS RESIDENCY DISTRICTS FOR THE 2012 PRIMARY AND GENERAL ELECTIONS, 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. 1133, A BILL TO BE ENTITLED AN ACT TO REVISE PENDER COUNTY COMMISSIONER 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 by Special Message.

H.B. 1197, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE STOKES 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.

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

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

H.B. 1179 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE STATE TO TERMINATE ITS LEASE OF THE INDIAN CULTURAL CENTER PROPERTY AND TO DIRECT THE DISPOSITION OF THE PROPERTY.

On motion of Representative T. Moore and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of June 13.

S.B. 231 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE STANDARDS REQUIRED FOR INCORPORATION OF A MUNICIPALITY AND TO REQUIRE APPROVAL OF THE MUNICIPAL GOVERNING BOARD PRIOR TO CERTAIN EXTENSIONS OF WATER OR SEWER SERVICE BY OTHER GOVERNMENT ENTITIES.

On motion of Representative L. Brown and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of June 14.

On motion of Representative T. Moore and without objection, the bill is withdrawn from the Calendar of June 14 and re-referred to the Committee on Rules, Calendar, and Operations of the House.

H.B. 1212 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO BROADEN THE EXCEPTION TO THE PUBLIC RECORDS ACT FOR IDENTIFYING INFORMATION OF MINORS PARTICIPATING IN LOCAL GOVERNMENT PARKS AND RECREATION PROGRAMS TO INCLUDE ALL LOCAL GOVERNMENT PROGRAMS AND ALSO TO PROTECT E-MAIL ADDRESSES OF MINORS IN SUCH PROGRAMS IN THE TOWNS OF CARY, GARNER, KNIGHTDALE, MORRISVILLE, ROLESVILLE, WAKE FOREST, WENDELL, AND ZEBULON AND IN THE COUNTY OF CHATHAM, AND TO ALLOW CHATHAM COUNTY FLEXIBILITY IN APPOINTING ITS BOARD OF ADJUSTMENT.

Representative Stam offers Amendment No. 1 which is adopted by electronic vote (118-0). This amendment changes the title.

The bill, as amended, passes its second reading. The caption having been amended, the bill remains on the Calendar.

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S.B. 799, A BILL TO BE ENTITLED AN ACT TO REMEDY INFIRMITIES FOUND BY A FEDERAL COURT IN A LOCAL ACT RELATING TO ELECTION OF THE BOARD OF COMMISSIONERS OF GUILFORD 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.

H.B. 1093 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE REGULATORY RELIEF FOR FARMERS BY DESIGNATING THAT AN ADDITIONAL REPRESENTATIVE OF AGRICULTURE SHALL BE INCLUDED AMONG THE GENERAL ASSEMBLY'S APPOINTMENTS TO THE ENVIRONMENTAL MANAGEMENT COMMISSION; BY REQUIRING THAT NOTICE BE GIVEN TO THE BOARD OF AGRICULTURE WHEN ANY PROPOSED RULE WOULD DIRECTLY AFFECT AGRICULTURE; AND BY CLARIFYING THAT THE POWER TO ISSUE CIVIL PENALTIES CONFERRED BY STATUTE ON THE COMMISSIONER, BOARD OF AGRICULTURE, PESTICIDE BOARD, OR STRUCTURAL PEST CONTROL COMMITTEE INCLUDES THE POWER FOR THOSE BODIES TO DETERMINE THAT NONMONETARY SANCTIONS, EDUCATION, OR TRAINING ARE SUFFICIENT TO ADDRESS A VIOLATION OF RULE OR STATUTE, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON AGRICULTURAL REGULATIONS.

Representative Bradley 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 by Special Message.

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

S.B. 518 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRED 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, passes its second reading, by electronic vote (114-4), and there being no objection is read a third time.

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

INTRODUCTION OF PAGES

Pages for the week of June 11 are introduced to the membership. They are: Felix Allen of Wake; Graham Blossom of New Hanover; Jennifer Chamblee of Guilford; William Cheung of Alexander; Maaya Dev of Wake; Sarah Ford of Wake; Richard Hall of Cumberland; Spencer Hazel of Guilford; Logan Hensley of Rockingham; Ian Hensley of Rockingham; Patrick Jahn of Wake; Richard Killian of Mecklenburg; Ashley King of Onslow; Benjamin Little of Mecklenburg; Samuel Little of Mecklenburg; Mallory Lowe of Randolph; Alexa Martin of Wake; Garrett Massengill of Johnston; Katie Neumann of Mecklenburg; Rayna O'Nan of Mecklenburg; Elizabeth Robins of Forsyth; Julia Sawchak of Wake; Jennifer Stevenson of Mecklenburg; Isabelle Tamburro of Wake; John Whisnant of Cleveland; and Porter Yelton of Cleveland.

Representative LaRoque moves, seconded by Representative Pittman, that the House adjourn, in memory of John G. Medlin, Jr., former president and CEO of Wachovia Corporation, and subject to the ratification of bills, the receipt of Committee Reports, the receipt of Conference Reports, the receipt of Messages from the Senate, and the referral of bills to committees, to reconvene June 12 at 2:00 p.m.

The motion carries.

SPECIAL MESSAGES FROM THE SENATE

The following Special Messages are received from the Senate:

S.B. 906, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF NAGS HEAD TO LEASE OUT PROPERTY FOR A LICENSED NURSING HOME FOR UP TO FORTY YEARS WITHOUT TREATING IT AS A SALE, is read the first time and referred to the Committee on Government.

S.B. 919, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CARTERET COUNTY BOARD OF COMMISSIONERS TO REDISTRIBUTE ITS RESIDENCY DISTRICTS FOR THE 2012 PRIMARY AND GENERAL ELECTIONS, is read the first time and referred to the Committee on Government.

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S.B. 932 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING UNION COUNTY TO CONSTRUCT LAW ENFORCEMENT AND HUMAN SERVICES FACILITIES USING DESIGN-BUILD DELIVERY METHODS, is read the first time and referred to the Committee on Government.

S.B. 934, A BILL TO BE ENTITLED AN ACT TO PERMIT THE LOWER CAPE FEAR WATER AND SEWER AUTHORITY TO UTILIZE THE DESIGN-BUILD METHOD OF CONSTRUCTION FOR A FOURTEEN-MILE PARALLEL WATER TRANSMISSION LINE WITHIN ITS SERVICE AREA, 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.R. 1191**, A HOUSE RESOLUTION SPECIFICALLY DISAPPROVING EXECUTIVE ORDER NO. 85, ISSUED MARCH 25, 2011, UNDER PROVISIONS OF THE NORTH CAROLINA CONSTITUTION GRANTING EITHER HOUSE OF THE GENERAL ASSEMBLY TO DO SO, AS THE GENERAL ASSEMBLY HAS ACCOMPLISHED ADMINISTRATIVE REORGANIZATIONS BY LEGISLATION, is withdrawn from the Calendar, pursuant to Rule 36(b), and re-referred to the Committee on Rules, Calendar, and Operations of the House.

WITHDRAWAL OF BILLS FROM COMMITTEE

On motion of Representative T. Moore and without objection, **H.B. 1196**, A BILL TO BE ENTITLED AN ACT TO PROVIDE A PROCESS FOR CONVEYING AN INTEREST IN REAL PROPERTY OWNED BY ALBEMARLE MENTAL HEALTH CENTER TO EAST CAROLINA BEHAVIORAL HEALTH, is withdrawn from the Committee on Finance and pursuant to Rule 36(b), is placed on the Calendar of June 12.

On motion of Representative T. Moore and without objection, **H.B. 1085** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO, FOR THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES, WHICH COVERS RETIREES WITHIN THE RETIREMENT SYSTEM, (1) AMEND THE DEFINITION OF "DEPENDENT CHILD" IN ORDER TO COMPLY WITH THE AFFORDABLE CARE ACT, (2) LIMIT ENROLLMENT WITHOUT A QUALIFYING EVENT TO THE ANNUAL ENROLLMENT PERIOD, (3) REPEAL THE OPTIONAL PROGRAM OF

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LONG-TERM CARE BENEFITS, AND (4) MAKE A CLARIFYING CHANGE RELATED TO COINSURANCE, is withdrawn from the Committee on Finance and pursuant to Rule 36(b), is placed on the Calendar of June 12.

RE-REFERRALS

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **S.B. 869**, A BILL TO BE ENTITLED AN ACT TO REMOVE THE REQUIREMENT THAT FIREFIGHTERS AND RESCUE SQUAD WORKERS 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 Government 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. 1091**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ORANGE COUNTY TO PROVIDE GRANTS TO PROMOTE BROADBAND IN UNSERVED AREAS FOR ECONOMIC DEVELOPMENT IN THE COUNTY, is withdrawn from the Committee on Government and re-referred to the Committee on Rules, Calendar, and Operations of the House.

WITHDRAWAL OF BILLS FROM COMMITTEE

On motion of Representative T. Moore and without objection, **H.J.R. 1007**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF DANIEL LUCAS ELLIOTT, NORTH CAROLINA CITIZEN AND SOLDIER, 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 12.

On motion of Representative T. Moore and without objection, **H.B. 1107**, A BILL TO BE ENTITLED AN ACT AMENDING THE DIVISION OF ALCOHOLIC BEVERAGE CONTROL PROFITS IN GRANVILLE COUNTY, is withdrawn from the Committee on Finance and pursuant to Rule 36(b), is placed on the Calendar of June 12.

SPECIAL MESSAGES FROM THE SENATE

The following Special Messages are received from the Senate:

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H.B. 235 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS PERTAINING TO TERMINATION OF PARENTAL RIGHTS TO INCLUDE CONVICTION OF A SEXUALLY RELATED OFFENSE THAT RESULTS IN THE CONCEPTION OF THE JUVENILE AS A BASIS FOR TERMINATION OF PARENTAL RIGHTS, 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 12.

Upon concurrence the Senate committee substitute bill changes the title.

S.B. 815, A BILL TO BE ENTITLED AN ACT INITIATING REFORM OF THE WORKFORCE DEVELOPMENT LAWS OF NORTH CAROLINA, MODIFYING THE COMPOSITION OF THE NORTH CAROLINA COMMISSION ON WORKFORCE DEVELOPMENT, AND ESTABLISHING THE JOINT LEGISLATIVE WORKFORCE DEVELOPMENT SYSTEM REFORM COMMITTEE, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE BASED ON RECOMMENDATIONS FROM THE PROGRAM EVALUATION DIVISION, is read the first time and referred to the Committee on Commerce and Job Development.

S.B. 881, A BILL TO BE ENTITLED AN ACT TO TRANSFER THE WAREHOUSE FORMERLY OPERATED BY THE LAW ENFORCEMENT SUPPORT SERVICES DIVISION AND ITS CONTENTS FROM THE DEPARTMENT OF JUSTICE TO THE DEPARTMENT OF PUBLIC SAFETY AND TO ASSIGN THE RESPONSIBILITIES FOR THE STORAGE AND MANAGEMENT OF EVIDENCE HOUSED IN THE WAREHOUSE TO THE DEPARTMENT OF PUBLIC SAFETY, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON JUSTICE AND PUBLIC SAFETY, is read the first time and referred to Judiciary Subcommittee A.

S.B. 939, A BILL TO BE ENTITLED AN ACT TO PERMIT THE CITY OF FAYETTEVILLE TO DISCLOSE LIMITED PERSONNEL INFORMATION TO THE MEMBERS OF THE CITIZEN REVIEW BOARD TO FACILITATE ITS REVIEW OF POLICE DISCIPLINARY CASES, is read the first time and referred to the Committee on Government.

The House stands adjourned at 8:48 p.m.

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ONE HUNDRED TWENTY-FIFTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, June 12, 2012

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

Prayer is offered by Representative Larry Bell.

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

Representative Brubaker is excused for a portion of the Session.

Serving as Honorary Page for today is Chase Cross.

GUESTS

The Sergeant-at-Arms is recognized and he announces the approach of the 805th Military Police Company and Guests, who are escorted to the Well of the House.

The Speaker extends the courtesies of the floor to Brigadier General Samuel T. Nichols, Jr.; Major General Sanford E. Holman; Captain Michelle Spencer; Mrs. Patti Elliott; First Sergeant Ivory J. Hinton; and the 805th Military Police Company.

CALENDAR

Action is taken on the following:

H.J.R. 1007, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF DANIEL LUCAS ELLIOTT, NORTH CAROLINA CITIZEN AND SOLDIER, passes its second reading, by electronic vote (116-0), and there being no objection is read a third time.

Representatives Graham and Womble request and are granted leave of the House to be recorded as voting "aye". The adjusted vote total is (118-0).

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

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The Speaker presents a copy of the resolution to Mrs. Patti Elliott, mother of Daniel Lucas Elliott.

The Speaker directs the Sergeant-at-Arms to escort the guests from the Chamber.

ENROLLED BILLS

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

S.B. 816, AN ACT TO REWRITE THE BANKING LAWS OF NORTH CAROLINA, AS RECOMMENDED BY THE JOINT LEGISLATIVE STUDY COMMISSION ON THE MODERNIZATION OF NORTH CAROLINA BANKING LAWS.

H.B. 149, AN ACT TO CREATE THE CRIMINAL OFFENSE OF TERRORISM.

H.B. 176, 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.

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

S.B. 799, AN ACT TO REMEDY INFIRMITIES FOUND BY A FEDERAL COURT IN A LOCAL ACT RELATING TO ELECTION OF THE BOARD OF COMMISSIONERS OF GUILFORD COUNTY.

S.B. 830, AN ACT TO ALLOW IREDELL COUNTY TO ESTABLISH A SATELLITE REGISTER OF DEEDS OFFICE AND TO AUTHORIZE THE RECORDING OF DOCUMENTS AT THAT OFFICE.

H.B. 296, 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 TAX-PAYER, AND TO AUTHORIZE SAMPSON COUNTY TO REQUIRE THE PAYMENT OF DELINQUENT PROPERTY TAXES BEFORE RECORDING DEEDS CONVEYING PROPERTY.

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H.B. 322, 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.

H.B. 328, 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.

H.B. 511, AN ACT DISSOLVING THE GOLDSBORO-WAYNE AIRPORT AUTHORITY.

H.B. 1065, AN ACT TO ALLOW THE MOORE COUNTY BOARD OF EDUCATION TO (I) PERMIT THE USE OF PUBLIC SCHOOL BUSES TO SERVE THE TRANSPORTATION NEEDS OF THE 2014 U.S. OPEN GOLF TOURNAMENT AND (II) BEGIN THE 2013-2014 SCHOOL YEAR ONE WEEK EARLIER.

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:

S.B. 889, A BILL TO BE ENTITLED AN ACT TO CHANGE THE DEFINITION ON AN AREA THAT CAN BE REPRESENTED BY A RURAL PLANNING ORGANIZATION, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 13.

By Representatives Current, Dollar, and Hollo, Chairs, for the Committee on Health and Human Services:

H.B. 975, A BILL TO BE ENTITLED AN ACT TO WORK TOWARD DECREASING OBESITY AMONG SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP) PARTICIPANTS BY INCREASING THEIR PARTICIPATION IN SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM EDUCATION (SNAP-ED) AND MAKING FRESH, LOCALLY GROWN PRODUCE AVAILABLE BY INCREASING THE

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ACCEPTANCE OF ELECTRONIC BENEFITS TRANSFER (EBT) CARDS AT FARMERS MARKETS, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON CHILDHOOD OBESITY, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 13.

H.B. 1098, A BILL TO BE ENTITLED AN ACT TO CONTINUE THE WORK OF THE SUSTAINABLE LOCAL FOOD ADVISORY COUNCIL, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON CHILDHOOD OBESITY, 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 13. The original bill is placed on the Unfavorable Calendar.

By Representatives Howard, Folwell, Setzer, and Starnes, Chairs, for the Committee on Finance:

H.B. 945, A BILL TO BE ENTITLED AN ACT TO ANNEX TO THE CITY OF MARION A SECTION OF RIGHT-OF-WAY OF US HIGHWAY 70 WEST WHERE A SIDEWALK TO BE MAINTAINED BY THE CITY IS TO BE CONSTRUCTED, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 13.

H.B. 957 (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), Committee Substitute Bill No. 2 is placed on the Calendar of June 13. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

H.B. 963, A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF COLUMBIA, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 13.

H.B. 1032, A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED NONCONTIGUOUS PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF MORGANTON, with a favorable report.

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

H.B. 1199, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF LAKE LURE TO CONVEY CERTAIN DESCRIBED PROPERTY BY GIFT, PRIVATE SALE, OR LONG-TERM LEASE, 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 13. The original bill is placed on the Unfavorable Calendar.

S.B. 806, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE LAW DEALING WITH THE ANNUAL ASSESSMENTS OF MORTGAGE BANKERS, MORTGAGE BROKERS, AND MORTGAGE SERVICERS, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON THE MODERNIZATION OF NORTH CAROLINA BANKING LAWS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 13.

S.B. 824, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE SECRETARY OF REVENUE'S INTERPRETATION OF THE LAW CONCERNING THE SECRETARY'S AUTHORITY TO ADJUST NET INCOME OR REQUIRE A COMBINED RETURN BE MADE THROUGH RULE MAKING AND TO PROVIDE AN EXPEDITED PROCESS FOR RULE MAKING ON THIS ISSUE, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 13.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following is introduced and read the first time:

By Representatives McLawhorn, Jeffus, Brubaker, and Holloway (Primary Sponsors); M. Alexander, Bradley, Brandon, Bryant, Carney, Fisher, Gill, Glazier, Hamilton, Harrison, Ingle, Jones, Luebke, Parfitt, Pridgen, Ross, Weiss, and Wray:

H.J.R. 1223, A JOINT RESOLUTION HONORING THE STATE LIBRARY FOR PROVIDING SERVICE FOR TWO HUNDRED YEARS AND THOSE WHO PLAYED A ROLE IN THE LIBRARY'S SUCCESS.

Pursuant to Rule 32(a), the resolution is placed on the Calendar of June 13.

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SPECIAL MESSAGES FROM THE SENATE

The following Special Messages are received from the Senate:

H.B. 177 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO: (1) CREATE AN INTERAGENCY TASK FORCE TO STUDY THE FEASIBILITY AND DESIRABILITY OF ADVANCING THE USE OF ALTERNATIVE FUELS BY STATE AGENCIES AND THE DEVELOPMENT OF ASSOCIATED FUELING INFRASTRUCTURE; (2) ESTABLISH CRITERIA FOR THE OPERATION OF ELECTRIC VEHICLE CHARGING STATIONS LOCATED AT STATE-OWNED REST STOPS ALONG THE HIGHWAYS AND; (3) AMEND THE ENERGY JOBS ACT OF 2011 IF THE ENERGY JOBS ACT OF 2011 BECOMES LAW, is returned for concurrence in the Senate committee substitute bill and referred to the Committee on Environment and, if favorable, to the Committee on Transportation.

Upon concurrence the Senate committee substitute bill changes the title.

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 returned for concurrence in one Senate amendment.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 13.

H.B. 813 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXPAND THE DEFINITION OF INDUSTRIAL MACHINERY EXEMPT FROM BUILDING CODE INSPECTION TO INCLUDE EQUIPMENT AND MACHINERY ACQUIRED BY STATE-SUPPORTED CENTERS PROVIDING TESTING, RESEARCH, AND DEVELOPMENT SERVICES TO MANUFACTURING CLIENTS, 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 13.

Upon concurrence the Senate committee substitute bill changes the title.

H.B. 1015 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO SET THE REGULATORY FEES AND TO ENHANCE ECONOMIC DEVELOPMENT, 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 June 13.

Upon concurrence the Senate committee substitute bill changes the title.

S.B. 836 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPROVE THE RATE-MAKING PROCESS BY REQUIRING THE DEPARTMENT OF INSURANCE TO ACCEPT PUBLIC COMMENT ON ALL PROPERTY INSURANCE RATE FILINGS, BY PROVIDING THE COMMISSIONER WITH THE POWER TO SPECIFY THE APPROPRIATE RATE LEVEL OR LEVELS BETWEEN THE CURRENT RATE AND THE FILED RATE UPON A FINDING THAT A RATE FILING DOES NOT COMPLY WITH APPLICABLE LAW, BY PROVIDING THAT THE COST OF REINSURANCE BE INCLUDED AS A FACTOR IN RATE MAKING AND REQUIRING CERTAIN SUPPORTING INFORMATION ON REINSURANCE COSTS IN A FILING, BY REQUIRING THAT THE RATE BUREAU CREATE A RATING PLAN FOR A PROPERTY INSURANCE POLICY THAT EXCLUDES COVERAGE FOR THE PERILS OF WINDSTORM AND HAIL, AND BY REQUIRING THAT THE RATE BUREAU AND THE DEPARTMENT OF INSURANCE STUDY THE FAIRNESS AND EFFICACY OF THE CURRENT PROPERTY INSURANCE GEOGRAPHIC RATE TERRITORIES, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON PROPERTY INSURANCE RATE MAKING, is read the first time and referred to the Committee on Insurance.

S.B. 910, A BILL TO BE ENTITLED AN ACT TO CREATE THE CRIMINAL OFFENSE OF UNLAWFUL SALE, SURRENDER, OR PURCHASE OF A CHILD; AND TO REQUIRE THE NORTH CAROLINA CONFERENCE OF DISTRICT ATTORNEYS TO CONDUCT A STUDY TO DETERMINE WHAT OTHER MEASURES MAY BE NEEDED TO STOP THIS TYPE OF CRIMINAL ACTIVITY, is read the first time and referred to Judiciary Subcommittee B.

CALENDAR (continued)

H.B. 235 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS PERTAINING TO TERMINATION OF PARENTAL RIGHTS TO INCLUDE CONVICTION OF A SEXUALLY RELATED OFFENSE THAT RESULTS IN THE CONCEPTION OF THE JUVENILE AS A BASIS FOR TERMINATION OF PARENTAL RIGHTS.

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

H.B. 261 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE INTRASTATE MOTOR CARRIERS TO BE MARKED.

On motion of Representative McComas, the House concurs in the Senate committee substitute bill, by electronic vote (119-0), and the bill is ordered enrolled and presented to the Governor.

H.B. 741 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO SET A MAXIMUM LENGTH FOR LAW ENFORCEMENT AND EMERGENCY MANAGEMENT VEHICLES.

On motion of Representative Daughtry, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (119-0), and the bill is ordered enrolled and presented to the Governor.

H.B. 235 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS PERTAINING TO TERMINATION OF PARENTAL RIGHTS TO INCLUDE CONVICTION OF A SEXUALLY RELATED OFFENSE THAT RESULTS IN THE CONCEPTION OF THE JUVENILE AS A BASIS FOR TERMINATION OF PARENTAL RIGHTS, which was temporarily displaced, is before the Body.

On motion of Representative Stevens, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (118-0), and the bill is ordered enrolled and presented to the Governor.

Representative Floyd requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (119-0).

H.B. 1025 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE SUNSET OF CERTAIN TAX PROVISIONS.

On motion of Representative Howard, the House concurs in the Senate amendment, by electronic vote (117-2), and the bill is ordered enrolled and presented to the Governor.

H.B. 1087, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF FONTANA DAM TO LEVY AN OCCUPANCY TAX, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

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Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Bell, Blackwell, Blust, Bordsen, Bradley, Brandon, Brisson, R. Brown, Brubaker, Bryant, Carney, Cotham, Crawford, Current, Daughtry, Dockham, Earle, Faison, Farmer-Butterfield, Fisher, Floyd, Frye, Gill, Glazier, Goodman, Graham, Hackney, Haire, Hall, Hamilton, Harrison, Hill, Horn, Howard, Iler, Insko, Jackson, Jeffus, Johnson, Jones, Jordan, Justice, Keever, Langdon, LaRoque, Lewis, Lucas, Luebke, Martin, McComas, McElraft, McGee, McGrady, McGuirt, McLawhorn, Michaux, Mobley, Moffitt, R. Moore, Murry, Owens, Parfitt, Parmon, Pierce, Pittman, Pridgen, Rapp, Ross, Samuelson, Setzer, Shepard, Spear, Stam, Starnes, Stevens, Stone, Tolson, Torbett, Wainwright, Walend, E. Warren, H. Warren, Weiss, West, Wilkins, Womble, and Wray - 90.

Voting in the negative: Representatives Avila, Boles, Brawley, L. Brown, Burr, Cleveland, Collins, Cook, Dixon, Dollar, Faircloth, Folwell, Gillespie, Hager, Hastings, Hilton, Hollo, Holloway, Hurley, Ingle, Killian, McCormick, Mills, T. Moore, Randleman, Sager, Saine, Sanderson, and Steen - 29.

Excused absences: None.

Representatives Jordan, Moffitt, Murry, and Stone request and are granted leave of the House to change their votes from "aye" to "no". The adjusted vote total is (86-33).

H.B. 1212 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO BROADEN THE EXCEPTION TO THE PUBLIC RECORDS ACT FOR IDENTIFYING INFORMATION OF MINORS PARTICIPATING IN LOCAL GOVERNMENT PARKS AND RECREATION PROGRAMS TO INCLUDE ALL LOCAL GOVERNMENT PROGRAMS AND ALSO TO PROTECT E-MAIL ADDRESSES OF MINORS IN SUCH PROGRAMS IN THE TOWNS OF APEX, CARY, FUQUAY-VARINA, GARNER, HOLLY SPRINGS, KNIGHTDALE, MORRISVILLE, ROLESVILLE, WAKE FOREST, WENDELL, AND ZEBULON, THE CITY OF RALEIGH, AND IN THE COUNTY OF CHATHAM, AND TO ALLOW CHATHAM COUNTY FLEXIBILITY IN APPOINTING ITS BOARD OF ADJUSTMENT.

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

H.B. 1107, A BILL TO BE ENTITLED AN ACT AMENDING THE DIVISION OF ALCOHOLIC BEVERAGE CONTROL PROFITS IN GRANVILLE COUNTY, 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 by Special Message.

H.B. 1109, A BILL TO BE ENTITLED AN ACT TO PROTECT THE PROPERTY RIGHTS OF HOMEOWNERS BY REQUIRING THAT DEVELOPMENT PERMITS ISSUED TO REPAIR OR RECONSTRUCT SINGLE-FAMILY AND DUPLEX RESIDENTIAL DWELLINGS IN DARE COUNTY GREATER THAN FIVE THOUSAND SQUARE FEET AND CONSTRUCTED PRIOR TO AUGUST 11, 2009, SHALL INCLUDE A MINIMUM SETBACK OF SIXTY FEET OR THIRTY TIMES THE SHORELINE EROSION RATE, WHICHEVER IS GREATER, 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. 1196, A BILL TO BE ENTITLED AN ACT TO PROVIDE A PROCESS FOR CONVEYING AN INTEREST IN REAL PROPERTY OWNED BY ALBEMARLE MENTAL HEALTH CENTER TO EAST CAROLINA BEHAVIORAL HEALTH, 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.

S.B. 798, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES TO THE EMERGENCY MANAGEMENT STATUTES; AND TO ESTABLISH THE JOINT LEGISLATIVE EMERGENCY MANAGEMENT OVERSIGHT COMMITTEE, AS RECOMMENDED BY THE SENATE SELECT COMMITTEE ON EMERGENCY PREPAREDNESS AND RESPONSE.

On motion of Representative Lewis and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of June 13.

H.B. 1085 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO, FOR THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES, WHICH COVERS RETIREES WITHIN THE RETIREMENT SYSTEM, (1) AMEND THE DEFINITION OF "DEPENDENT CHILD" IN ORDER TO COMPLY WITH THE AFFORDABLE CARE ACT, (2) LIMIT ENROLLMENT WITHOUT A QUALIFYING EVENT TO THE ANNUAL ENROLLMENT PERIOD, (3) REPEAL THE OPTIONAL PROGRAM OF LONG-TERM CARE BENEFITS, AND (4) MAKE A CLARIFYING CHANGE RELATED TO COINSURANCE.

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Representative Dollar offers Amendment No. 1 which is adopted by electronic vote (119-0).

The bill, as amended, passes its second reading, by electronic vote (117-1), and there being no objection is read a third time.

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

H.B. 1114 (Committee Substitute), A BILL TO BE ENTITLED AN ACT PROVIDING THAT THE CITIES AND TOWNS THAT ARE MEMBERS OF THE NORTH CAROLINA EASTERN MUNICIPAL POWER AGENCY SHALL USE REVENUE DERIVED FROM RATES FOR ELECTRIC SERVICE FOR PAYING THE DIRECT AND INDIRECT COSTS OF OPERATING THE ELECTRIC SYSTEM, TRANSFERRING AMOUNTS THAT REPRESENT A RATE OF RETURN ON THE INVESTMENT IN THE ELECTRIC SYSTEM, AND MAKING DEBT SERVICE PAYMENTS, AND TO MAKE CLARIFYING CHANGES TO THE AMOUNT OF THE RETURN ON INVESTMENT TRANSFER, passes its second reading, by electronic vote (118-1), 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.

S.B. 77 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT PROVIDING THAT AFTER DECEMBER 31, 2012, 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.

On motion of Representative Stam and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of June 14.

S.B. 229 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN ENVIRONMENTAL AND NATURAL RESOURCES LAWS TO (1) DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO REPORT ON THE INTEGRATION OF STORMWATER CAPTURE AND REUSE INTO STORMWATER REGULATORY PROGRAMS; (2) DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO

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STUDY THE ADVISABILITY AND FEASIBILITY OF REALLOCATING WATER SUPPLY IN JOHN H. KERR RESERVOIR FROM HYDRO-POWER STORAGE TO WATER SUPPLY STORAGE; (3) DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO STUDY AND EVALUATE DEGRADABLE PLASTIC PRODUCTS AND THEIR POTENTIAL TO CONTAMINATE RECYCLED PLASTIC FEEDSTOCKS; (4) DIRECT THE DIVISION OF PUBLIC HEALTH IN THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO REPORT ON THE ADMINISTRATION AND IMPLEMENTATION OF THE LEAD-BASED PAINT HAZARD MANAGEMENT PROGRAM FOR RENOVATION, REPAIR, AND PAINTING; (5) CLARIFY THAT THE DIVISION OF WATER QUALITY OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES SHALL NOT REQUIRE A WATER QUALITY PERMIT FOR A TYPE I SOLID WASTE COMPOST FACILITY; (6) DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ACCEPT ALTERNATIVE MEASURES FOR STORMWATER CONTROL OTHER THAN PONDS THAT MEET CERTAIN CRITERIA AT AIRPORTS; (7) PROVIDE CONDITIONS TO ALLOW FOR TWO NONCONTIGUOUS PROPERTIES TO BE TREATED AS A SINGLE CONTIGUOUS PROPERTY FOR PURPOSES OF COMPLIANCE WITH LOCAL WATER SUPPLY WATERSHED PROGRAMS; (8) AMEND THE NEUSE AND TAR-PAMLICO RIVER BASIN BUFFER RULES TO PROVIDE THAT IT IS PERMISSIBLE TO DEVELOP AN EXISTING LOT LOCATED ADJACENT TO SURFACE WATERS UNDER CERTAIN CONDITIONS; (9) PROVIDE FLEXIBILITY FOR THE DEVELOPMENT OF BASINWIDE WATER QUALITY MANAGEMENT PLANS FOR RIVER BASINS THAT HAVE WATERS DESIGNATED AS NUTRIENT SENSITIVE; (10) AMEND THE DEFINITION OF COMMUNITY WATER SYSTEM; (11) ESTABLISH A VARIANCE PROCESS FOR CERTAIN SETBACK REQUIREMENTS FOR EXISTING PRIVATE DRINKING WATER WELLS; (12) REPEAL THE AUTHORITY OF THE ENVIRONMENTAL MANAGEMENT COMMISSION TO ADD COUNTIES TO THE MOTOR VEHICLE EMISSIONS INSPECTION PROGRAM; (13) ALLOW THE COMMERCIAL LEAKING PETROLEUM UNDERGROUND STORAGE TANK CLEANUP FUND TO BE USED FOR THE REMOVAL OF ABANDONED UNDERGROUND STORAGE TANKS THAT HAVE NOT LEAKED BUT POSE AN IMMINENT HAZARD; (14) ESTABLISH A MINIMUM OCEAN HAZARD SETBACK OF SIXTY FEET OR THIRTY TIMES THE SHORELINE EROSION RATE, WHICHEVER IS GREATER, FOR DEVELOPMENT PERMITS TO REPLACE CERTAIN RESIDENTIAL DWELLINGS; (15) REQUIRE SCRAP TIRE COLLECTORS TO VERIFY ACCESS TO A PERMITTED SCRAP TIRE DISPOSAL SITE BEFORE CONTRACTING WITH ANY SCRAP TIRE PROCESSOR; (16) REQUIRE SEPTAGE MANAGEMENT FIRMS TO PROVIDE IDENTIFICATION

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OF AND NOTICE TO THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES BEFORE PLACING A PUMPER TRUCK NOT PREVIOUSLY INCLUDED IN A PERMIT INTO SERVICE; (17) AMEND OR REPEAL VARIOUS ENVIRONMENTAL AND NATURAL RESOURCES REPORTING REQUIREMENTS; (18) EXTEND THE DURATION OF PERMITS FOR SANITARY LANDFILLS AND TRANSFER STATIONS; (19) AMEND THE MARINE FISHERIES COMMISSION ADVISORY COMMITTEES; (20) PROVIDE THAT A SUPERMAJORITY OF THE MARINE FISHERIES COMMISSION IS REQUIRED TO OVERRIDE A RECOMMENDATION OF THE DIVISION OF MARINE FISHERIES REGARDING OVERFISHING OR REBUILDING OF FISH STOCKS; (21) PROVIDE CERTAIN PROTECTIONS TO GALAX AND VENUS FLYTRAP UNDER THE PLANT PROTECTION AND CONSERVATION ACT; (22) INCREASE THE CIVIL PENALTY FOR VIOLATIONS OF CERTAIN RULES OF THE WILDLIFE RESOURCES COMMISSION; AND (23) MAKE TECHNICAL AND CONFORMING CHANGES TO ENVIRONMENTAL AND NATURAL RESOURCES LAWS.

Representative Gillespie offers Amendment No. 1 which is adopted by electronic vote (118-1).

Representative Gillespie offers Amendment No. 2 which is adopted by electronic vote (118-1).

Representative Moffitt offers Amendment No. 3 which is adopted by electronic vote (118-1). This amendment changes the title.

Representative Harrison offers Amendment No. 4.

Representative Harrison withdraws Amendment No. 4.

The bill, as amended, passes its second reading by electronic vote (74-44). The caption having been amended, the bill remains on the Calendar.

RE-REFERRALS

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **S.B. 906**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF NAGS HEAD TO LEASE OUT PROPERTY FOR A LICENSED NURSING HOME FOR UP TO FORTY YEARS WITHOUT TREATING IT AS A SALE, is withdrawn from the Committee on Government and re-referred to the Committee on Finance.

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On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **S.B. 443** (Committee Substitute), 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 State Personnel 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. 94** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ALLOW THE RENEWABLE ENERGY TAX CREDIT TO BE ALLOCATED BY A PASS-THROUGH ENTITY TO ITS OWNERS AND TO CHANGE THE DEFINITION OF COST, is withdrawn from the Committee on Finance and re-referred to Judiciary Subcommittee B.

CALENDAR (continued)

H.B. 1032, A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED NONCONTIGUOUS PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF MORGANTON.

Representative T. Moore gives notice, pursuant to Rule 36(b) and without objection, and the bill is placed on today's Calendar for immediate consideration.

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

Those voting in the affirmative are: 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, Dockham, Dollar, Earle, Faircloth, Faison, Farmer-Butterfield, Fisher, Floyd, Folwell, Frye, Gill, Gillespie, Glazier, Goodman, Graham, Hackney, Hager, Haire, Hall, 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, Pittman, Pridgen,

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Randleman, Rapp, Ross, Sager, Saine, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Wainwright, Walend, E. Warren, H. Warren, Weiss, West, Wilkins, Womble, and Wray - 118.

Voting in the negative: Representative Hamilton.

Excused absences: None.

S.B. 416 (House Committee Substitute No. 2), A BILL ENTITLED AN ACT TO AMEND DEATH PENALTY PROCEDURES, passes its second reading by electronic vote (72-47).

On motion of the Speaker, the bill remains on the Calendar.

Representative LaRoque moves, seconded by Representative Womble, that the House adjourn, in memory of SPC Daniel L. Elliott, and subject to the appointment of conferees, the ratification of bills, the receipt of Committee Reports, the receipt of Conference Reports, the receipt of Messages from the Senate, and the referral of bills to committees, to reconvene June 13 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. 964, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT PRIVATE COLLEGES AND UNIVERSITIES, NONPUBLIC SCHOOLS, AND THE NORTH CAROLINA INDEPENDENT COLLEGES AND UNIVERSITIES ARE NOT LIABLE FOR A BREACH OF CONFIDENTIALITY CAUSED BY THE ACT OR OMISSION OF A STATE AGENCY, LOCAL SCHOOL ADMINISTRATIVE UNIT, COMMUNITY COLLEGE, OR CONSTITUENT INSTITUTION OF THE UNIVERSITY OF NORTH CAROLINA, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON EDUCATION REFORM, 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 13. The original bill is placed on the Unfavorable Calendar.

H.B. 1018, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE APPROVAL OF THE YADKIN VALLEY REGIONAL CAREER ACADEMY AS A COOPERATIVE INNOVATIVE HIGH SCHOOL FOR THE 2012-2013 SCHOOL YEAR, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 13.

H.B. 1049, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT BLADEN COMMUNITY COLLEGE 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.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of June 13. The original bill is placed on the Unfavorable Calendar.

S.B. 724 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT VARIOUS EDUCATION REFORMS, 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 13. The Senate committee substitute bill is placed on the Unfavorable Calendar.

S.B. 805 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ISOTHERMAL COMMUNITY COLLEGE MAY OPT OUT OF PARTICIPATION IN THE WILLIAM D. FORD FEDERAL DIRECT LOAN PROGRAM, 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 13. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representatives Iler and Mills, Chairs, for the Committee on Transportation:

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H.B. 989, A BILL TO BE ENTITLED AN ACT TO LIMIT ELIGIBILITY FOR PERMANENT REGISTRATION PLATES TO GOVERNMENTAL ENTITIES, AND TO REFORM THE PROCESS BY WHICH ELIGIBLE ENTITIES APPLY FOR AND ARE ISSUED PERMANENT REGISTRATION PLATES, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE BASED ON RECOMMENDATIONS FROM THE PROGRAM EVALUATION DIVISION, 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. 890, A BILL TO BE ENTITLED AN ACT TO CODIFY THE PROVISIONS OF EXECUTIVE ORDER NO. 2 THAT DELEGATE TO THE SECRETARY OF TRANSPORTATION THE AUTHORITY TO APPROVE HIGHWAY CONSTRUCTION PROJECTS AND CONSTRUCTION PLANS, AND TO AWARD HIGHWAY CONSTRUCTION CONTRACTS, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the original bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of June 13. The original bill is placed on the Unfavorable Calendar.

S.B. 895 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND STATUTES RELATED TO MOTORCYCLE LICENSES, TO ELIMINATE A REQUIREMENT TO LIST RACE ON DRIVERS LICENSES, AND TO DELAY THE IMPLEMENTATION OF TWO CHANGES TO DRIVERS LICENSES PENDING AN INFORMATION TECHNOLOGY SYSTEM UPGRADE, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of Calendar of June 13. The Senate committee substitute bill is placed on the Unfavorable Calendar.

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SPECIAL MESSAGES FROM THE SENATE

The following Special Messages are received from the Senate:

S.J.R. 958, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF JAMES SUMMERS "JIM" FORRESTER, SR., MD, 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. 868 (Committee Substitute), A BILL TO BE ENTITLED AN ACT ADJUSTING THE DATES OF VALIDITY FOR LICENSES ISSUED BY THE WILDLIFE RESOURCES COMMISSION TO ELIMINATE THE PENALTY FOR EARLY RENEWAL, is read the first time and referred to the Committee on Agriculture.

S.B. 905, A BILL TO BE ENTITLED AN ACT TO PROTECT THE PROPERTY RIGHTS OF HOMEOWNERS BY REQUIRING THAT DEVELOPMENT PERMITS ISSUED TO REPAIR OR RECONSTRUCT SINGLE-FAMILY AND DUPLEX RESIDENTIAL DWELLINGS IN CURRITUCK COUNTY GREATER THAN FIVE THOUSAND SQUARE FEET AND CONSTRUCTED PRIOR TO AUGUST 11, 2009, SHALL INCLUDE A MINIMUM SETBACK OF SIXTY FEET OR THIRTY TIMES THE SHORELINE EROSION RATE, WHICHEVER IS GREATER, is read the first time and referred to the Committee on Government.

H.B. 941, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE APPROPRIATE MEASUREMENT OF PSEUDOEPHEDRINE PRODUCTS FOR PURPOSES OF THE PSEUDOEPHEDRINE TRANSACTION LIMITS, AND TO CLARIFY THE IDENTIFICATION AND ELECTRONIC RECORD-KEEPING REQUIREMENTS FOR PSEUDOEPHEDRINE PRODUCTS, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON METHAMPHETAMINE ABUSE, is returned for concurrence in one Senate amendment.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 13.

Upon concurrence the Senate amendment changes the title.

H.B. 199 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO RECODIFY THE PROVISIONS OF THE GENERAL STATUTES THAT REGULATE PRECIOUS METALS BUSINESSES, PAWNBROKERS AND CASH CONVERTERS, AND SECONDARY METALS RECYCLERS, AND TO STRENGTHEN METALS THEFT

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PREVENTION BY REQUIRING PERMITTING OF NONFERROUS METALS PURCHASERS, MAKING IT A CRIME TO CUT, MUTILATE, DEFACE, OR OTHERWISE INJURE THE PROPERTY OF ANOTHER TO OBTAIN NONFERROUS METALS, CREATING RELATED CRIMINAL OFFENSES, AND MAKING OTHER RELATED CHANGES TO THE GENERAL STATUTES, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of June 13.

Upon concurrence the Senate committee substitute bill changes the title.

The House stands adjourned at 7:00 p.m.

ONE HUNDRED TWENTY-SIXTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, June 13, 2012

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

Representatives Shepard and Womble are excused for a portion of the Session.

Serving as Honorary Page for today is John Harris.

ENROLLED BILLS

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

H.B. 235, AN ACT TO AMEND THE LAWS PERTAINING TO TERMINATION OF PARENTAL RIGHTS TO INCLUDE CONVICTION OF A SEXUALLY RELATED OFFENSE THAT RESULTS IN THE

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CONCEPTION OF THE JUVENILE AS A BASIS FOR TERMINATION OF PARENTAL RIGHTS.

H.B. 261, AN ACT TO REQUIRE INTRASTATE MOTOR CARRIERS TO BE MARKED.

H.B. 741, AN ACT TO SET A MAXIMUM LENGTH FOR LAW ENFORCEMENT AND EMERGENCY MANAGEMENT VEHICLES.

H.B. 1025, AN ACT TO EXTEND THE SUNSET OF CERTAIN TAX PROVISIONS.

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

H.J.R. 1007, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF DANIEL LUCAS ELLIOTT, NORTH CAROLINA CITIZEN AND SOLDIER. (RESOLUTION 2012-4)

CHAPTERED BILLS

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

H.B. 843, AN ACT TO MODERNIZE THE NORTH CAROLINA EMERGENCY MANAGEMENT ACT AND RELATED STATUTES. (S.L. 2012-12)

H.B. 966, AN ACT TO REPEAL THE PROHIBITION ON TEACHER PREPAYMENT, CLARIFY ELIGIBILITY FOR THE NC PRE-K PROGRAM, AND ENACT 2012-2013 SALARY SCHEDULES FOR TEACHERS AND SCHOOL ADMINISTRATORS. (S.L. 2012-13)

H.B. 345, AN ACT TO MODIFY THE MOVE-OVER LAW TO INCLUDE ALL HIGHWAY MAINTENANCE VEHICLES AND UTILITY VEHICLES. (S.L. 2012-14)

H.B. 302, AN ACT TO BROADEN THE EXEMPTION FROM CHARITABLE LICENSING REQUIREMENTS FOR CERTAIN NON-PROFIT ADULT RESIDENTIAL TREATMENT FACILITIES AND TO EXTEND THE SUNSET ON A WAIVER RELATING TO ALTERNATIVE STAFFING REQUIREMENTS FOR FACILITIES THAT USE ELECTRONIC SUPERVISION DEVICES. (S.L. 2012-15)

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H.B. 637, AN ACT TO AMEND THE LAWS APPLICABLE TO ADOPTIONS, AS RECOMMENDED BY THE NORTH CAROLINA BAR ASSOCIATION. (S.L. 2012-16)

H.B. 493, AN ACT AMENDING THE LAWS RELATED TO LANDLORD TENANT RELATIONSHIPS AND ESTABLISHING A PROCESS WHEREBY A LANDLORD MAY REMOVE FROM A RESIDENTIAL DWELLING UNIT TANGIBLE PERSONAL PROPERTY BELONGING TO A DECEASED TENANT AFTER FILING AN AFFIDAVIT WITH THE CLERK OF COURT IN THE COUNTY IN WHICH THE RESIDENTIAL DWELLING UNIT IS LOCATED. (S.L. 2012-17)

H.B. 707, AN ACT TO ELIMINATE OBSOLETE REGISTER OF DEEDS PROVISIONS FROM THE GENERAL STATUTES, TO AMEND LOCAL AGENCY CHARGES FOR VITAL RECORDS SEARCHES, TO CLARIFY THE LAW GOVERNING PERSONS HOLDING THE POWER TO DIRECT TRUSTEES, TRUST PROTECTORS, AND DIRECTED TRUSTEES AND OTHER FIDUCIARIES, TO MAKE TECHNICAL CHANGES IN THE LAW GOVERNING TRUSTS AND DECEDENTS' ESTATES, AND TO AUTHORIZE THE REVISOR OF STATUTES TO PRINT OFFICIAL COMMENTS TO THE UNIFORM TRUST CODE. (S.L. 2012-18)

H.B. 660, 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. (S.L. 2012-19)

H.B. 589, AN ACT 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. (S.L. 2012-20)

S.B. 799, AN ACT TO REMEDY INFIRMITIES FOUND BY A FEDERAL COURT IN A LOCAL ACT RELATING TO ELECTION OF THE BOARD OF COMMISSIONERS OF GUILFORD COUNTY. (S.L. 2012-21)

S.B. 830, AN ACT TO ALLOW IREDELL COUNTY TO ESTABLISH A SATELLITE REGISTER OF DEEDS OFFICE AND TO AUTHORIZE THE RECORDING OF DOCUMENTS AT THAT OFFICE. (S.L. 2012-22)

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H.B. 296, 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 TAX-PAYER, AND TO AUTHORIZE SAMPSON COUNTY TO REQUIRE THE PAYMENT OF DELINQUENT PROPERTY TAXES BEFORE RECORDING DEEDS CONVEYING PROPERTY. (S.L. 2012-23)

H.B. 322, 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. (S.L. 2012-24)

H.B. 328, 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. (S.L. 2012-25)

H.B. 511, AN ACT DISSOLVING THE GOLDSBORO-WAYNE AIRPORT AUTHORITY. (S.L. 2012-26)

H.B. 1065, AN ACT TO ALLOW THE MOORE COUNTY BOARD OF EDUCATION TO (I) PERMIT THE USE OF PUBLIC SCHOOL BUSES TO SERVE THE TRANSPORTATION NEEDS OF THE 2014 U.S. OPEN GOLF TOURNAMENT AND (II) BEGIN THE 2013-2014 SCHOOL YEAR ONE WEEK EARLIER. (S.L. 2012-27)

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. 1023, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR EXPUNCTION OF NONVIOLENT FELONIES OR NONVIOLENT MISDEMEANORS AFTER FIFTEEN YEARS FOR PERSONS WHO HAVE HAD NO OTHER CONVICTIONS FOR FELONIES OR MISDEMEANORS OTHER THAN TRAFFIC VIOLATIONS UNDER THE LAWS OF THE UNITED STATES, THIS STATE, OR ANY OTHER JURISDICTION, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION, 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 14. The original bill is placed on the Unfavorable Calendar.

H.B. 1048, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS GOVERNING INCAPACITY TO PROCEED, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of June 14. The original bill is placed on the Unfavorable Calendar.

By Representative McGee, Chair, for the Committee on State Personnel:

H.B. 1074, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE STATUTES GOVERNING THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, THE LOCAL GOVERNMENTAL EMPLOYEES RETIREMENT SYSTEM, AND THE DISABILITY INCOME PLAN OF NORTH CAROLINA TO ENHANCE THE OPERATION OF THE MEDICAL BOARD; TO ESTABLISH GUIDELINES FOR FRAUD INVESTIGATIONS THAT WILL ENHANCE THE DEPARTMENT OF STATE TREASURER'S CAPABILITY TO PREVENT AND DETECT FRAUD, WASTE, AND ABUSE; TO CREATE A REBUTTABLE PRESUMPTION OF FRAUD IN THE AVERAGE FINAL COMPENSATION CALCULATION; AND TO MAKE IT A CLASS 1 MISDEMEANOR TO FRAUDULENTLY RECEIVE THE RETIREMENT BENEFIT OF A DECEASED DISABILITY 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 Finance.

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

H.B. 1200, A BILL TO BE ENTITLED AN ACT TO AMEND THE PROVISIONS OF THE WINSTON-SALEM FIREMEN'S RETIREMENT FUND, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of June 14. 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. 1041, A BILL TO BE ENTITLED AN ACT TO EXCHANGE CERTAIN DESCRIBED TRACTS OF LAND BETWEEN THE CITY OF ARCHDALE AND THE CITY OF HIGH POINT, with a favorable report.

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

H.B. 1088, A BILL TO BE ENTITLED AN ACT CONCERNING THE DIVISION BETWEEN GRAHAM AND SWAIN COUNTIES OF TVA PAYMENTS IN LIEU OF TAXES, AND CLARIFYING THE COMMON BOUNDARY BETWEEN THOSE COUNTIES, with a favorable report.

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

H.B. 1090, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE REMAINING NINE PERCENT OF THE COMMON BOUNDARY BETWEEN ALAMANCE COUNTY AND ORANGE COUNTY NOT ADDRESSED BY SESSION LAW 2011-88 AND AS AUTHORIZED BY THE 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, 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 14. The original bill is placed on the Unfavorable Calendar.

H.B. 1110, A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTIES FROM THE CORPORATE LIMITS OF THE TOWN OF MATTHEWS AND ANNEX IT TO THE TOWN OF STALLINGS, BOTH AT THE REQUEST OF THE RESPECTIVE TOWN GOVERNING BOARDS, with a favorable report.

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

H.B. 1122, A BILL TO BE ENTITLED AN ACT TO VALIDATE CERTAIN LEVIES AND COLLECTION OF FIRE DISTRICT TAXES IN MARTIN COUNTY AND TO ALLOW MARTIN COUNTY TO ABOLISH BY RESOLUTION ITS CHAPTER 69 FIRE PROTECTION DISTRICTS UPON ESTABLISHMENT OF FIRE PROTECTION SERVICE DISTRICTS UNDER CHAPTER 153A OF THE GENERAL STATUTES, with a favorable report.

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

H.B. 1169, A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF BURGAW, with a favorable report.

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

H.B. 1181, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF EMERALD ISLE TO LEVY AN ADDITIONAL ONE PERCENT SALES AND USE TAX, THE PROCEEDS OF WHICH SHALL BE USED FOR BEACH NOURISHMENT, 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 of June 14. The original bill is placed on the Unfavorable Calendar.

H.B. 1202, A BILL TO BE ENTITLED AN ACT TO DEANNEX FROM THE CITY OF ROANOKE RAPIDS A PARCEL PREVIOUSLY ANNEXED BY A LEGISLATIVE ANNEXATION AND AMENDING THE AUTHORIZING LEGISLATION FOR THE HALIFAX-NORTHAMPTON REGIONAL AIRPORT AUTHORITY, 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 14. The original bill is placed on the Unfavorable Calendar.

H.B. 1206, A BILL TO BE ENTITLED AN ACT TO MORE ACCURATELY DESCRIBE THE CORPORATE LIMITS OF THE TOWN OF BUTNER, 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 14. The original bill is placed on the Unfavorable Calendar.

H.B. 1207, A BILL TO BE ENTITLED AN ACT TO ALLOW GRANVILLE COUNTY, PERSON COUNTY, THE CITY OF CREEDMOOR, THE TOWN OF BUTNER, AND THE TOWN OF STEM TO COLLECT DELINQUENT STORMWATER UTILITY FEES IN THE SAME MANNER AS DELINQUENT PERSONAL AND REAL PROPERTY TAXES, with a favorable report.

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

H.B. 1217, A BILL TO BE ENTITLED AN ACT TO ADJUST THE BOUNDARIES OF THE TOWN OF WOODFIN AND THE CITY OF ASHEVILLE, AS REQUESTED BY THE GOVERNING BOARDS OF THOSE MUNICIPALITIES, BY (1) ANNEXING INTO THE CITY OF ASHEVILLE CERTAIN STATE-OWNED PROPERTY, (2) REMOVING CERTAIN STATE-OWNED PROPERTY FROM THE TOWN OF WOODFIN AND ANNEXING IT INTO THE CITY OF ASHEVILLE, (3) REMOVING CERTAIN STATE-OWNED AND PRIVATE PROPERTY FROM THE CITY OF ASHEVILLE AND ANNEXING IT INTO THE TOWN OF WOODFIN, AND (4) UPON PETITION OF THE OWNER AND WITH THE CONCURRENCE OF THE TOWN OF WOODFIN, ALLOWING THE CITY OF ASHEVILLE TO ANNEX CERTAIN PROPERTY IN THE TOWN OF WOODFIN THAT, AS A RESULT OF THE OPERATION OF THIS ACT, IS SURROUNDED BY THE CITY OF ASHEVILLE OR A COMBINATION OF THE CITY OF ASHEVILLE AND UNINCORPORATED AREA, AND PROVIDING FOR THE CITY OF ASHEVILLE AND THE TOWN OF WOODFIN TO ENTER INTO AGREEMENTS REGARDING THE PROVISION OF MUNICIPAL SERVICES TO CERTAIN PROPERTIES IN EACH OTHER'S JURISDICTION, with a favorable report.

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

S.B. 828 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE UNEMPLOYMENT INSURANCE LAWS, with a favorable report as to the House committee substitute bill, unfavorable as to the Senate committee substitute bill.

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

S.B. 906, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF NAGS HEAD TO LEASE OUT PROPERTY FOR A LICENSED NURSING HOME FOR UP TO FORTY YEARS WITHOUT TREATING IT AS A SALE, with a favorable report.

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

By Representatives Iler and Mills, Chairs, for the Committee on Transportation:

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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, 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 14. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representatives McElraft, Samuelson, and West, Chairs, for the Committee on Environment:

S.B. 820 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO (1) RECONSTITUTE THE MINING COMMISSION AS THE MINING AND ENERGY COMMISSION, (2) REQUIRE THE MINING AND ENERGY COMMISSION AND OTHER REGULATORY AGENCIES TO DEVELOP A MODERN REGULATORY PROGRAM FOR THE MANAGEMENT OF OIL AND GAS EXPLORATION AND DEVELOPMENT ACTIVITIES IN THE STATE, INCLUDING THE USE OF HORIZONTAL DRILLING AND HYDRAULIC FRACTURING FOR THAT PURPOSE, (3) AUTHORIZE HORIZONTAL DRILLING AND HYDRAULIC FRACTURING, BUT PROHIBIT THE ISSUANCE OF PERMITS FOR THESE ACTIVITIES PENDING SUBSEQUENT LEGISLATIVE ACTION, (4) ENHANCE LANDOWNER AND PUBLIC PROTECTIONS RELATED TO HORIZONTAL DRILLING AND HYDRAULIC FRACTURING, AND (5) ESTABLISH THE JOINT LEGISLATIVE COMMISSION ON ENERGY POLICY, 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 14. The Senate committee substitute bill is placed on the Unfavorable Calendar.

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By Representatives Current, Dollar, and Hollo, Chairs, for the Committee on Health and Human Services:

S.B. 433 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROMOTE EFFICIENCY AND EFFECTIVENESS IN THE ADMINISTRATION OF HUMAN SERVICES AND TO STRENGTHEN THE LOCAL PUBLIC HEALTH INFRASTRUCTURE BY ESTABLISHING A PUBLIC HEALTH IMPROVEMENT INCENTIVE PROGRAM AND ASSURING THE PROVISION OF THE TEN ESSENTIAL PUBLIC HEALTH SERVICES, 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 14. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

S.B. 525 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STREAMLINE DUPLICATE OVERSIGHT OF CERTAIN DHHS SERVICE PROVIDERS, 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 14. The Senate committee substitute bill is placed on the Unfavorable Calendar.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following is introduced and read the first time:

By Representatives Walend, Brubaker, McGrady, and M. Alexander (Primary Sponsors); Brandon, Fisher, Hamilton, and Luebke:

H.J.R. 1224, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF WILLIAM MANER "BILL" IVES, FORMER MEMBER OF THE GENERAL ASSEMBLY, is referred to the Committee on Rules, Calendar, and Operations of the House.

SPECIAL MESSAGE FROM THE SENATE

The following Special Message is received from the Senate:

H.B. 819 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STUDY AND MODIFY CERTAIN COASTAL MANAGE-

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MENT POLICIES, is returned for concurrence in the Senate committee substitute bill and referred to the Committee on Environment.

Upon concurrence the Senate committee substitute bill changes the title.

REPRESENTATIVE FOLWELL, SPEAKER PRO TEMPORE PRESIDING.

CALENDAR

Action is taken on the following:

H.J.R. 1223, A JOINT RESOLUTION HONORING THE STATE LIBRARY FOR PROVIDING SERVICE FOR TWO HUNDRED YEARS AND THOSE WHO PLAYED A ROLE IN THE LIBRARY'S SUCCESS, 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 sent to the Senate by Special Message.

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".

On motion of Representative Steen, the House concurs in the Senate amendment, by electronic vote (115-0), and the bill is ordered enrolled and presented to the Governor by Special Message.

H.B. 813 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXPAND THE DEFINITION OF INDUSTRIAL MACHINERY EXEMPT FROM BUILDING CODE INSPECTION TO INCLUDE EQUIPMENT AND MACHINERY ACQUIRED BY STATE-SUPPORTED CENTERS PROVIDING TESTING, RESEARCH, AND DEVELOPMENT SERVICES TO MANUFACTURING CLIENTS.

On motion of Representative Howard, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (87-28), and the bill is ordered enrolled and presented to the Governor by Special Message.

H.B. 941, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE APPROPRIATE MEASUREMENT OF PSEUDOEPHEDRINE PRODUCTS FOR PURPOSES OF THE PSEUDOEPHEDRINE TRANSACTION LIMITS,

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AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON METHAMPHETAMINE ABUSE.

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

H.B. 1015 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO SET THE REGULATORY FEES AND TO ENHANCE ECONOMIC DEVELOPMENT.

On motion of Representative Howard, the House does not concur in the Senate committee substitute bill, by electronic vote (117-0), and conferees are requested.

H.B. 1032, A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED NONCONTIGUOUS PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF MORGANTON, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Avila, Bell, Blackwell, 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, Hackney, Hager, Haire, Hall, Hamilton, Harrison, Hastings, Hill, Hilton, Hollo, Holloway, Horn, Howard, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Jones, Jordan, Justice, Keever, Killian, Langdon, LaRoque, Lewis, Lucas, Luebke, Martin, McComas, McCormick, McElraft, McGee, McGrady, McGuirt, McLawhorn, Mills, Mobley, R. Moore, T. Moore, Murry, Owens, Parfitt, Parmon, Pierce, Pittman, Pridgen, Randleman, Rapp, Ross, Sager, Saine, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Wainwright, Walend, E. Warren, H. Warren, Weiss, West, Wilkins, Womble, and Wray - 115.

Voting in the negative: None.

Excused absences: None.

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H.B. 199 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO RECODIFY THE PROVISIONS OF THE GENERAL STATUTES THAT REGULATE PRECIOUS METALS BUSINESSES, PAWNBROKERS AND CASH CONVERTERS, AND SECONDARY METALS RECYCLERS, AND TO STRENGTHEN METALS THEFT PREVENTION BY REQUIRING PERMITTING OF NONFERROUS METALS PURCHASERS, MAKING IT A CRIME TO CUT, MUTILATE, DEFACE, OR OTHERWISE INJURE THE PROPERTY OF ANOTHER TO OBTAIN NONFERROUS METALS, CREATING RELATED CRIMINAL OFFENSES, AND MAKING OTHER RELATED CHANGES TO THE GENERAL STATUTES.

On motion of Representative T. Moore and without objection, the bill is withdrawn from the Calendar and re-referred to Judiciary Subcommittee C.

H.B. 945, A BILL TO BE ENTITLED AN ACT TO ANNEX TO THE CITY OF MARION A SECTION OF RIGHT-OF-WAY OF US HIGHWAY 70 WEST WHERE A SIDEWALK TO BE MAINTAINED BY THE CITY IS TO BE CONSTRUCTED, 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, Dockham, Dollar, Earle, Faircloth, Faison, Farmer-Butterfield, Fisher, Floyd, Frye, Gill, Gillespie, Glazier, Goodman, Graham, 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, R. Moore, T. Moore, Murry, Owens, Parfitt, Parmon, Pierce, Pittman, Pridgen, Randleman, Rapp, Ross, Sager, Saine, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Wainwright, Walend, E. Warren, H. Warren, Weiss, West, Wilkins, Womble, and Wray - 117.

Voting in the negative: None.

Excused absences: None.

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H.B. 963, A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF COLUMBIA, 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, Dockham, Dollar, Earle, Faircloth, Faison, Farmer-Butterfield, Fisher, Floyd, Frye, Gill, Gillespie, Glazier, Goodman, Graham, Hackney, Hager, Haire, Hall, 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, R. Moore, T. Moore, Murry, Owens, Parfitt, Parmon, Pierce, Pittman, Pridgen, Randleman, Rapp, Ross, Sager, Saine, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Wainwright, Walend, E. Warren, H. Warren, Weiss, West, Wilkins, Womble, and Wray - 116.

Voting in the negative: None.

Excused absences: None.

H.B. 1018, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE APPROVAL OF THE YADKIN VALLEY REGIONAL CAREER ACADEMY AS A COOPERATIVE INNOVATIVE HIGH SCHOOL FOR THE 2012-2013 SCHOOL YEAR, 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. 1086, A BILL TO BE ENTITLED AN ACT TO EXEMPT CLAY COUNTY FROM CERTAIN STATUTORY REQUIREMENTS IN THE RENOVATION AND RESTORATION OF ITS OLD COURTHOUSE BUILDING TO BE LEASED AND/OR USED AS A MULTIPURPOSE FACILITY, passes its second reading and there being no objection is read a third time.

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

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H.B. 1199 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF LAKE LURE TO CONVEY CERTAIN DESCRIBED PROPERTY BY GIFT, PRIVATE SALE, OR LONG-TERM LEASE, 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. 1049 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT BLADEN COMMUNITY COLLEGE 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 (68-43).

Representative Ross requests and is granted leave of the House to be recorded as voting "no". The adjusted vote total is (68-44).

The bill passes its second reading, by electronic vote (75-42), 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.

S.B. 805 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT COASTAL CAROLINA COMMUNITY COLLEGE AND ISOTHERMAL COMMUNITY COLLEGE MAY OPT OUT OF PARTICIPATION AND THE WILLIAM D. FORD FEDERAL DIRECT LOAN PROGRAM.

Representative T. Moore calls the previous question on the passage of the bill on its second reading and the call is sustained by electronic vote (69-48).

The bill passes its second reading by electronic vote (73-44).

Representative T. Moore calls the previous question on the passage of the bill on its third reading and the call is sustained by electronic vote (66-49).

Representative Ingle requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (67-49).

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

S.B. 229 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN ENVIRONMENTAL AND NATURAL RESOURCES LAWS TO (1) DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO REPORT ON THE INTEGRATION OF STORMWATER CAPTURE AND REUSE INTO STORMWATER REGULATORY PROGRAMS; (2) DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO STUDY THE ADVISABILITY AND FEASIBILITY OF REALLOCATING WATER SUPPLY IN JOHN H. KERR RESERVOIR FROM HYDROPOWER STORAGE TO WATER SUPPLY STORAGE; (3) DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO STUDY AND EVALUATE DEGRADABLE PLASTIC PRODUCTS AND THEIR POTENTIAL TO CONTAMINATE RECYCLED PLASTIC FEEDSTOCKS; (4) DIRECT THE DIVISION OF PUBLIC HEALTH IN THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO REPORT ON THE ADMINISTRATION AND IMPLEMENTATION OF THE LEAD-BASED PAINT HAZARD MANAGEMENT PROGRAM FOR RENOVATION, REPAIR, AND PAINTING; (5) CLARIFY THAT THE DIVISION OF WATER QUALITY OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES SHALL NOT REQUIRE A WATER QUALITY PERMIT FOR A TYPE I SOLID WASTE COMPOST FACILITY; (6) DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ACCEPT ALTERNATIVE MEASURES FOR STORMWATER CONTROL OTHER THAN PONDS THAT MEET CERTAIN CRITERIA AT AIRPORTS; (7) PROVIDE CONDITIONS TO ALLOW FOR TWO NONCONTIGUOUS PROPERTIES TO BE TREATED AS A SINGLE CONTIGUOUS PROPERTY FOR PURPOSES OF COMPLIANCE WITH LOCAL WATER SUPPLY WATERSHED PROGRAMS; (8) AMEND THE NEUSE AND TAR-PAMLICO RIVER BASIN BUFFER RULES TO PROVIDE THAT IT IS PERMISSIBLE TO DEVELOP AN EXISTING LOT LOCATED ADJACENT TO SURFACE WATERS UNDER CERTAIN CONDITIONS; (9) PROVIDE FLEXIBILITY FOR THE DEVELOPMENT OF BASINWIDE WATER QUALITY MANAGEMENT PLANS FOR RIVER BASINS THAT HAVE WATERS DESIGNATED AS NUTRIENT SENSITIVE; (10) AMEND THE DEFINITION OF COMMUNITY WATER SYSTEM; (11) ESTABLISH A VARIANCE PROCESS FOR CERTAIN SETBACK REQUIREMENTS FOR EXISTING PRIVATE DRINKING WATER WELLS; (12) REPEAL THE AUTHORITY OF THE ENVIRONMENTAL MANAGEMENT COMMISSION TO ADD COUNTIES TO THE MOTOR VEHICLE EMISSIONS INSPECTION PROGRAM; (13) ALLOW THE COMMERCIAL LEAKING PETROLEUM UNDERGROUND STORAGE TANK CLEANUP

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FUND TO BE USED FOR THE REMOVAL OF ABANDONED UNDERGROUND STORAGE TANKS THAT HAVE NOT LEAKED BUT POSE AN IMMINENT HAZARD; (14) ESTABLISH A MINIMUM OCEAN HAZARD SETBACK OF SIXTY FEET OR THIRTY TIMES THE SHORELINE EROSION RATE, WHICHEVER IS GREATER, FOR DEVELOPMENT PERMITS TO REPLACE CERTAIN RESIDENTIAL DWELLINGS; (15) REQUIRE SCRAP TIRE COLLECTORS TO VERIFY ACCESS TO A PERMITTED SCRAP TIRE DISPOSAL SITE BEFORE CONTRACTING WITH ANY SCRAP TIRE PROCESSOR; (16) REQUIRE SEPTAGE MANAGEMENT FIRMS TO PROVIDE IDENTIFICATION OF AND NOTICE TO THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES BEFORE PLACING A PUMPER TRUCK NOT PREVIOUSLY INCLUDED IN A PERMIT INTO SERVICE; (17) AMEND OR REPEAL VARIOUS ENVIRONMENTAL AND NATURAL RESOURCES REPORTING REQUIREMENTS; (18) EXTEND THE DURATION OF PERMITS FOR SANITARY LANDFILLS AND TRANSFER STATIONS; (19) AMEND THE MARINE FISHERIES COMMISSION ADVISORY COMMITTEES; (20) PROVIDE THAT A SUPERMAJORITY OF THE MARINE FISHERIES COMMISSION IS REQUIRED TO OVERRIDE A RECOMMENDATION OF THE DIVISION OF MARINE FISHERIES REGARDING OVERFISHING OR REBUILDING OF FISH STOCKS; (21) PROVIDE CERTAIN PROTECTIONS TO GALAX AND VENUS FLYTRAP UNDER THE PLANT PROTECTION AND CONSERVATION ACT; (22) INCREASE THE CIVIL PENALTY FOR VIOLATIONS OF CERTAIN RULES OF THE WILDLIFE RESOURCES COMMISSION; (23) PROVIDE THAT FUNDS RECEIVED IN SETTLEMENT OF THE LAWSUIT FILED BY THE STATE AGAINST THE TENNESSEE VALLEY AUTHORITY BE USED EXCLUSIVELY IN CERTAIN COUNTIES; AND (24) MAKE TECHNICAL AND CONFORMING CHANGES TO ENVIRONMENTAL AND NATURAL RESOURCES LAWS.

Representative Gillespie offers Amendment No. 5 which is adopted by electronic vote (117-1).

Representative Stam offers Amendment No. 6 which is adopted by electronic vote (102-14). This amendment changes the title.

Representative Samuelson offers Amendment No. 7 which is adopted by electronic vote (117-0).

Representative LaRoque offers Amendment No. 8 which is adopted by electronic vote (110-6). This amendment changes the title.

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The caption having been amended, the bill remains on the Calendar.

SPEAKER TILLIS PRESIDING.

S.B. 416 (House Committee Substitute No. 2), A BILL ENTITLED AN ACT TO AMEND DEATH PENALTY PROCEDURES, passes its third reading by electronic vote (73-47), and is ordered sent to the Senate for concurrence in House Committee Substitute Bill No. 2 by Special Message.

S.B. 798, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES TO THE EMERGENCY MANAGEMENT STATUTES; AND TO ESTABLISH THE JOINT LEGISLATIVE EMERGENCY MANAGEMENT OVERSIGHT COMMITTEE, AS RECOMMENDED BY THE SENATE SELECT COMMITTEE ON EMERGENCY PREPAREDNESS AND RESPONSE.

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

The bill, as amended, passes its third reading, by electronic vote (116-0), and is ordered sent to the Senate for concurrence in the House amendment by Special Message.

H.B. 957 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE VARIOUS SPECIAL REGISTRATION PLATES, passes its second reading, by electronic vote (112-2), and there being no objection is read a third time.

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

H.B. 964 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA LONGITUDINAL DATA SYSTEM AND GOVERNING BOARD; AND TO PROVIDE THAT PRIVATE COLLEGES AND UNIVERSITIES, NONPUBLIC SCHOOLS, AND THE NORTH CAROLINA INDEPENDENT COLLEGES AND UNIVERSITIES ARE NOT LIABLE FOR A BREACH OF CONFIDENTIALITY CAUSED BY THE ACT OR OMISSION OF A STATE AGENCY, LOCAL SCHOOL ADMINISTRATIVE UNIT, COMMUNITY COLLEGE, OR CONSTITUENT INSTITUTION OF THE UNIVERSITY OF NORTH CAROLINA.

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

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, as amended, passes its third reading and is ordered engrossed and sent to the Senate by Special Message.

H.B. 975, A BILL TO BE ENTITLED AN ACT TO WORK TOWARD DECREASING OBESITY AMONG SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP) PARTICIPANTS BY INCREASING THEIR PARTICIPATION IN SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM EDUCATION (SNAP-ED) AND MAKING FRESH, LOCALLY GROWN PRODUCE AVAILABLE BY INCREASING THE ACCEPTANCE OF ELECTRONIC BENEFITS TRANSFER (EBT) CARDS AT FARMERS MARKETS, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON CHILDHOOD OBESITY, passes its second reading by electronic vote (109-4).

Representative H. Warren requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (110-4).

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

H.B. 1098 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CONTINUE THE WORK OF THE SUSTAINABLE LOCAL FOOD ADVISORY COUNCIL, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON CHILDHOOD OBESITY.

On motion of Representative Sanderson and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of June 20.

H.B. 1179 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE STATE TO TERMINATE ITS LEASE OF THE INDIAN CULTURAL CENTER PROPERTY AND TO DIRECT THE DISPOSITION OF THE PROPERTY.

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

On motion of Representative T. Moore, the bill is temporarily displaced.

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S.B. 724 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT VARIOUS EDUCATION REFORMS, passes its second reading by electronic vote (113-0).

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

S.B. 806, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE LAW DEALING WITH THE ANNUAL ASSESSMENTS OF MORTGAGE BANKERS, MORTGAGE BROKERS, AND MORTGAGE SERVICERS, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON THE MODERNIZATION OF NORTH CAROLINA BANKING LAWS, passes its second reading, by electronic vote (115-0), and there being no objection is read a third time.

Representative K. Alexander 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 enrolled and presented to the Governor by Special Message.

S.B. 824, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE SECRETARY OF REVENUE'S INTERPRETATION OF THE LAW CONCERNING THE SECRETARY'S AUTHORITY TO ADJUST NET INCOME OR REQUIRE A COMBINED RETURN BE MADE THROUGH RULE MAKING AND TO PROVIDE AN EXPEDITED PROCESS FOR RULE MAKING ON THIS ISSUE, passes its second reading, by electronic vote (78-37), 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.

S.B. 889, A BILL TO BE ENTITLED AN ACT TO CHANGE THE DEFINITION ON AN AREA THAT CAN BE REPRESENTED BY A RURAL PLANNING ORGANIZATION, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, passes its second reading, by electronic vote (116-0), and there being no objection is read a third time.

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

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H.B. 1179 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE STATE TO TERMINATE ITS LEASE OF THE INDIAN CULTURAL CENTER PROPERTY AND TO DIRECT THE DISPOSITION OF THE PROPERTY, which was temporarily displaced, is before the Body.

On motion of Representative T. Moore and without objection, the bill, as amended, is withdrawn from the Calendar, ordered engrossed, and re-referred to the Committee on Finance.

S.B. 890 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CODIFY THE PROVISIONS OF EXECUTIVE ORDER NO. 2 THAT DELEGATE TO THE SECRETARY OF TRANSPORTATION THE AUTHORITY TO APPROVE HIGHWAY CONSTRUCTION PROJECTS AND CONSTRUCTION PLANS AND TO AWARD HIGHWAY CONSTRUCTION CONTRACTS, REQUIRE THE DEPARTMENT OF TRANSPORTATION TO DEVELOP AND UTILIZE A STRATEGIC PRIORITIZATION PROCESS FOR SELECTION OF TRANSPORTATION PROJECTS, AND STRENGTHEN THE BOARD OF TRANSPORTATION ETHICS POLICY, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, passes its second reading, by electronic vote (115-1), and there being no objection is read a third time.

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

S.B. 895 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND STATUTES RELATED TO MOTORCYCLE LICENSES, TO DELAY THE IMPLEMENTATION OF TWO CHANGES TO DRIVERS LICENSES PENDING AN INFORMATION TECHNOLOGY SYSTEM UPGRADE, TO UPDATE CHAPTER 136 OF THE GENERAL STATUTES WITH THE TERM "CHIEF ENGINEER," WHICH REPLACES THE TERM "STATE HIGHWAY ADMINISTRATOR," AND TO AUTHORIZE RECIPROCITY AGREEMENTS FOR TOLL PAYMENTS BETWEEN THE NORTH CAROLINA TURNPIKE AUTHORITY AND OTHER TOLL AGENCIES, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, passes its second reading by electronic vote (106-10).

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

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CONFEREES APPOINTED

The Speaker appoints the following conferees on **H.B. 1015** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO SET THE REGULATORY FEES AND TO ENHANCE ECONOMIC DEVELOPMENT: Representative Howard, Chair; Representatives Starnes and Carney.

The Senate is so notified by Special Message.

RE-REFERRAL

On motion of Representative LaRoque, pursuant to Rule 39.2 and without objection, **S.B. 447** (Committee Substitute), A BILL TO BE ENTITLED AN ACT REWRITING THE LAWS REGULATING LANDSCAPE CONTRACTORS AND AUTHORIZING THE NORTH CAROLINA LANDSCAPE CONTRACTORS' LICENSING BOARD TO INCREASE CERTAIN FEES, is withdrawn from the Committee on Finance and referred to the Committee on Environment.

Representative LaRoque moves, seconded by Representative Stam, that the House adjourn, subject to the appointment of conferees, the ratification of bills, the receipt of Committee Reports, the receipt of Conference Reports, the receipt of Messages from the Senate, and the referral of bills to committees, to reconvene June 14 at 11:00 a.m.

The motion carries.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

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

By Representative T. Moore, Chair, for Judiciary Subcommittee C, with approval of standing committee Chair for report to be made directly to the floor of the House:

H.B. 1084, A BILL TO BE ENTITLED AN ACT TO (1) REQUIRE ASSOCIATIONS TO RELEASE LIENS UPON PAYMENT IN FULL; (2) REQUIRE ALL ASSOCIATIONS TO CONDUCT FINANCIAL REVIEWS OR FINANCIAL AUDITS; (3) ALLOW USE OF ALTERNATIVE DISPUTE RESOLUTION FOR CONFLICTS ARISING UNDER THE PLANNED COMMUNITY ACT OR CONDOMINIUM ACT; AND (4) SIMPLIFY THE COLLECTION OF PROPERTY TAXES THAT ARE

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DUE ON PROPERTY OWNED BY CERTAIN NONPROFIT HOMEOWNERS ASSOCIATIONS, 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 38(b), the committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

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

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

By Representatives 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. 1052, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS AMENDMENTS TO NORTH CAROLINA'S MECHANICS LIEN, TAX LIEN, AND PAYMENT BOND LAWS, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

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

S.B. 707 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE SCHOOL VIOLENCE PREVENTION ACT, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the Senate committee substitute bill.

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Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of June 14. The Senate committee substitute 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. 932, A HOUSE RESOLUTION HONORING THE USO OF NORTH CAROLINA FOR PROVIDING EXCEPTIONAL PROGRAMS AND SERVICES TO OUR MILITARY TROOPS AND THEIR FAMILIES, with a favorable report as to the committee substitute joint resolution, which changes the title, unfavorable as to the original resolution.

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

S.B. 929 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE THE RESIDENCY REQUIREMENTS FOR MEMBERS OF THE BOARD OF TRUSTEES OF A FIREMEN'S LOCAL RELIEF FUND, with a favorable report.

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

By Representative McGee, Chair, for the Committee on State Personnel:

S.B. 869, A BILL TO BE ENTITLED AN TO ACT REMOVE THE REQUIREMENT THAT FIREFIGHTERS AND RESCUE SQUAD WORKERS 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 as to the House committee substitute bill, which changes the title, unfavorable as to the original bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of June 14. The original bill is placed on the Unfavorable Calendar.

By Representatives Langdon and Sager, Chairs, for the Committee on Agriculture:

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

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of June 14. 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. 971, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE LEASE TERMINATION FOR A SERVICE MEMBER WHO DIES WHILE ON ACTIVE DUTY, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON MILITARY AFFAIRS, 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 14. The original bill is placed on the Unfavorable Calendar.

The House stands adjourned at 7:00 p.m.

ONE HUNDRED TWENTY-SEVENTH DAY

HOUSE OF REPRESENTATIVES
Thursday, June 14, 2012

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

The following remarks and prayer are offered by Representative Glen Bradley.

"Baruch atah b'shem Adonai
This is the day that the Lord has made, let us rejoice and be glad!

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"Paul teaches in First Corinthians,

"'But now there are many members, but one body. And the eye cannot say to the hand, 'I have no need of you'; or again the head to the feet, 'I have no need of you.' On the contrary, it is much truer that the members of the body which seem to be weaker are necessary; and those members of the body which we deem less honorable, on these we bestow more abundant honor, and our less presentable members become much more presentable, whereas our more presentable members have no need of it. But God has so composed the body, giving more abundant honor to that member which lacked, so that there may be no division in the body, but that the members may have the same care for one another.' (1 Corinthians 12:20-25 NASB)

"All too often we forget that every single member in a body is the most important member in that body. It is easy to say that because we disagree with someone that they are not relevant, or that they do not belong, or that they serve no purpose.

"Lest we forget that pride goeth before the fall, let us remember that in any body the loss of even the least member is a handicap to all members, and push forward in the spirit of unity, not for ourselves but for the people we serve and for the great State of North Carolina.

"Let us now come to accord in prayer:

"Oh heavenly Father, most holy Almighty God, thank You for the blessings with which You have blessed us to live in a country where we are free to seek Your face, and for Your daily blessings and sustainment but for which we would be unable to gather here on this day, bless us this day with Your divine wisdom to discern right and truth, the courage of Your Spirit with the conviction to defend liberty and to pursue justice without fear, guide us and keep us in the paths of righteousness, truth, and courage, and grant us, Oh Lord, the Spirit not of fear, but of power, and of love, and of a sound mind.

"Lead us, Oh Lord, in the paths of righteousness, not to seek out what is good for ourselves alone but what is good for all the people of the State of North Carolina, the United States, and the whole human family around the world wherewith we serve one another in the Spirit of love and fellowship.

"Lead us in Your ways that are beyond our ways, and in Your footsteps such that we do not steal, or kill, or destroy, but that the people we are sworn to serve might have life, and that they might have it more abundantly.

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"And fill us, Oh Lord, in the grace of Your Spirit that we may be united in the purpose of service, that we might serve not only one another and our constituencies, but all the people of North Carolina in the things that are right and good and which will bring You honor, Almighty Lord.

"For we know in faith that with man this is impossible, but with God all things are possible. Thank you, Oh Lord, and we ask this and all things in Your heavenly name above all names, known to many as Ha Shem, Adonai, the Lord God, and whom I personally know as Yeshua Moshiach Emmanuel - Jesus Christ, God with us. Amen."

The Speaker leads the Body in the Pledge of Allegiance in honor of Flag Day.

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

Leaves of absence are granted Representatives Hamilton, Mobley, and Womble for today. Representatives Brubaker, Dockham, Howard, McComas, McElraft, Samuelson, and Wainwright 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 L. Brown and Ingle, Chairs, for the Committee on Government:

H.B. 944, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF CULTURAL RESOURCES AND THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO STUDY VARIOUS REVENUE ENHANCEMENTS AND POTENTIAL SAVINGS AT STATE HISTORIC SITES AND MUSEUMS, THE STATE ZOO, STATE PARKS, AND STATE AQUARIUMS, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE, with a favorable report.

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

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H.B. 1050, 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 REPEALING SPECIFIED INVOLUNTARY ANNEXATION ORDINANCES OF THE TOWN OF ELIZABETHTOWN RELATING TO THE INDUSTRIAL PARK AREA, AND BY PROHIBITING MUNICIPAL INITIATION OF ANY PROCEDURE TO INVOLUNTARILY ANNEX THOSE AREAS FOR TWELVE YEARS, 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. 1051, 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 REPEALING SPECIFIED INVOLUNTARY ANNEXATION ORDINANCES OF THE TOWN OF ELIZABETHTOWN RELATING TO THE HAYFIELDS AREA, AND BY PROHIBITING MUNICIPAL INITIATION OF ANY PROCEDURE TO INVOLUNTARILY ANNEX THOSE AREAS FOR TWELVE YEARS, 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. 1106, A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN DESCRIBED TERRITORY TO THE CORPORATE LIMITS OF THE TOWN OF APEX, 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. 1123, A BILL TO BE ENTITLED AN ACT AMENDING THE ACT AUTHORIZING THE APPOINTMENT OF AN AUTHORITY TO CONTROL THE MANAGEMENT OF A MEMORIAL STADIUM TO BE ERECTED BY DURHAM COUNTY, TO INCREASE ITS MEMBERSHIP, AND TO AMEND ITS TERM LIMITS, 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.

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

S.B. 818, A BILL TO BE ENTITLED AN ACT TO EXEMPT CLAY COUNTY FROM CERTAIN STATUTORY REQUIREMENTS IN THE RENOVATION AND RESTORATION OF ITS OLD COURTHOUSE BUILDING TO BE LEASED AND/OR USED AS A MULTIPURPOSE FACILITY, with a favorable report.

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

S.B. 888 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT METROPOLITAN PLANNING ORGANIZATIONS AND RURAL TRANSPORTATION PLANNING ORGANIZATIONS ARE SUBJECT TO THE STATE GOVERNMENT ETHICS ACT, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, with a favorable report and recommendation that the bill be re-referred to the Committee on Judiciary.

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

By Representative McComas, Chair, for the Committee on Commerce and Job Development:

S.B. 810 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO (1) REESTABLISH THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE; (2) MAKE VARIOUS TECHNICAL AND CLARIFYING CHANGES TO THE ADMINISTRATIVE PROCEDURES ACT; (3) EXTEND THE EFFECTIVE DATE FOR CHANGES TO FINAL DECISION-MAKING AUTHORITY IN CERTAIN CONTESTED CASES; (4) LIMIT THE PERIOD DURING WHICH RECORDS OF UNCLAIMED PROPERTY MUST BE MAINTAINED; (5A) DIRECT AGENCIES TO SUBMIT A REPORT ON NOTICE GIVEN BEFORE AUDITING OR EXAMINING A BUSINESS TO THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE; (5B) REQUIRE THE DEPARTMENT OF LABOR TO PROVIDE NOTICE PRIOR TO INSPECTIONS; (6) CLARIFY THAT THE DISCHARGE OF WASTE INTO WATERS OF THE STATE DOES NOT INCLUDE THE RELEASE OF AIR CONTAMINANTS INTO THE OUTDOOR ATMOSPHERE; (7) AUTHORIZE RATHER THAN REQUIRE THE COMMISSION FOR PUBLIC HEALTH TO ADOPT RULES FOR THE TESTING OF WATER FROM NEW DRINKING WATER WELLS FOR CERTAIN VOLATILE ORGANIC COMPOUNDS; (8) DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO TRACK AND REPORT ON PERMIT PROCESSING TIMES; (9) DELAY THE EFFECTIVE DATE FOR COMPLIANCE WITH WADING POOL

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FENCING REQUIREMENTS FROM JULY 1, 2012, TO JANUARY 1, 2013; (10) DIRECT THE COMMISSION FOR PUBLIC HEALTH TO AMEND THE RULES GOVERNING THE DURATION OF PERMITS FOR SANITARY LANDFILLS AND THE PERIOD IN WHICH THOSE PERMITS ARE REVIEWED; (11) EXEMPT FROM SANITATION REGULATIONS OF FOOD AND LODGING FACILITIES SEASONAL MARKETS AT WHICH THE OPERATOR OF THE MARKET SELLS PRODUCTS PRODUCED ONLY BY THE OPERATOR; AND (12) AMEND THE CRITERIA FOR DESIGNATION AS A PORT ENHANCEMENT ZONE, 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 18. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representative T. Moore, Chair, for Judiciary Subcommittee C, with approval of standing committee Chair for report to be made directly to the floor of the House:

H.B. 199 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO RECODIFY THE PROVISIONS OF THE GENERAL STATUTES THAT REGULATE PRECIOUS METALS BUSINESSES, PAWNBROKERS AND CASH CONVERTERS, AND SECONDARY METALS RECYCLERS, AND TO STRENGTHEN METALS THEFT PREVENTION BY REQUIRING PERMITTING OF NONFERROUS METALS PURCHASERS, MAKING IT A CRIME TO CUT, MUTILATE, DEFACE, OR OTHERWISE INJURE THE PROPERTY OF ANOTHER TO OBTAIN NONFERROUS METALS, CREATING RELATED CRIMINAL OFFENSES, AND MAKING OTHER RELATED CHANGES TO THE GENERAL STATUTES, with recommendation that the House concur.

Pursuant to Rule 36(b) and without objection, the Senate committee substitute bill is placed on today's Calendar.

ENROLLED BILLS

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

S.B. 806, AN ACT TO MAKE CHANGES TO THE LAW DEALING WITH THE ANNUAL ASSESSMENTS OF MORTGAGE BANKERS, MORTGAGE BROKERS, AND MORTGAGE SERVICERS, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON THE MODERNIZATION OF NORTH CAROLINA BANKING LAWS.

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S.B. 824, AN ACT TO REQUIRE THE SECRETARY OF REVENUE'S INTERPRETATION OF THE LAW CONCERNING THE SECRETARY'S AUTHORITY TO ADJUST NET INCOME OR REQUIRE A COMBINED RETURN BE MADE THROUGH RULE MAKING AND TO PROVIDE AN EXPEDITED PROCESS FOR RULE MAKING ON THIS ISSUE.

S.B. 889, AN ACT TO CHANGE THE DEFINITION ON AN AREA THAT CAN BE REPRESENTED BY A RURAL PLANNING ORGANIZATION, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

H.B. 490, AN ACT TO NAME THE YADKIN RIVER BRIDGE AT THE DAVIDSON AND ROWAN COUNTY LINES THE "YADKIN RIVER VETERANS MEMORIAL BRIDGE."

H.B. 813, AN ACT TO EXPAND THE DEFINITION OF INDUSTRIAL MACHINERY EXEMPT FROM BUILDING CODE INSPECTION TO INCLUDE EQUIPMENT AND MACHINERY ACQUIRED BY STATE-SUPPORTED CENTERS PROVIDING TESTING, RESEARCH, AND DEVELOPMENT SERVICES TO MANUFACTURING CLIENTS.

H.B. 941, AN ACT TO CLARIFY THE APPROPRIATE MEASUREMENT OF PSEUDOEPHEDRINE PRODUCTS FOR PURPOSES OF THE PSEUDOEPHEDRINE TRANSACTION LIMITS, AND TO CLARIFY THE IDENTIFICATION AND ELECTRONIC RECORD-KEEPING REQUIREMENTS FOR PSEUDOEPHEDRINE PRODUCTS, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON METHAMPHETAMINE ABUSE.

CALENDAR

Action is taken on the following:

H.B. 945, A BILL TO BE ENTITLED AN ACT TO ANNEX TO THE CITY OF MARION A SECTION OF RIGHT-OF-WAY OF US HIGHWAY 70 WEST WHERE A SIDEWALK TO BE MAINTAINED BY THE CITY IS TO BE CONSTRUCTED, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Avila, Bell, 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, Farmer-Butterfield, Fisher, Floyd, Folwell, Frye,

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Gill, Gillespie, Glazier, Goodman, Graham, Hackney, Hager, Haire, Hall, Harrison, Hastings, Hill, Hollo, Holloway, Horn, Howard, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Jordan, Justice, Keever, Killian, Langdon, LaRoque, Lewis, Lucas, Luebke, Martin, McComas, McElraft, McGee, McGrady, McGuirt, McLawhorn, Michaux, Mills, Moffitt, R. Moore, Owens, Parfitt, Parmon, Pierce, Pittman, Pridgen, Randleman, Rapp, Ross, Sager, Saine, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Wainwright, Walend, E. Warren, H. Warren, Weiss, West, Wilkins, and Wray - 109.

Voting in the negative: None.

Excused absences: Representatives Hamilton, Mobley, and Womble - 3.

Representative McCormick requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (110-0).

H.B. 963, A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF COLUMBIA, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Avila, Bell, 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, Farmer-Butterfield, Fisher, Floyd, Folwell, Frye, Gill, Gillespie, Glazier, Goodman, Graham, Hackney, Hager, Haire, Hall, Harrison, Hastings, Hill, Hollo, Holloway, Horn, Howard, Hurley, Iler, Ingle, Insko, Jackson, Jeffus, Johnson, Jones, Jordan, Justice, Keever, Killian, Langdon, LaRoque, Lewis, Lucas, Luebke, Martin, McComas, McElraft, McGee, McGrady, McGuirt, McLawhorn, Michaux, Mills, Moffitt, R. Moore, T. Moore, Owens, Parfitt, Parmon, Pierce, Pittman, Pridgen, Randleman, Rapp, Ross, Sager, Saine, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Wainwright, Walend, E. Warren, H. Warren, Weiss, West, Wilkins, and Wray - 110.

Voting in the negative: None.

Excused absences: Representatives Hamilton, Mobley, and Womble - 3.

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Representatives Blackwell and McCormick request and are granted leave of the House to be recorded as voting "aye". The adjusted vote total is (112-0).

S.B. 749 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE STATE'S LAWS PERTAINING TO TRANSPORTATION.

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

H.B. 1041, A BILL TO BE ENTITLED AN ACT TO EXCHANGE CERTAIN DESCRIBED TRACTS OF LAND BETWEEN THE CITY OF ARCHDALE AND THE CITY OF HIGH POINT, 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, 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, Goodman, Graham, Hackney, Hager, Haire, Hall, Hastings, Hill, 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, Moffitt, R. Moore, T. Moore, Murry, Owens, Parfitt, Parmon, Pierce, Pittman, Pridgen, Randleman, Rapp, Ross, Sager, Saine, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Wainwright, Walend, E. Warren, H. Warren, Weiss, West, Wilkins, and Wray - 112.

Voting in the negative: Representative Harrison.

Excused absences: Representatives Hamilton, Mobley, and Womble - 3.

H.B. 1088, A BILL TO BE ENTITLED AN ACT CONCERNING THE DIVISION BETWEEN GRAHAM AND SWAIN COUNTIES OF TVA PAYMENTS IN LIEU OF TAXES, AND CLARIFYING THE COMMON BOUNDARY BETWEEN THOSE COUNTIES, 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, 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, Hackney, Hager, Haire, Hall, Harrison, Hastings, Hill, 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, Moffitt, R. Moore, T. Moore, Murry, Owens, Parfitt, Parmon, Pierce, Pittman, Pridgen, Randleman, Rapp, Ross, Sager, Saine, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Wainwright, Walend, E. Warren, H. Warren, Weiss, West, Wilkins, and Wray - 114.

Voting in the negative: None.

Excused absences: Representatives Hamilton, Mobley, and Womble - 3.

H.B. 1181 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE REVENUE LAWS STUDY COMMITTEE TO STUDY WHETHER MUNICIPALITIES SHOULD HAVE THE AUTHORITY TO LEVY A LOCAL OPTION SALES TAX FOR BEACH NOURISHMENT, 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. 1200 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE PROVISIONS OF THE WINSTON-SALEM FIREMEN'S RETIREMENT FUND, passes its second reading and there being no objection is read a third time.

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

H.B. 1207, A BILL TO BE ENTITLED AN ACT TO ALLOW GRANVILLE COUNTY, PERSON COUNTY, THE CITY OF CREEDMOOR, THE TOWN OF BUTNER, AND THE TOWN OF STEM TO COLLECT DELINQUENT STORMWATER UTILITY FEES IN THE SAME MANNER AS DELINQUENT PERSONAL AND REAL PROPERTY TAXES, 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 by Special Message.

S.B. 906, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF NAGS HEAD TO LEASE OUT PROPERTY FOR A LICENSED NURSING HOME FOR UP TO FORTY YEARS WITHOUT TREATING IT AS A SALE, 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. 1090 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE REMAINING NINE PERCENT OF THE COMMON BOUNDARY BETWEEN ALAMANCE COUNTY AND ORANGE COUNTY NOT ADDRESSED BY SESSION LAW 2011-88 AND AS AUTHORIZED BY THE 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, 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, 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, Hackney, Hager, Haire, Hall, 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, Moffitt, R. Moore, T. Moore, Murry, Owens, Parfitt, Parmon, Pierce, Pittman, Pridgen, Randleman, Rapp, Ross, Sager, Saine, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Wainwright, Walend, E. Warren, H. Warren, Weiss, West, Wilkins, and Wray - 113.

Voting in the negative: None.

Excused absences: Representatives Hamilton, Mobley, and Womble - 3.

Representative Harrison requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (114-0).

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H.B. 1110, A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTIES FROM THE CORPORATE LIMITS OF THE TOWN OF MATTHEWS AND ANNEX IT TO THE TOWN OF STALLINGS, BOTH AT THE REQUEST OF THE RESPECTIVE TOWN GOVERNING BOARDS, 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, 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, Hackney, Hager, Haire, Hall, 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, Moffitt, R. Moore, T. Moore, Murry, Owens, Parfitt, Parmon, Pierce, Pittman, Pridgen, Randleman, Rapp, Ross, Sager, Saine, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Wainwright, Walend, E. Warren, H. Warren, Weiss, West, Wilkins, and Wray - 113.

Voting in the negative: None.

Excused absences: Representatives Hamilton, Mobley, and Womble - 3.

Representative Harrison requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (114-0).

H.B. 1122, A BILL TO BE ENTITLED AN ACT TO VALIDATE CERTAIN LEVIES AND COLLECTION OF FIRE DISTRICT TAXES IN MARTIN COUNTY AND TO ALLOW MARTIN COUNTY TO ABOLISH BY RESOLUTION ITS CHAPTER 69 FIRE PROTECTION DISTRICTS UPON ESTABLISHMENT OF FIRE PROTECTION SERVICE DISTRICTS UNDER CHAPTER 153A OF THE GENERAL STATUTES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Avila, 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,

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Floyd, Frye, Gill, Gillespie, Glazier, Goodman, Graham, Hackney, Hager, Haire, Hall, 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, Moffitt, R. Moore, T. Moore, Murry, Owens, Parfitt, Parmon, Pierce, Pittman, Pridgen, Randleman, Rapp, Ross, Sager, Saine, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Wainwright, Walend, E. Warren, H. Warren, Weiss, West, Wilkins, and Wray - 113.

Voting in the negative: None.

Excused absences: Representatives Hamilton, Mobley, and Womble - 3.

Representative Harrison requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (114-0).

H.B. 1169, A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF BURGAW, 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, 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, Hackney, Hager, Haire, Hall, 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, Moffitt, R. Moore, T. Moore, Murry, Owens, Parfitt, Parmon, Pierce, Pittman, Pridgen, Randleman, Rapp, Ross, Sager, Saine, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Wainwright, Walend, E. Warren, H. Warren, Weiss, West, Wilkins, and Wray - 113.

Voting in the negative: None.

Excused absences: Representatives Hamilton, Mobley, and Womble - 3.

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Representative Harrison requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (114-0).

H.B. 1202 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DEANNEX FROM THE CITY OF ROANOKE RAPIDS A PARCEL PREVIOUSLY ANNEXED BY A LEGISLATIVE ANNEXATION AND AMENDING THE AUTHORIZING LEGISLATION FOR THE HALIFAX-NORTHAMPTON REGIONAL AIRPORT AUTHORITY, 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, 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, Hackney, Hager, Haire, Hall, 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, Moffitt, R. Moore, T. Moore, Murry, Owens, Parfitt, Parmon, Pierce, Pittman, Pridgen, Randleman, Rapp, Ross, Sager, Saine, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Wainwright, Walend, E. Warren, H. Warren, Weiss, West, Wilkins, and Wray - 113.

Voting in the negative: None.

Excused absences: Representatives Hamilton, Mobley, and Womble - 3.

Representative Harrison requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (114-0).

H.B. 1206 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MORE ACCURATELY DESCRIBE THE CORPORATE LIMITS OF THE TOWN OF BUTNER, 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, 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, Hackney, Hager,

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Haire, Hall, 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, McGuiert, McLawhorn, Michaux, Mills, Moffitt, R. Moore, T. Moore, Murry, Owens, Parfitt, Parmon, Pierce, Pittman, Pridgen, Randleman, Rapp, Ross, Sager, Saine, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Wainwright, Walend, E. Warren, H. Warren, Weiss, West, Wilkins, and Wray - 113.

Voting in the negative: None.

Excused absences: Representatives Hamilton, Mobley, and Womble - 3.

Representative Harrison requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (114-0).

H.B. 1217, A BILL TO BE ENTITLED AN ACT TO ADJUST THE BOUNDARIES OF THE TOWN OF WOODFIN AND THE CITY OF ASHEVILLE, AS REQUESTED BY THE GOVERNING BOARDS OF THOSE MUNICIPALITIES, BY (1) ANNEXING INTO THE CITY OF ASHEVILLE CERTAIN STATE-OWNED PROPERTY, (2) REMOVING CERTAIN STATE-OWNED PROPERTY FROM THE TOWN OF WOODFIN AND ANNEXING IT INTO THE CITY OF ASHEVILLE, (3) REMOVING CERTAIN STATE-OWNED AND PRIVATE PROPERTY FROM THE CITY OF ASHEVILLE AND ANNEXING IT INTO THE TOWN OF WOODFIN, AND (4) UPON PETITION OF THE OWNER AND WITH THE CONCURRENCE OF THE TOWN OF WOODFIN, ALLOWING THE CITY OF ASHEVILLE TO ANNEX CERTAIN PROPERTY IN THE TOWN OF WOODFIN THAT, AS A RESULT OF THE OPERATION OF THIS ACT, IS SURROUNDED BY THE CITY OF ASHEVILLE OR A COMBINATION OF THE CITY OF ASHEVILLE AND UNINCORPORATED AREA, AND PROVIDING FOR THE CITY OF ASHEVILLE AND THE TOWN OF WOODFIN TO ENTER INTO AGREEMENTS REGARDING THE PROVISION OF MUNICIPAL SERVICES TO CERTAIN PROPERTIES IN EACH OTHER'S JURISDICTION.

Representative Fisher offers Amendment No. 1, which is ruled to be material. The amendment is adopted by electronic vote (111-0) and the bill remains on the Calendar.

Representative Wainwright requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (112-0).

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H.B. 975, A BILL TO BE ENTITLED AN ACT TO WORK TOWARD DECREASING OBESITY AMONG SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP) PARTICIPANTS BY INCREASING THEIR PARTICIPATION IN SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM EDUCATION (SNAP-ED) AND MAKING FRESH, LOCALLY GROWN PRODUCE AVAILABLE BY INCREASING THE ACCEPTANCE OF ELECTRONIC BENEFITS TRANSFER (EBT) CARDS AT FARMERS MARKETS, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON CHILDHOOD OBESITY.

Representative Bradley offers Amendment No. 1 which is adopted by electronic vote (107-6). This amendment changes the title.

Representatives Bordsen and Fisher request and are granted leave of the House to change their votes from "no" to "aye". The adjusted vote total is (109-4).

The caption having been amended, the bill remains on the Calendar.

S.B. 229 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN ENVIRONMENTAL AND NATURAL RESOURCES LAWS TO (1) DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO REPORT ON THE INTEGRATION OF STORMWATER CAPTURE AND REUSE INTO STORMWATER REGULATORY PROGRAMS; (2) DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO STUDY THE ADVISABILITY AND FEASIBILITY OF REALLOCATING WATER SUPPLY IN JOHN H. KERR RESERVOIR FROM HYDRO-POWER STORAGE TO WATER SUPPLY STORAGE; (2A) AMEND EXEMPTION OF CERTAIN TRANSFERS OF WATER IN THE CENTRAL COASTAL PLAIN CAPACITY USE AREA FROM INTERBASIN TRANSFER CERTIFICATION REQUIREMENTS; (3) DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO STUDY AND EVALUATE DEGRADABLE PLASTIC PRODUCTS AND THEIR POTENTIAL TO CONTAMINATE RECYCLED PLASTIC FEEDSTOCKS; (4) DIRECT THE DIVISION OF PUBLIC HEALTH IN THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO REPORT ON THE ADMINISTRATION AND IMPLEMENTATION OF THE LEAD-BASED PAINT HAZARD MANAGEMENT PROGRAM FOR RENOVATION, REPAIR, AND PAINTING; (5) CLARIFY THAT THE DIVISION OF WATER QUALITY OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES SHALL NOT REQUIRE A WATER QUALITY PERMIT FOR A TYPE I SOLID WASTE COMPOST

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FACILITY; (6) DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ACCEPT ALTERNATIVE MEASURES FOR STORMWATER CONTROL OTHER THAN PONDS THAT MEET CERTAIN CRITERIA AT AIRPORTS; (7) PROVIDE CONDITIONS TO ALLOW FOR TWO NONCONTIGUOUS PROPERTIES TO BE TREATED AS A SINGLE CONTIGUOUS PROPERTY FOR PURPOSES OF COMPLIANCE WITH LOCAL WATER SUPPLY WATERSHED PROGRAMS; (8) AMEND THE NEUSE AND TAR-PAMLICO RIVER BASIN BUFFER RULES TO PROVIDE THAT IT IS PERMISSIBLE TO DEVELOP AN EXISTING LOT LOCATED ADJACENT TO SURFACE WATERS UNDER CERTAIN CONDITIONS; (8A) PROHIBIT TREATMENT OF LAND WITHIN RIPARIAN BUFFERS AS LAND OF THE STATE OR ITS SUBDIVISIONS; (9) PROVIDE FLEXIBILITY FOR THE DEVELOPMENT OF BASINWIDE WATER QUALITY MANAGEMENT PLANS FOR RIVER BASINS THAT HAVE WATERS DESIGNATED AS NUTRIENT SENSITIVE; (10) AMEND THE DEFINITION OF COMMUNITY WATER SYSTEM; (11) ESTABLISH A VARIANCE PROCESS FOR CERTAIN SETBACK REQUIREMENTS FOR EXISTING PRIVATE DRINKING WATER WELLS; (12) REPEAL THE AUTHORITY OF THE ENVIRONMENTAL MANAGEMENT COMMISSION TO ADD COUNTIES TO THE MOTOR VEHICLE EMISSIONS INSPECTION PROGRAM; (13) ALLOW THE COMMERCIAL LEAKING PETROLEUM UNDERGROUND STORAGE TANK CLEANUP FUND TO BE USED FOR THE REMOVAL OF ABANDONED UNDERGROUND STORAGE TANKS THAT HAVE NOT LEAKED BUT POSE AN IMMINENT HAZARD; (14) ESTABLISH A MINIMUM OCEAN HAZARD SETBACK OF SIXTY FEET OR THIRTY TIMES THE SHORELINE EROSION RATE, WHICHEVER IS GREATER, FOR DEVELOPMENT PERMITS TO REPLACE CERTAIN RESIDENTIAL DWELLINGS; (15) REQUIRE SCRAP TIRE COLLECTORS TO VERIFY ACCESS TO A PERMITTED SCRAP TIRE DISPOSAL SITE BEFORE CONTRACTING WITH ANY SCRAP TIRE PROCESSOR; (16) REQUIRE SEPTAGE MANAGEMENT FIRMS TO PROVIDE IDENTIFICATION OF AND NOTICE TO THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES BEFORE PLACING A PUMPER TRUCK NOT PREVIOUSLY INCLUDED IN A PERMIT INTO SERVICE; (17) AMEND OR REPEAL VARIOUS ENVIRONMENTAL AND NATURAL RESOURCES REPORTING REQUIREMENTS; (18) EXTEND THE DURATION OF PERMITS FOR SANITARY LANDFILLS AND TRANSFER STATIONS; (19) AMEND THE MARINE FISHERIES COMMISSION ADVISORY COMMITTEES; (20) PROVIDE THAT A SUPERMAJORITY OF THE MARINE FISHERIES COMMISSION IS REQUIRED TO OVERRIDE A RECOMMENDATION

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OF THE DIVISION OF MARINE FISHERIES REGARDING OVER-FISHING OR REBUILDING OF FISH STOCKS; (21) PROVIDE CERTAIN PROTECTIONS TO GALAX AND VENUS FLYTRAP UNDER THE PLANT PROTECTION AND CONSERVATION ACT; (22) INCREASE THE CIVIL PENALTY FOR VIOLATIONS OF CERTAIN RULES OF THE WILDLIFE RESOURCES COMMISSION; (23) PROVIDE THAT FUNDS RECEIVED IN SETTLEMENT OF THE LAWSUIT FILED BY THE STATE AGAINST THE TENNESSEE VALLEY AUTHORITY BE USED EXCLUSIVELY IN CERTAIN COUNTIES; AND (24) MAKE TECHNICAL AND CONFORMING CHANGES TO ENVIRONMENTAL AND NATURAL RESOURCES LAWS.

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

S.B. 724 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT VARIOUS EDUCATION REFORMS.

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

Representative Carney offers Amendment No. 2 which is adopted by electronic vote (114-1).

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

The bill, as amended, passes its third reading, by electronic vote (116-0), and is ordered engrossed and sent to the Senate for concurrence in the House committee substitute bill by Special Message.

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.

Representative Ingle moves that the House pass the bill, notwithstanding the objections of the Governor.

Representative T. Moore calls the previous question on the passage of the bill and the call is sustained by electronic vote (70-46).

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Representative Bryant requests and is granted leave of the House to change her vote from "aye" to "no". The adjusted vote total is (69-47).

PROTEST

Pursuant to Article II, Section 18 of the North Carolina Constitution, Representative Hackney makes the following protest:

"I want to put on the record our very strong objections to this bill being heard today. The basis of the objection is the Constitution of the State of North Carolina, Article II, Section 22.1 which provides that when the General Assembly receives a veto message from the Governor, it must 'proceed to reconsider the vetoed bill' - that together with the fact that the time periods are set forth in there indicates clearly that the time for this veto override has passed and any action that you take today will be ineffectual and that this bill will not, in fact, go into effect - the same would be true for any of the others that have been 'parked' here; so our objections are noted and are on the record.

"Secondly, the issue in this matter is simply the availability of financial aid, as broadly and as widely, as we can make it for college students in this day and time. It is clear that college is an advantage in life. It is clear that financial circumstances are an impediment to our students being able to pursue that advantage and to go as far as their talents can take them and we ought not to be putting impediments in the way of our students and I urge all of you to vote 'no' on this veto override.

"The consideration of this veto override at this time for the reasons that I stated in my previous remarks that is that the General Assembly did not, in fact, proceed to reconsider the veto when it was timely to do so."

CALENDAR (continued)

Representative Ingle's motion to pass the bill, notwithstanding the objections of the Governor, carries by the following three-fifths majority roll call vote:

Those voting in the affirmative are: Speaker Tillis; Representatives Avila, 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, 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,

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Murry, Pittman, Pridgen, Randleman, Sager, Saine, Samuelson, Sanderson, Setzer, Shepard, Stam, Starnes, Steen, Stevens, Stone, Torbett, Walend, H. Warren, and West - 71.

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, Harrison, Insko, Jackson, Jeffus, Keever, Lucas, Luebke, Martin, McGuiert, McLawhorn, Michaux, R. Moore, Owens, Parfitt, Parmon, Pierce, Rapp, Ross, Spear, Tolson, Wainwright, E. Warren, Weiss, Wilkins, and Wray - 46.

Excused absences: Representatives Hamilton, Mobley, and Womble - 3.

The bill is ordered sent to the Senate by Special Message.

WITHDRAWAL OF BILLS FROM CALENDAR

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

H.B. 482, AN ACT TO AUTHORIZE ADDITIONAL CONNECTIONS TO WATER SUPPLY LINES FUNDED BY THE CLEAN WATER AND NATURAL GAS CRITICAL NEEDS BOND ACT OF 1998 AND TO DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO WAIVE THE PENALTY ASSESSED AGAINST CERTAIN POOR COUNTIES FOR CERTAIN WATER QUALITY VIOLATIONS.

S.B. 9, 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.

S.B. 709, 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.

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CALENDAR (continued)

S.B. 229 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN ENVIRONMENTAL AND NATURAL RESOURCES LAWS TO (1) DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO REPORT ON THE INTEGRATION OF STORMWATER CAPTURE AND REUSE INTO STORMWATER REGULATORY PROGRAMS; (2) DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO STUDY THE ADVISABILITY AND FEASIBILITY OF REALLOCATING WATER SUPPLY IN JOHN H. KERR RESERVOIR FROM HYDRO-POWER STORAGE TO WATER SUPPLY STORAGE; (2A) AMEND EXEMPTION OF CERTAIN TRANSFERS OF WATER IN THE CENTRAL COASTAL PLAIN CAPACITY USE AREA FROM INTERBASIN TRANSFER CERTIFICATION REQUIREMENTS; (3) DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO STUDY AND EVALUATE DEGRADABLE PLASTIC PRODUCTS AND THEIR POTENTIAL TO CONTAMINATE RECYCLED PLASTIC FEEDSTOCKS; (4) DIRECT THE DIVISION OF PUBLIC HEALTH IN THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO REPORT ON THE ADMINISTRATION AND IMPLEMENTATION OF THE LEAD-BASED PAINT HAZARD MANAGEMENT PROGRAM FOR RENOVATION, REPAIR, AND PAINTING; (5) CLARIFY THAT THE DIVISION OF WATER QUALITY OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES SHALL NOT REQUIRE A WATER QUALITY PERMIT FOR A TYPE I SOLID WASTE COMPOST FACILITY; (6) DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ACCEPT ALTERNATIVE MEASURES FOR STORMWATER CONTROL OTHER THAN PONDS THAT MEET CERTAIN CRITERIA AT AIRPORTS; (7) PROVIDE CONDITIONS TO ALLOW FOR TWO NONCONTIGUOUS PROPERTIES TO BE TREATED AS A SINGLE CONTIGUOUS PROPERTY FOR PURPOSES OF COMPLIANCE WITH LOCAL WATER SUPPLY WATERSHED PROGRAMS; (8) AMEND THE NEUSE AND TAR-PAMLICO RIVER BASIN BUFFER RULES TO PROVIDE THAT IT IS PERMISSIBLE TO DEVELOP AN EXISTING LOT LOCATED ADJACENT TO SURFACE WATERS UNDER CERTAIN CONDITIONS; (8A) PROHIBIT TREATMENT OF LAND WITHIN RIPARIAN BUFFERS AS LAND OF THE STATE OR ITS SUBDIVISIONS; (9) PROVIDE FLEXIBILITY FOR THE DEVELOPMENT OF BASINWIDE WATER QUALITY MANAGEMENT PLANS FOR RIVER BASINS THAT HAVE WATERS DESIGNATED AS NUTRIENT SENSITIVE; (10) AMEND THE DEFINITION OF COMMUNITY WATER SYSTEM; (11) ESTABLISH A VARIANCE PROCESS FOR CERTAIN SETBACK REQUIREMENTS

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FOR EXISTING PRIVATE DRINKING WATER WELLS; (12) REPEAL THE AUTHORITY OF THE ENVIRONMENTAL MANAGEMENT COMMISSION TO ADD COUNTIES TO THE MOTOR VEHICLE EMISSIONS INSPECTION PROGRAM; (13) ALLOW THE COMMERCIAL LEAKING PETROLEUM UNDERGROUND STORAGE TANK CLEANUP FUND TO BE USED FOR THE REMOVAL OF ABANDONED UNDERGROUND STORAGE TANKS THAT HAVE NOT LEAKED BUT POSE AN IMMINENT HAZARD; (14) ESTABLISH A MINIMUM OCEAN HAZARD SETBACK OF SIXTY FEET OR THIRTY TIMES THE SHORELINE EROSION RATE, WHICHEVER IS GREATER, FOR DEVELOPMENT PERMITS TO REPLACE CERTAIN RESIDENTIAL DWELLINGS; (15) REQUIRE SCRAP TIRE COLLECTORS TO VERIFY ACCESS TO A PERMITTED SCRAP TIRE DISPOSAL SITE BEFORE CONTRACTING WITH ANY SCRAP TIRE PROCESSOR; (16) REQUIRE SEPTAGE MANAGEMENT FIRMS TO PROVIDE IDENTIFICATION OF AND NOTICE TO THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES BEFORE PLACING A PUMPER TRUCK NOT PREVIOUSLY INCLUDED IN A PERMIT INTO SERVICE; (17) AMEND OR REPEAL VARIOUS ENVIRONMENTAL AND NATURAL RESOURCES REPORTING REQUIREMENTS; (18) EXTEND THE DURATION OF PERMITS FOR SANITARY LANDFILLS AND TRANSFER STATIONS; (19) AMEND THE MARINE FISHERIES COMMISSION ADVISORY COMMITTEES; (20) PROVIDE THAT A SUPERMAJORITY OF THE MARINE FISHERIES COMMISSION IS REQUIRED TO OVERRIDE A RECOMMENDATION OF THE DIVISION OF MARINE FISHERIES REGARDING OVERFISHING OR REBUILDING OF FISH STOCKS; (21) PROVIDE CERTAIN PROTECTIONS TO GALAX AND VENUS FLYTRAP UNDER THE PLANT PROTECTION AND CONSERVATION ACT; (22) INCREASE THE CIVIL PENALTY FOR VIOLATIONS OF CERTAIN RULES OF THE WILDLIFE RESOURCES COMMISSION; (23) PROVIDE THAT FUNDS RECEIVED IN SETTLEMENT OF THE LAWSUIT FILED BY THE STATE AGAINST THE TENNESSEE VALLEY AUTHORITY BE USED EXCLUSIVELY IN CERTAIN COUNTIES; AND (24) MAKE TECHNICAL AND CONFORMING CHANGES TO ENVIRONMENTAL AND NATURAL RESOURCES LAWS, which was temporarily displaced, is before the Body.

Representative Gillespie offers Amendment No. 9.

On motion of Representative Gillespie, the bill, with Amendment No. 9 pending, is temporarily displaced.

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S.B. 895 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND STATUTES RELATED TO MOTORCYCLE LICENSES, TO DELAY THE IMPLEMENTATION OF TWO CHANGES TO DRIVERS LICENSES PENDING AN INFORMATION TECHNOLOGY SYSTEM UPGRADE, TO UPDATE CHAPTER 136 OF THE GENERAL STATUTES WITH THE TERM "CHIEF ENGINEER," WHICH REPLACES THE TERM "STATE HIGHWAY ADMINISTRATOR," AND TO AUTHORIZE RECIPROCITY AGREEMENTS FOR TOLL PAYMENTS BETWEEN THE NORTH CAROLINA TURNPIKE AUTHORITY AND OTHER TOLL AGENCIES, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, passes its third reading, by electronic vote (106-8), and is ordered sent to the Senate for concurrence in the House committee substitute bill by Special Message.

H.B. 971 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE LEASE TERMINATION FOR A SERVICE MEMBER WHO DIES WHILE ON ACTIVE DUTY, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON MILITARY AFFAIRS, 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. 1023 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW FOR EXPUNCTION OF NONVIOLENT FELONIES OR NONVIOLENT MISDEMEANORS AFTER FIFTEEN YEARS FOR PERSONS WHO HAVE HAD NO OTHER CONVICTIONS FOR FELONIES OR MISDEMEANORS OTHER THAN TRAFFIC VIOLATIONS UNDER THE LAWS OF THE UNITED STATES, THIS STATE, OR ANY OTHER JURISDICTION, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION.

Representative Ross offers Amendment No. 1.

Representative Ross withdraws Amendment No. 1.

Representative Stam offers Amendment No. 2 which fails of adoption by electronic vote (39-76).

Representative Folwell requests and is granted leave of the House to change his vote from "no" to "aye". The adjusted vote total is (40-75).

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The bill passes its second reading by electronic vote (81-35).

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

REPRESENTATIVE FOLWELL, SPEAKER PRO TEMPORE PRESIDING.

H.B. 1048 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS GOVERNING INCAPACITY TO PROCEED, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION, passes its second reading, by electronic vote (114-0), and there being no objection is read a third time.

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

S.B. 77 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT PROVIDING THAT AFTER DECEMBER 31, 2012, 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.

Representative Stam offers Amendment No. 1 which is adopted by electronic vote (111-2).

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

On motion of the Chair, the House recesses at 1:27 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 committee are presented:

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

H.B. 1009, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA METROPOLITAN SEWERAGE DISTRICTS ACT TO REFLECT POPULATION SHIFTS IN SINGLE-COUNTY DISTRICTS, TO MODIFY REPRESENTATION IN MULTICOUNTY DISTRICTS, AND TO ALLOW METROPOLITAN SEWERAGE DISTRICTS TO ALSO EXERCISE THE SAME POWERS AS METROPOLITAN WATER DISTRICTS, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S METROPOLITAN SEWERAGE/WATER SYSTEM COMMITTEE, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

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

H.B. 1216, A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN RESTRICTIONS ON SATELLITE ANNEXATIONS FOR THE TOWN OF WALLACE, 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. 859 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT REGULAR MUNICIPAL ELECTIONS IN THE TOWN OF PILOT MOUNTAIN AND THE TOWN OF DOBSON ARE HELD IN EVEN-NUMBERED YEARS, 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 18. The Senate committee substitute bill is placed on the Unfavorable Calendar.

CALENDAR (continued)

S.B. 433 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROMOTE EFFICIENCY AND EFFECTIVENESS IN THE ADMINISTRATION OF HUMAN SERVICES AND TO STRENGTHEN

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THE LOCAL PUBLIC HEALTH INFRASTRUCTURE BY ESTABLISHING A PUBLIC HEALTH IMPROVEMENT INCENTIVE PROGRAM AND ASSURING THE PROVISION OF THE TEN ESSENTIAL PUBLIC HEALTH SERVICES.

Representative Justice offers Amendment No. 1 which is adopted by electronic vote (111-0).

Representative Justice offers Amendment No. 2 which is adopted by electronic vote (108-2).

Representative Insko offers Amendment No. 3 which fails of adoption by electronic vote (40-71).

Representative Insko offers Amendment No. 4.

Representative Insko withdraws Amendment No. 4.

The bill, as amended, passes its second reading, by electronic vote (80-33), and there being no objection is read a third time.

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

S.B. 820 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO (1) RECONSTITUTE THE MINING COMMISSION AS THE MINING AND ENERGY COMMISSION, (2) REQUIRE THE MINING AND ENERGY COMMISSION AND OTHER REGULATORY AGENCIES TO DEVELOP A MODERN REGULATORY PROGRAM FOR THE MANAGEMENT OF OIL AND GAS EXPLORATION AND DEVELOPMENT ACTIVITIES IN THE STATE, INCLUDING THE USE OF HORIZONTAL DRILLING AND HYDRAULIC FRACTURING FOR THAT PURPOSE, (3) AUTHORIZE HORIZONTAL DRILLING AND HYDRAULIC FRACTURING, BUT PROHIBIT THE ISSUANCE OF PERMITS FOR THESE ACTIVITIES PENDING SUBSEQUENT LEGISLATIVE ACTION, (4) ENHANCE LANDOWNER AND PUBLIC PROTECTIONS RELATED TO HORIZONTAL DRILLING AND HYDRAULIC FRACTURING, AND (5) ESTABLISH THE JOINT LEGISLATIVE COMMISSION ON ENERGY POLICY.

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

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Representative Gillespie offers Amendment No. 2 which is adopted by electronic vote (106-0).

Representative Gillespie offers Amendment No. 3 which is adopted by electronic vote (107-0).

Representative Gillespie offers Amendment No. 4 which is adopted by electronic vote (103-2).

Representative Goodman requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (104-2).

Representative Harrison offers Amendment No. 5.

Representative T. Moore calls the previous question on the amendment and the call is sustained by electronic vote (60-48).

Amendment No. 5 fails of adoption by electronic vote (51-57).

Representatives Brawley, R. Brown, and Mills request and are granted leave of the House to change their votes from "aye" to "no". Representative Bordsen requests and is granted leave of the House to change her vote from "no" to "aye". The adjusted vote total is (49-59).

Representative Floyd offers Amendment No. 6.

Representative T. Moore calls the previous question on the amendment and the call is sustained by electronic vote (55-48).

Representative Dollar requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (56-48).

Amendment No. 6 fails of adoption by electronic vote (49-57).

Representative Walend requests and is granted leave of the House to change her vote from "aye" to "no". The adjusted vote total is (48-58).

Representative Floyd offers Amendment No. 7 which fails of adoption by electronic vote (46-61).

Representative McCormick requests and is granted leave of the House to change his vote from "aye" to "no". The adjusted vote total is (45-62).

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Representative K. Alexander offers Amendment No. 8.

Representative T. Moore calls the previous question on the amendment and the call is sustained by electronic vote (60-46).

Representative Adams requests and is granted leave of the House to be recorded as voting "no". The adjusted vote total is (60-47).

Amendment No. 8 fails of adoption by electronic vote (46-61).

Representative K. Alexander offers Amendment No. 9.

Representative K. Alexander withdraws Amendment No. 9.

Representative Faison offers Amendment No. 10.

Representative T. Moore calls the previous question on the amendment and the call is sustained by electronic vote (59-44).

SPEAKER TILLIS PRESIDING.

Amendment No. 10 fails of adoption by electronic vote (50-55).

Representative Blackwell requests and is granted leave of the House to be recorded as voting "no". The adjusted vote total is (50-56).

Representative Faison offers Amendment No. 11 which fails of adoption, for lack of majority, by electronic vote (54-54).

Representative Faison offers Amendment No. 12.

Representative T. Moore calls the previous question on the amendment and the call is sustained by electronic vote (64-44).

Amendment No. 12 fails of adoption by electronic vote (47-62).

The bill, as amended, passes its second reading, by electronic vote (66-43), and there being no objection is read a third time.

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

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SPECIAL MESSAGE FROM THE SENATE

The following Special Message is received from the Senate:

H.B. 950 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2011 AND FOR OTHER PURPOSES, is returned for concurrence in the Senate committee substitute bill.

On motion of Representative T. Moore, pursuant to Rule 36(b) and without objection, Senate Committee Substitute Bill No. 2 is placed on the Calendar for immediate consideration.

On motion of Representative Brubaker, the House does not concur in Senate Committee Substitute Bill No. 2, by electronic vote (106-0), and conferees are requested.

The Speaker appoints Representative Brubaker, Chair; Representatives Johnson, Crawford, Dollar, Gillespie, and Lewis as conferees on the part of the House and the Senate is so notified by Special Message.

REPRESENTATIVE FOLWELL, SPEAKER PRO TEMPORE PRESIDING.

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:

S.B. 443 (Committee Substitute), 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 as to the House committee substitute bill, which changes the title, unfavorable as to the Senate committee substitute bill.

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

SPECIAL MESSAGES FROM THE SENATE

The following Special Messages are received from the Senate:

H.B. 237 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT PROVIDING THAT THE NORTH CAROLINA RATE BUREAU SHARE WITH THE NORTH CAROLINA INDUSTRIAL COMMISSION INFORMATION ON THE STATUS OF WORKERS' COMPENSATION INSURANCE COVERAGE ON EMPLOYERS IN THIS STATE AND MAKING CLARIFYING, CONFORMING, AND OTHER CHANGES RELATING TO THE WORKERS' COMPENSATION LAWS OF NORTH CAROLINA, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of June 19.

Upon concurrence the Senate committee substitute bill changes the title.

H.B. 614 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT ALLOWING REGISTERED SPONSORING ORGANIZATIONS TO ARRANGE FOR THE VOLUNTARY PROVISION OF HEALTH CARE SERVICES IN THIS STATE, RELIEVING PROVIDERS OF VOLUNTARY HEALTH CARE SERVICES FROM ADDITIONAL LICENSURE REQUIREMENTS, AND PROVIDING LIMITED PROTECTION FROM CIVIL LIABILITY TO PERSONS PROVIDING VOLUNTARY HEALTH CARE SERVICES IN ASSOCIATION WITH SPONSORING ORGANIZATIONS, 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 19.

Upon concurrence the Senate committee substitute bill changes the title.

S.B. 813 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF CULTURAL RESOURCES AND THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO STUDY VARIOUS REVENUE ENHANCEMENTS AND POTENTIAL SAVINGS AT STATE HISTORIC SITES AND MUSEUMS, THE STATE

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ZOO, STATE PARKS, AND STATE AQUARIUMS, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE, is read the first time and referred to the Committee on Finance.

Representative LaRoque moves, seconded by Representative Holloway, that the House adjourn, in honor and memory of all fathers for Father's Day, and subject to the appointment of conferees, the ratification of bills, the receipt of Committee Reports, the receipt of Conference Reports, the receipt of Messages from the Senate, and the referral of bills to committees, to reconvene Monday, June 18, 2012, at 7:00 p.m.

The motion carries.

WITHDRAWAL OF BILL FROM COMMITTEE

On motion of Representative LaRoque and without objection, **S.B. 881**, A BILL TO BE ENTITLED AN ACT TO TRANSFER THE WAREHOUSE FORMERLY OPERATED BY THE LAW ENFORCEMENT SUPPORT SERVICES DIVISION AND ITS CONTENTS FROM THE DEPARTMENT OF JUSTICE TO THE DEPARTMENT OF PUBLIC SAFETY AND TO ASSIGN THE RESPONSIBILITIES FOR THE STORAGE AND MANAGEMENT OF EVIDENCE HOUSED IN THE WAREHOUSE TO THE DEPARTMENT OF PUBLIC SAFETY, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON JUSTICE AND PUBLIC SAFETY, is withdrawn from Judiciary Subcommittee A and pursuant to Rule 36(b), is placed on the Calendar of June 18.

The House stands adjourned at 7:15 p.m.

ONE HUNDRED TWENTY-EIGHTH DAY

HOUSE OF REPRESENTATIVES
Monday, June 18, 2012

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 Marcus Brandon.

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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 June 14 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Current, McComas, Murry, and Womble for today. Representative Brubaker is 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:

H.B. 673, 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. (S.L. 2012-28)

S.B. 236, AN ACT ADOPTING THE EASTERN TIGER SWALLOW-TAIL AS THE OFFICIAL STATE BUTTERFLY, DESIGNATING THE SHELBY LIVERMUSH FESTIVAL AS THE OFFICIAL FALL LIVERMUSH FESTIVAL OF THE STATE OF NORTH CAROLINA, DESIGNATING THE MARION LIVERMUSH FESTIVAL AS THE OFFICIAL SPRING LIVERMUSH FESTIVAL OF THE STATE OF NORTH CAROLINA, AND DESIGNATING THE SWANSBORO MULLET FESTIVAL AS THE OFFICIAL MULLET FESTIVAL OF NORTH CAROLINA. (S.L. 2012-29)

ENROLLED BILLS

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

S.B. 906, AN ACT TO ALLOW THE TOWN OF NAGS HEAD TO LEASE OUT PROPERTY FOR A LICENSED NURSING HOME FOR UP TO FORTY YEARS WITHOUT TREATING IT AS A SALE.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following is introduced and read the first time:

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By Representatives Gill, Parmon, Horn, and Hall (Primary Sponsors); Farmer-Butterfield, Fisher, Hamilton, Ingle, Martin, Sanderson, and Shepard:

H.R. 1225, A HOUSE RESOLUTION HONORING AFRICAN-AMERICAN REVOLUTIONARY WAR PATRIOTS OF NORTH CAROLINA AND SUPPORTING THE PROPOSED NATIONAL LIBERTY MEMORIAL, is referred to the Committee on Rules, Calendar, and Operations of the House.

SPECIAL MESSAGE FROM THE SENATE

**2011 GENERAL ASSEMBLY
SECOND SESSION 2012**

Senate Chamber
June 14, 2012

Mr. Speaker:

Pursuant to your message received today, June 14, 2012, that the House of Representatives fails to concur in Senate Committee Substitute No. 2 to **H.B. 950** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2011 AND FOR OTHER PURPOSES, and requests conferees, the President *Pro Tempore* appoints:

Senator Stevens, Chair
Senator Hunt
Senator Brunstetter
Senator Rucho
Senator Brown

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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CALENDAR

Action is taken on the following:

H.B. 199 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO RECODIFY THE PROVISIONS OF THE GENERAL STATUTES THAT REGULATE PRECIOUS METALS BUSINESSES, PAWN-BROKERS AND CASH CONVERTERS, AND SECONDARY METALS RECYCLERS, AND TO STRENGTHEN METALS THEFT PREVENTION BY REQUIRING PERMITTING OF NONFERROUS METALS PURCHASERS, MAKING IT A CRIME TO CUT, MUTILATE, DEFACE, OR OTHERWISE INJURE THE PROPERTY OF ANOTHER TO OBTAIN NONFERROUS METALS, CREATING RELATED CRIMINAL OFFENSES, AND MAKING OTHER RELATED CHANGES TO THE GENERAL STATUTES.

On motion of Representative Pridgen, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (110-2), and the bill is ordered enrolled and presented to the Governor by Special Message.

S.B. 229 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN ENVIRONMENTAL AND NATURAL RESOURCES LAWS TO (1) DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO REPORT ON THE INTEGRATION OF STORMWATER CAPTURE AND REUSE INTO STORMWATER REGULATORY PROGRAMS; (2) DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO STUDY THE ADVISABILITY AND FEASIBILITY OF REALLOCATING WATER SUPPLY IN JOHN H. KERR RESERVOIR FROM HYDRO-POWER STORAGE TO WATER SUPPLY STORAGE; (2A) AMEND EXEMPTION OF CERTAIN TRANSFERS OF WATER IN THE CENTRAL COASTAL PLAIN CAPACITY USE AREA FROM INTERBASIN TRANSFER CERTIFICATION REQUIREMENTS; (3) DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO STUDY AND EVALUATE DEGRADABLE PLASTIC PRODUCTS AND THEIR POTENTIAL TO CONTAMINATE RECYCLED PLASTIC FEEDSTOCKS; (4) DIRECT THE DIVISION OF PUBLIC HEALTH IN THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO REPORT ON THE ADMINISTRATION AND IMPLEMENTATION OF THE LEAD-BASED PAINT HAZARD MANAGEMENT PROGRAM FOR RENOVATION, REPAIR, AND PAINTING; (5) CLARIFY THAT THE DIVISION OF WATER QUALITY OF THE DEPARTMENT OF

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ENVIRONMENT AND NATURAL RESOURCES SHALL NOT REQUIRE A WATER QUALITY PERMIT FOR A TYPE I SOLID WASTE COMPOST FACILITY; (6) DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ACCEPT ALTERNATIVE MEASURES FOR STORMWATER CONTROL OTHER THAN PONDS THAT MEET CERTAIN CRITERIA AT AIRPORTS; (7) PROVIDE CONDITIONS TO ALLOW FOR TWO NONCONTIGUOUS PROPERTIES TO BE TREATED AS A SINGLE CONTIGUOUS PROPERTY FOR PURPOSES OF COMPLIANCE WITH LOCAL WATER SUPPLY WATERSHED PROGRAMS; (8) AMEND THE NEUSE AND TAR-PAMLICO RIVER BASIN BUFFER RULES TO PROVIDE THAT IT IS PERMISSIBLE TO DEVELOP AN EXISTING LOT LOCATED ADJACENT TO SURFACE WATERS UNDER CERTAIN CONDITIONS; (8A) PROHIBIT TREATMENT OF LAND WITHIN RIPARIAN BUFFERS AS LAND OF THE STATE OR ITS SUBDIVISIONS; (9) PROVIDE FLEXIBILITY FOR THE DEVELOPMENT OF BASINWIDE WATER QUALITY MANAGEMENT PLANS FOR RIVER BASINS THAT HAVE WATERS DESIGNATED AS NUTRIENT SENSITIVE; (10) AMEND THE DEFINITION OF COMMUNITY WATER SYSTEM; (11) ESTABLISH A VARIANCE PROCESS FOR CERTAIN SETBACK REQUIREMENTS FOR EXISTING PRIVATE DRINKING WATER WELLS; (12) REPEAL THE AUTHORITY OF THE ENVIRONMENTAL MANAGEMENT COMMISSION TO ADD COUNTIES TO THE MOTOR VEHICLE EMISSIONS INSPECTION PROGRAM; (13) ALLOW THE COMMERCIAL LEAKING PETROLEUM UNDERGROUND STORAGE TANK CLEANUP FUND TO BE USED FOR THE REMOVAL OF ABANDONED UNDERGROUND STORAGE TANKS THAT HAVE NOT LEAKED BUT POSE AN IMMINENT HAZARD; (14) ESTABLISH A MINIMUM OCEAN HAZARD SETBACK OF SIXTY FEET OR THIRTY TIMES THE SHORELINE EROSION RATE, WHICHEVER IS GREATER, FOR DEVELOPMENT PERMITS TO REPLACE CERTAIN RESIDENTIAL DWELLINGS; (15) REQUIRE SCRAP TIRE COLLECTORS TO VERIFY ACCESS TO A PERMITTED SCRAP TIRE DISPOSAL SITE BEFORE CONTRACTING WITH ANY SCRAP TIRE PROCESSOR; (16) REQUIRE SEPTAGE MANAGEMENT FIRMS TO PROVIDE IDENTIFICATION OF AND NOTICE TO THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES BEFORE PLACING A PUMPER TRUCK NOT PREVIOUSLY INCLUDED IN A PERMIT INTO SERVICE; (17) AMEND OR REPEAL VARIOUS ENVIRONMENTAL AND NATURAL RESOURCES REPORTING REQUIREMENTS; (18) EXTEND THE DURATION OF PERMITS FOR SANITARY LANDFILLS AND TRANSFER STATIONS; (19) AMEND THE MARINE FISHERIES COMMISSION ADVISORY COMMITTEES; (20) PROVIDE THAT A SUPERMAJORITY OF THE MARINE FISHERIES

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COMMISSION IS REQUIRED TO OVERRIDE A RECOMMENDATION OF THE DIVISION OF MARINE FISHERIES REGARDING OVER-FISHING OR REBUILDING OF FISH STOCKS; (21) PROVIDE CERTAIN PROTECTIONS TO GALAX AND VENUS FLYTRAP UNDER THE PLANT PROTECTION AND CONSERVATION ACT; (22) INCREASE THE CIVIL PENALTY FOR VIOLATIONS OF CERTAIN RULES OF THE WILDLIFE RESOURCES COMMISSION; (23) PROVIDE THAT FUNDS RECEIVED IN SETTLEMENT OF THE LAWSUIT FILED BY THE STATE AGAINST THE TENNESSEE VALLEY AUTHORITY BE USED EXCLUSIVELY IN CERTAIN COUNTIES; AND (24) MAKE TECHNICAL AND CONFORMING CHANGES TO ENVIRONMENTAL AND NATURAL RESOURCES LAWS, which was temporarily displaced, with Amendment No. 9 pending, is before the Body.

Amendment No. 9 is adopted by electronic vote (113-0).

The bill, as amended, passes its third reading, by electronic vote (71-42) and is ordered engrossed and sent to the Senate for concurrence in the House committee substitute bill by Special Message.

Representative Graham requests and is granted leave of the House to change his vote from "aye" to "no". The adjusted vote total is (70-43).

S.B. 77 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT PROVIDING THAT AFTER DECEMBER 31, 2012, 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.

The bill, as amended, passes its second reading by electronic vote (84-28), and there being no objection is read a third time.

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

S.B. 491 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE SUNSET ON THE LAW ESTABLISHING THE NORTH CAROLINA SUSTAINABLE LOCAL FOOD ADVISORY COUNCIL.

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Representative Bradley offers Amendment No. 1 which fails of adoption by electronic vote (51-63).

The bill 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 for concurrence in the House committee substitute bill by Special Message.

S.B. 525 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT RELATING TO CRITICAL ACCESS BEHAVIORAL HEALTH AGENCIES, passes its second reading, by electronic vote (114-0), and there being no objection is read a third time.

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

WITHDRAWAL OF BILLS FROM COMMITTEE

On motion of Representative T. Moore and without objection, **H.B. 1074** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE STATUTES GOVERNING THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, AND THE DISABILITY INCOME PLAN OF NORTH CAROLINA TO PROVIDE PROTECTION AND REMEDIES FOR REPORTING VIOLATIONS OF RETIREMENT LAW; TO ESTABLISH GUIDELINES FOR FRAUD INVESTIGATIONS THAT WILL ENHANCE THE DEPARTMENT OF STATE TREASURER'S CAPABILITY TO PREVENT AND DETECT FRAUD, WASTE, AND ABUSE; TO MAKE IT A CLASS 1 MISDEMEANOR TO FRAUDULENTLY RECEIVE A DECEDENT'S MONTHLY DISABILITY BENEFIT; AND TO CLARIFY THE APPOINTMENT OF THE MEDICAL BOARD, is withdrawn from the Committee on Finance and pursuant to Rule 36(b), is placed on the Calendar of June 19.

On motion of Representative T. Moore and without objection, **H.B. 1173**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PROBATION VIOLATOR WHO ABSCONDS OR OTHERWISE WILLFULLY AVOIDS ARREST AFTER THE ISSUANCE OF A WARRANT SHALL FORFEIT ANY PUBLIC ASSISTANCE BENEFITS UNTIL SURRENDERING TO THE COURT, is withdrawn from the Committee on Finance and pursuant to Rule 36(b), is placed on the Calendar of June 19.

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RE-REFERRAL

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **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 withdrawn from Judiciary Subcommittee B and re-referred to the Committee on Rules, Calendar, and Operations of the House.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Lewis and without objection, **S.B. 810** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO (1) REESTABLISH THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE; (1A) MODIFY APPOINTMENTS TO THE MINING AND ENERGY COMMISSION; (2A) MAKE VARIOUS TECHNICAL AND CLARIFYING CHANGES TO THE ADMINISTRATIVE PROCEDURES ACT; (2B) MAKE CONFORMING CHANGES TO THE STATE PERSONNEL ACT; (3) EXTEND THE EFFECTIVE DATE FOR CHANGES TO FINAL DECISION-MAKING AUTHORITY IN CERTAIN CONTESTED CASES; (4) LIMIT THE PERIOD DURING WHICH RECORDS OF UNCLAIMED PROPERTY MUST BE MAINTAINED; (5A) DIRECT AGENCIES TO SUBMIT A REPORT ON NOTICE GIVEN BEFORE AUDITING OR EXAMINING A BUSINESS TO THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE; (5B) LIMIT STATE AGENCY IDENTITY THEFT REPORTING REQUIREMENTS; (5C) REQUIRE THE DEPARTMENT OF LABOR TO PROVIDE NOTICE PRIOR TO INSPECTIONS; (6) CLARIFY THAT THE DISCHARGE OF WASTE INTO WATERS OF THE STATE DOES NOT INCLUDE THE RELEASE OF AIR CONTAMINANTS INTO THE OUTDOOR ATMOSPHERE; (7) AUTHORIZE RATHER THAN REQUIRE THE COMMISSION FOR PUBLIC HEALTH TO ADOPT RULES FOR THE TESTING OF WATER FROM NEW DRINKING WATER WELLS FOR CERTAIN VOLATILE ORGANIC COMPOUNDS; (7A) CLARIFY APPLICATION OF CERTAIN NUTRIENT RULES TO SMALL WASTEWATER DISCHARGES; (8) DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO TRACK AND REPORT ON PERMIT PROCESSING

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TIMES; (9) DELAY THE EFFECTIVE DATE FOR COMPLIANCE WITH WADING POOL FENCING REQUIREMENTS FROM JULY 1, 2012, TO JANUARY 1, 2013; (10) DIRECT THE COMMISSION FOR PUBLIC HEALTH TO AMEND THE RULES GOVERNING THE DURATION OF PERMITS FOR SANITARY LANDFILLS AND THE PERIOD IN WHICH THOSE PERMITS ARE REVIEWED; (11) AMEND THE CRITERIA FOR DESIGNATION AS A PORT ENHANCEMENT ZONE; (12) EXEMPT CERTIFIED ROADSIDE FARM MARKETS FROM CERTAIN BUILDING CODE REQUIREMENTS; AND (13) ALLOW THE PERMITTING OF MOBILE FOOD UNITS THAT MEET THE SANITATION REQUIREMENTS OF A COMMISSARY, is withdrawn from the Calendar and placed on the Calendar of June 19.

CALENDAR (continued)

S.B. 707 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE SCHOOL VIOLENCE PREVENTION ACT OF 2012 AND TO LIMIT PRAYERS FOR JUDGMENT CONTINUED.

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

Representative LaRoque offers Amendment No. 2.

Representative LaRoque withdraws Amendment No. 2.

The bill, as amended, passes its second reading by electronic vote (111-2). The caption having been amended, the bill remains on the Calendar.

S.B. 869 (House Committee Substitute), A BILL TO BE ENTITLED AN TO ACT REMOVE THE REQUIREMENT THAT FIREFIGHTERS AND RESCUE SQUAD WORKERS 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 (114-0), and there being no objection is read a third time.

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

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S.B. 929 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE THE RESIDENCY REQUIREMENTS FOR MEMBERS OF THE BOARD OF TRUSTEES OF A FIREMEN'S LOCAL RELIEF 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 enrolled and presented to the Governor by Special Message.

H.B. 1090 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE REMAINING NINE PERCENT OF THE COMMON BOUNDARY BETWEEN ALAMANCE COUNTY AND ORANGE COUNTY NOT ADDRESSED BY SESSION LAW 2011-88 AND AS AUTHORIZED BY THE 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, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Avila, Bell, Blackwell, Blust, Boles, 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, Frye, Gill, Gillespie, Glazier, Goodman, Graham, 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, T. Moore, Owens, Parfitt, Parmon, Pierce, Pittman, Pridgen, Randleman, Rapp, Ross, Sager, Saine, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Wainwright, Walend, E. Warren, H. Warren, Weiss, West, Wilkins, and Wray - 113.

Voting in the negative: None.

Excused absences: Representatives Current, McComas, Murry, and Womble - 4.

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H.B. 1110, A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTIES FROM THE CORPORATE LIMITS OF THE TOWN OF MATTHEWS AND ANNEX IT TO THE TOWN OF STALLINGS, BOTH AT THE REQUEST OF THE RESPECTIVE TOWN GOVERNING BOARDS, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Avila, Bell, Blackwell, Blust, Boles, 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, Frye, Gill, Gillespie, Glazier, Goodman, Graham, 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, T. Moore, Owens, Parfitt, Parmon, Pierce, Pittman, Pridgen, Randleman, Rapp, Ross, Sager, Saine, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Wainwright, Walend, E. Warren, H. Warren, Weiss, West, Wilkins, and Wray - 113.

Voting in the negative: None.

Excused absences: Representatives Current, McComas, Murry, and Womble - 4.

H.B. 1122, A BILL TO BE ENTITLED AN ACT TO VALIDATE CERTAIN LEVIES AND COLLECTION OF FIRE DISTRICT TAXES IN MARTIN COUNTY AND TO ALLOW MARTIN COUNTY TO ABOLISH BY RESOLUTION ITS CHAPTER 69 FIRE PROTECTION DISTRICTS UPON ESTABLISHMENT OF FIRE PROTECTION SERVICE DISTRICTS UNDER CHAPTER 153A OF THE GENERAL STATUTES, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Avila, Bell, Blackwell, Blust, Boles, 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, Frye, Gill, Gillespie, Glazier, Goodman, Graham, Hackney, Hager, Haire, Hall, Hamilton, Harrison, Hastings, Hill, Hilton, Hollo, Holloway,

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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, T. Moore, Owens, Parfitt, Parmon, Pierce, Pittman, Pridgen, Randleman, Rapp, Ross, Sager, Saine, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Wainwright, Walend, E. Warren, H. Warren, Weiss, West, Wilkins, and Wray - 113.

Voting in the negative: None.

Excused absences: Representatives Current, McComas, Murry, and Womble - 4.

H.B. 1169, A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF BURGAW, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Avila, Bell, Blackwell, Blust, Boles, 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, Frye, Gill, Gillespie, Glazier, Goodman, Graham, 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, T. Moore, Owens, Parfitt, Parmon, Pierce, Pittman, Pridgen, Randleman, Rapp, Ross, Sager, Saine, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Wainwright, Walend, E. Warren, H. Warren, Weiss, West, Wilkins, and Wray - 113.

Voting in the negative: None.

Excused absences: Representatives Current, McComas, Murry, and Womble - 4.

H.B. 1202 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DEANNEX FROM THE CITY OF ROANOKE RAPIDS A PARCEL PREVIOUSLY ANNEXED BY A LEGISLATIVE ANNEXATION AND

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AMENDING THE AUTHORIZING LEGISLATION FOR THE HALIFAX-NORTHAMPTON REGIONAL AIRPORT AUTHORITY, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Avila, Bell, Blackwell, Blust, Boles, 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, Frye, Gill, Gillespie, Glazier, Goodman, Graham, 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, T. Moore, Owens, Parfitt, Parmon, Pierce, Pittman, Pridgen, Randleman, Rapp, Ross, Sager, Saine, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Wainwright, Walend, E. Warren, H. Warren, Weiss, West, Wilkins, and Wray - 113.

Voting in the negative: None.

Excused absences: Representatives Current, McComas, Murry, and Womble - 4.

H.B. 1206 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MORE ACCURATELY DESCRIBE THE CORPORATE LIMITS OF THE TOWN OF BUTNER, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Avila, Bell, Blackwell, Blust, Boles, 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, Frye, Gill, Gillespie, Glazier, Goodman, Graham, 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, T. Moore, Owens, Parfitt, Parmon, Pierce,

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Pittman, Pridgen, Randleman, Rapp, Ross, Sager, Saine, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Wainwright, Walend, E. Warren, H. Warren, Weiss, West, Wilkins, and Wray - 113.

Voting in the negative: None.

Excused absences: Representatives Current, McComas, Murry, and Womble - 4.

H.B. 1041, A BILL TO BE ENTITLED AN ACT TO EXCHANGE CERTAIN DESCRIBED TRACTS OF LAND BETWEEN THE CITY OF ARCHDALE AND THE CITY OF HIGH POINT, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Avila, Bell, Blackwell, Blust, Boles, 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, Frye, Gill, Gillespie, Glazier, Goodman, Graham, 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, Owens, Parfitt, Parmon, Pierce, Pittman, Pridgen, Randleman, Rapp, Ross, Sager, Saine, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Wainwright, Walend, E. Warren, H. Warren, Weiss, West, Wilkins, and Wray - 114.

Voting in the negative: None.

Excused absences: Representatives Current, McComas, Murry, and Womble - 4.

H.B. 1088, A BILL TO BE ENTITLED AN ACT CONCERNING THE DIVISION BETWEEN GRAHAM AND SWAIN COUNTIES OF TVA PAYMENTS IN LIEU OF TAXES, AND CLARIFYING THE COMMON BOUNDARY BETWEEN THOSE COUNTIES, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

June 18, 2012

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, Daughtry, Dixon, Dockham, Dollar, Earle, Faircloth, Faison, Farmer-Butterfield, Fisher, Floyd, Frye, Gill, Gillespie, Glazier, Goodman, Graham, 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, Owens, Parfitt, Parmon, Pierce, Pittman, Pridgen, Randleman, Rapp, Ross, Sager, Saine, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Wainwright, Walend, E. Warren, H. Warren, Weiss, West, Wilkins, and Wray - 114.

Voting in the negative: None.

Excused absences: Representatives Current, McComas, Murry, and Womble - 4.

H.B. 1217, A BILL TO BE ENTITLED AN ACT TO ADJUST THE BOUNDARIES OF THE TOWN OF WOODFIN AND THE CITY OF ASHEVILLE, AS REQUESTED BY THE GOVERNING BOARDS OF THOSE MUNICIPALITIES, BY (1) ANNEXING INTO THE CITY OF ASHEVILLE CERTAIN STATE-OWNED PROPERTY, (2) REMOVING CERTAIN STATE-OWNED PROPERTY FROM THE TOWN OF WOODFIN AND ANNEXING IT INTO THE CITY OF ASHEVILLE, (3) REMOVING CERTAIN STATE-OWNED AND PRIVATE PROPERTY FROM THE CITY OF ASHEVILLE AND ANNEXING IT INTO THE TOWN OF WOODFIN, AND (4) UPON PETITION OF THE OWNER AND WITH THE CONCURRENCE OF THE TOWN OF WOODFIN, ALLOWING THE CITY OF ASHEVILLE TO ANNEX CERTAIN PROPERTY IN THE TOWN OF WOODFIN THAT, AS A RESULT OF THE OPERATION OF THIS ACT, IS SURROUNDED BY THE CITY OF ASHEVILLE OR A COMBINATION OF THE CITY OF ASHEVILLE AND UNINCORPORATED AREA, AND PROVIDING FOR THE CITY OF ASHEVILLE AND THE TOWN OF WOODFIN TO ENTER INTO AGREEMENTS REGARDING THE PROVISION OF MUNICIPAL SERVICES TO CERTAIN PROPERTIES IN EACH OTHER'S JURISDICTION.

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

June 18, 2012

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, Daughtry, Dixon, Dockham, Dollar, Earle, Faircloth, Faison, Farmer-Butterfield, Fisher, Floyd, Frye, Gill, Gillespie, Glazier, Goodman, Graham, 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, Owens, Parfitt, Parmon, Pierce, Pittman, Pridgen, Randleman, Rapp, Ross, Sager, Saine, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Wainwright, Walend, E. Warren, H. Warren, Weiss, West, Wilkins, and Wray - 114.

Voting in the negative: None.

Excused absences: Representatives Current, McComas, Murry, and Womble - 4.

H.B. 1123, A BILL TO BE ENTITLED AN ACT AMENDING THE ACT AUTHORIZING THE APPOINTMENT OF AN AUTHORITY TO CONTROL THE MANAGEMENT OF A MEMORIAL STADIUM TO BE ERECTED BY DURHAM COUNTY, TO INCREASE ITS MEMBERSHIP, AND TO AMEND ITS TERM LIMITS, passes its second reading and there being no objection is read a third time.

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

S.B. 818, A BILL TO BE ENTITLED AN ACT TO EXEMPT CLAY COUNTY FROM CERTAIN STATUTORY REQUIREMENTS IN THE RENOVATION AND RESTORATION OF ITS OLD COURTHOUSE BUILDING TO BE LEASED AND/OR USED AS A MULTIPURPOSE FACILITY, 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. 859 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT REGULAR MUNICIPAL ELECTIONS IN THE TOWN OF PILOT MOUNTAIN AND THE TOWN OF DOBSON ARE HELD IN EVEN-NUMBERED YEARS, 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 for concurrence in the House committee substitute bill by Special Message.

H.B. 975, A BILL TO BE ENTITLED AN ACT TO WORK TOWARD DECREASING OBESITY AMONG SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP) PARTICIPANTS BY INCREASING THEIR PARTICIPATION IN SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM EDUCATION (SNAP-ED) AND MAKING FRESH, LOCALLY GROWN PRODUCE AVAILABLE BY INCREASING THE ACCEPTANCE OF ELECTRONIC BENEFITS TRANSFER (EBT) CARDS AT FARMERS MARKETS AND FOOD CO-OPS.

The bill, as amended, passes its third reading, by electronic vote (112-0), and is ordered engrossed and sent to the Senate by Special Message.

Representatives Brandon and Hamilton request and are granted leave of the House to be recorded as voting "aye". The adjusted vote total is (114-0).

RE-REFERRAL

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **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 withdrawn from Judiciary Subcommittee B and re-referred to the Committee on Rules, Calendar, and Operations of the House.

CALENDAR (continued)

H.B. 1023 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW FOR EXPUNCTION OF NONVIOLENT FELONIES OR NONVIOLENT MISDEMEANORS AFTER FIFTEEN YEARS FOR PERSONS WHO HAVE HAD NO OTHER CONVICTIONS FOR FELONIES OR MISDEMEANORS OTHER THAN TRAFFIC VIOLATIONS UNDER THE LAWS OF THE UNITED STATES, THIS STATE, OR ANY OTHER JURISDICTION, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION.

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

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Representative T. Moore offers Amendment No. 4.

On motion of Representative Daughtry, the bill, with Amendment No. 4 pending, is temporarily displaced.

H.B. 944, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF CULTURAL RESOURCES AND THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO STUDY VARIOUS REVENUE ENHANCEMENTS AND POTENTIAL SAVINGS AT STATE HISTORIC SITES AND MUSEUMS, THE STATE ZOO, STATE PARKS, AND STATE AQUARIUMS, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE, passes its second reading, by electronic vote (110-3), and there being no objection is read a third time.

Representative H. Warren requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (111-3).

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

H.B. 1009 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA METROPOLITAN SEWERAGE DISTRICTS ACT TO MODIFY REPRESENTATION ON THE DISTRICT BOARD UPON EXPANSION, AND TO ALLOW METROPOLITAN SEWERAGE DISTRICTS TO ALSO EXERCISE THE SAME POWERS AS METROPOLITAN WATER DISTRICTS, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S METROPOLITAN SEWERAGE/WATER SYSTEM COMMITTEE, passes its second reading, by electronic vote (76-37), and there being no objection is read a third time.

Representatives Floyd and Pierce request and are granted leave of the House to change their votes from "aye" to "no". The adjusted vote total is (74-39).

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

H.B. 1052 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS AMENDMENTS TO NORTH CAROLINA'S MECHANICS LIEN, TAX LIEN, AND PAYMENT BOND LAWS, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S MECHANICS LIENS ON REAL PROPERTY COMMITTEE.

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On motion of Representative Stevens and without objection, the bill is withdrawn from the Calendar and re-referred to the Committee on Finance.

S.B. 443 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE NORTH CAROLINA STATE ART SOCIETY, INC., TO CREATE A DIRECTOR'S COMMITTEE TO HIRE AND SUPERVISE THE DIRECTOR OF THE NORTH CAROLINA MUSEUM OF ART, TO REMOVE THE NORTH CAROLINA CEMETERY COMMISSION FROM THE NORTH CAROLINA DEPARTMENT OF COMMERCE, TO ENDOW THE CEMETERY COMMISSION WITH POWERS SIMILAR TO OCCUPATIONAL LICENSING BOARDS.

Representative T. Moore offers Amendment No. 1 which is adopted by electronic vote (113-0). This amendment changes the title.

Representative Adams requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (114-0).

Representative T. Moore offers Amendment No. 2 which is adopted by electronic vote (114-0).

The bill, as amended, passes its second reading by electronic vote (114-0). The caption having been amended, the bill remains on the Calendar.

S.B. 749 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE STATE'S LAWS PERTAINING TO TRANSPORTATION.

On motion of the Chair, the bill is temporarily displaced.

INTRODUCTION OF PAGES

Pages for the week of June 18 are introduced to the membership. They are: Michael Beam, IV, of Wake; Mariah Bishop of Wake; Diamond Black of Guilford; Kendra Bowen of Columbus; Erin Brooks of Wake; Catherine Carter of Wake; Jessica Cotten of Harnett; Sam Devine of Gaston; Spencer Goodson of Onslow; Andrew Hescocock of Wake; Hannah Jones of Cumberland; Jackson Kaplan of Wake; Jaclyn Kempf of Mecklenburg; Julia Kempf of Mecklenburg; Olivia Knox of Mecklenburg; Edward Landi of Wake; Mimi McCarthy of Pitt; Megan Rader of Alexander; Amaris Roberts of Columbus; Luke Sasser of Wake; Haley Talton of Harnett; Parks Tripp of Chowan; Haley Tucker of Nash; Alexandra Warren of Rowan; and Odom Williford of Orange.

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CALENDAR (continued)

S.B. 749 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE STATE'S LAWS PERTAINING TO TRANSPORTATION, which was temporarily displaced, is before the Body.

The bill passes its second reading by electronic vote (97-14).

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

S.B. 881, A BILL TO BE ENTITLED AN ACT TO TRANSFER THE WAREHOUSE FORMERLY OPERATED BY THE LAW ENFORCEMENT SUPPORT SERVICES DIVISION AND ITS CONTENTS FROM THE DEPARTMENT OF JUSTICE TO THE DEPARTMENT OF PUBLIC SAFETY AND TO ASSIGN THE RESPONSIBILITIES FOR THE STORAGE AND MANAGEMENT OF EVIDENCE HOUSED IN THE WAREHOUSE TO THE DEPARTMENT OF PUBLIC SAFETY, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON JUSTICE AND PUBLIC SAFETY.

Representative Randleman offers Amendment No. 1 which is adopted by electronic vote (110-1). This amendment changes the title.

The bill, as amended, passes its second reading by electronic vote (112-1). The caption having been amended, the bill remains on the Calendar.

H.B. 1023 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW FOR EXPUNCTION OF NONVIOLENT FELONIES OR NONVIOLENT MISDEMEANORS AFTER FIFTEEN YEARS FOR PERSONS WHO HAVE HAD NO OTHER CONVICTIONS FOR FELONIES OR MISDEMEANORS OTHER THAN TRAFFIC VIOLATIONS UNDER THE LAWS OF THE UNITED STATES, THIS STATE, OR ANY OTHER JURISDICTION, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION, which was temporarily displaced, with Amendment No. 4 pending, is before the Body.

On motion of Representative Daughtry and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of June 19.

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SPECIAL MESSAGE FROM THE SENATE**2011 GENERAL ASSEMBLY
SECOND SESSION 2012**

Senate Chamber
June 18, 2012

Mr. Speaker:

It is ordered that a message be sent your Honorable Body that the Senate has passed **H.B. 7** (Ratified), 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, notwithstanding the objections of the Governor and the bill becomes law.

Respectfully
S/ Sarah Clapp
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

The following Special Message is received from the Senate:

S.B. 444 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS, is read the first time and referred to the Committee on Finance.

Representative LaRoque moves, seconded by Representative Bradley, that the House adjourn, subject to the ratification of bills, the receipt of Committee Reports, the receipt of Conference Reports, the receipt of Messages from the Senate, and the referral of bills to committees, to reconvene June 19 at 2:00 pm.

The motion carries.

WITHDRAWAL OF BILL FROM COMMITTEE

On motion of Representative T. Moore and without objection, **S.J.R. 865**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF ROBERT C. "BOB" CARPENTER, FORMER MEMBER OF THE

June 18, 2012

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 June 20.

The House stands adjourned at 9:23 p.m.

ONE HUNDRED TWENTY-NINTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, June 19, 2012

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 William Brawley.

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

Leaves of absence are granted Representatives Bradley, Current, and Womble for today. Representative Spear is excused for a portion of the Session.

ENROLLED BILLS

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

S.B. 724, AN ACT TO IMPLEMENT VARIOUS EDUCATION REFORMS.

S.B. 798, AN ACT TO MAKE VARIOUS CHANGES TO THE EMERGENCY MANAGEMENT STATUTES; AND TO ESTABLISH THE JOINT LEGISLATIVE EMERGENCY MANAGEMENT OVERSIGHT COMMITTEE, AS RECOMMENDED BY THE SENATE SELECT COMMITTEE ON EMERGENCY PREPAREDNESS AND RESPONSE.

S.B. 890, AN ACT TO CODIFY THE PROVISIONS OF EXECUTIVE ORDER NO. 2 THAT DELEGATE TO THE SECRETARY OF TRANSPORTATION THE AUTHORITY TO APPROVE HIGHWAY CONSTRUCTION PROJECTS AND CONSTRUCTION PLANS AND TO

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AWARD HIGHWAY CONSTRUCTION CONTRACTS, REQUIRE THE DEPARTMENT OF TRANSPORTATION TO DEVELOP AND UTILIZE A STRATEGIC PRIORITIZATION PROCESS FOR SELECTION OF TRANSPORTATION PROJECTS, AND STRENGTHEN THE BOARD OF TRANSPORTATION ETHICS POLICY, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

S.B. 929, AN ACT TO REVISE THE RESIDENCY REQUIREMENTS FOR MEMBERS OF THE BOARD OF TRUSTEES OF A FIREMEN'S LOCAL RELIEF FUND.

H.B. 199, AN ACT TO RECODIFY THE PROVISIONS OF THE GENERAL STATUTES THAT REGULATE PRECIOUS METALS BUSINESSES, PAWNBROKERS AND CASH CONVERTERS, AND SECONDARY METALS RECYCLERS, AND TO STRENGTHEN METALS THEFT PREVENTION BY REQUIRING PERMITTING OF NONFERROUS METALS PURCHASERS, MAKING IT A CRIME TO CUT, MUTILATE, DEFACE, OR OTHERWISE INJURE THE PROPERTY OF ANOTHER TO OBTAIN NONFERROUS METALS, CREATING RELATED CRIMINAL OFFENSES, AND MAKING OTHER RELATED CHANGES TO THE GENERAL STATUTES.

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

S.B. 818, AN ACT TO EXEMPT CLAY COUNTY FROM CERTAIN STATUTORY REQUIREMENTS IN THE RENOVATION AND RESTORATION OF ITS OLD COURTHOUSE BUILDING TO BE LEASED AND/OR USED AS A MULTIPURPOSE FACILITY.

CHAPTERED BILLS

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

S.B. 906, AN ACT TO ALLOW THE TOWN OF NAGS HEAD TO LEASE OUT PROPERTY FOR A LICENSED NURSING HOME FOR UP TO FORTY YEARS WITHOUT TREATING IT AS A SALE. (S.L. 2012-30)

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. (S.L. 2012-31) [Became law notwithstanding the objections of the Governor.]

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WITHDRAWAL OF BILLS FROM CALENDAR

On motion of Representative T. Moore and without objection, **H.B. 614** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT ALLOWING REGISTERED SPONSORING ORGANIZATIONS TO ARRANGE FOR THE VOLUNTARY PROVISION OF HEALTH CARE SERVICES IN THIS STATE, RELIEVING PROVIDERS OF VOLUNTARY HEALTH CARE SERVICES FROM ADDITIONAL LICENSURE REQUIREMENTS, AND PROVIDING LIMITED PROTECTION FROM CIVIL LIABILITY TO PERSONS PROVIDING VOLUNTARY HEALTH CARE SERVICES IN ASSOCIATION WITH SPONSORING ORGANIZATIONS, is withdrawn from the Calendar and re-referred to the Committee on Health and Human Services.

On motion of Representative Moffitt and without objection, **H.B. 1074** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE STATUTES GOVERNING THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, AND THE DISABILITY INCOME PLAN OF NORTH CAROLINA TO PROVIDE PROTECTION AND REMEDIES FOR REPORTING VIOLATIONS OF RETIREMENT LAW; TO ESTABLISH GUIDELINES FOR FRAUD INVESTIGATIONS THAT WILL ENHANCE THE DEPARTMENT OF STATE TREASURER'S CAPABILITY TO PREVENT AND DETECT FRAUD, WASTE, AND ABUSE; TO MAKE IT A CLASS 1 MISDEMEANOR TO FRAUDULENTLY RECEIVE A DECEDENT'S MONTHLY DISABILITY BENEFIT; AND TO CLARIFY THE APPOINTMENT OF THE MEDICAL BOARD, is withdrawn from the Calendar and placed on the Calendar of June 20.

On motion of Representative T. Moore and without objection, **S.B. 756** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE STATE'S BAIL LAWS WITH REGARD TO PRETRIAL RELEASE PROGRAMS, 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 withdrawn from the Calendar, pursuant to Rule 36(b), and re-referred to the Appropriations Subcommittee on Justice and Public Safety.

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**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. 391 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE THE LAWS RELATING TO COUNTY RESEARCH AND PRODUCTION SERVICE DISTRICTS TO REFLECT CHANGED CIRCUMSTANCES, TO ALLOW FLEXIBILITY IN PROVISION OF SERVICES IN URBAN AREAS OF SUCH DISTRICTS, AND TO AMEND THE COUNTY SERVICE DISTRICT ACT OF 1973 RELATING TO APPROVAL OF PROPERTY TAXES IN MULTIJURISDICTIONAL INDUSTRIAL PARK DISTRICTS, with recommendation that the House concur.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 20.

H.B. 988, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE AVERASBORO TOWNSHIP TOURISM DEVELOPMENT AUTHORITY, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 20.

H.B. 1050, 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 REPEALING SPECIFIED INVOLUNTARY ANNEXATION ORDINANCES OF THE TOWN OF ELIZABETHTOWN RELATING TO THE INDUSTRIAL PARK AREA, AND BY PROHIBITING MUNICIPAL INITIATION OF ANY PROCEDURE TO INVOLUNTARILY ANNEX THOSE AREAS FOR TWELVE YEARS, with a favorable report.

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

H.B. 1051, 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 REPEALING SPECIFIED

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INVOLUNTARY ANNEXATION ORDINANCES OF THE TOWN OF ELIZABETHTOWN RELATING TO THE HAYFIELDS AREA, AND BY PROHIBITING MUNICIPAL INITIATION OF ANY PROCEDURE TO INVOLUNTARILY ANNEX THOSE AREAS FOR TWELVE YEARS, with a favorable report.

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

H.B. 1084 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO (1) REQUIRE ASSOCIATIONS TO RELEASE LIENS UPON PAYMENT IN FULL; (2) REQUIRE ALL ASSOCIATIONS TO CONDUCT FINANCIAL REVIEWS OR FINANCIAL AUDITS; (3) REQUIRE THAT NOTICE OF ASSOCIATION MEETINGS DESCRIBE THE GENERAL NATURE OF ANY MATERIAL MATTER FOR WHICH A VOTE IS TO BE TAKEN, AND VOID ACTIONS TAKEN AT MEETINGS HELD IN VIOLATION OF REQUIREMENTS OF THE PLANNED COMMUNITY ACT OR THE CONDOMINIUM ACT, AS APPLICABLE, OR AN ASSOCIATIONS DECLARATION OR BYLAWS; (4) AMEND VOTING PROVISIONS AS THEY APPLY TO USE OF PROXIES AND BALLOTS; (5) ALLOW USE OF ALTERNATIVE DISPUTE RESOLUTION FOR CONFLICTS ARISING UNDER THE PLANNED COMMUNITY ACT OR CONDOMINIUM ACT; AND (6) SIMPLIFY THE COLLECTION OF PROPERTY TAXES THAT ARE DUE ON PROPERTY OWNED BY CERTAIN NONPROFIT HOMEOWNERS ASSOCIATIONS, 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 20. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

H.B. 1105, A BILL TO BE ENTITLED AN ACT AMENDING THE ELECTROLYSIS PRACTICE ACT TO AUTHORIZE THE BOARD OF ELECTROLYSIS EXAMINERS TO HOLD AND USE FUNDS, TO CLARIFY CONTINUING EDUCATION REQUIREMENTS, AND TO AFFECT CERTAIN 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 June 20. The original bill is placed on the Unfavorable Calendar.

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H.B. 1106, A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN DESCRIBED TERRITORY TO THE CORPORATE LIMITS OF THE TOWN OF APEX, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 20.

H.B. 1216 (Committee Substitute), A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN RESTRICTIONS ON SATELLITE ANNEXATIONS FOR THE TOWN OF WALLACE, with a favorable report.

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

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, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to Senate Committee Substitute Bill No. 2.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of June 20. Senate Committee Substitute Bill No. 2 is placed on the Unfavorable Calendar.

S.B. 572, A BILL TO BE ENTITLED AN ACT TO ENACT THE OMNIBUS COUNTY BILL OF 2011, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the original bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of June 20. The original bill is placed on the Unfavorable Calendar.

S.B. 813 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF CULTURAL RESOURCES AND THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO STUDY VARIOUS REVENUE ENHANCEMENTS AND POTENTIAL SAVINGS AT STATE HISTORIC SITES AND MUSEUMS, THE STATE ZOO, STATE PARKS, AND STATE AQUARIUMS, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE, with a favorable report.

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Pursuant to Rule 36(b), the bill is placed on the Calendar of June 20.

S.B. 826 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL, CLARIFYING, AND ADMINISTRATIVE CHANGES TO THE TAX AND RELATED LAWS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 20.

S.B. 841, A BILL TO BE ENTITLED AN ACT TO ENSURE THAT THE RESOURCES OF THE PROGRAM EVALUATION DIVISION ARE UTILIZED EFFECTIVELY BY THE GENERAL ASSEMBLY, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 20.

By Representative Dockham, Chair, for the Committee on Insurance:

H.B. 1044, A BILL TO BE ENTITLED AN ACT TO ALLOW MEMBERS OF THE MILITARY WHO HAVE TAKEN A COMPARABLE MOTORCYCLE SAFETY PROGRAM PROVIDED BY FEDERALLY CERTIFIED INSTRUCTORS TO RECEIVE THE SAME MOTORCYCLE INSURANCE DISCOUNT AS CITIZENS WHO COMPLETE THE MOTORCYCLE SAFETY INSTRUCTION PROGRAM, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON MILITARY AFFAIRS, 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 20. The original bill is placed on the Unfavorable Calendar.

S.B. 647 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CREATION OF MUTUAL INSURANCE HOLDING COMPANIES, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the Senate committee substitute bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Finance.

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

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S.B. 656 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENSURE THAT PATIENTS HAVE THE RIGHT TO CHOOSE THEIR PHYSICAL THERAPISTS UNDER THEIR HEALTH BENEFIT PLANS, 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 20. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representatives Current, Dollar, and Hollo, Chairs, for the Committee on Health and Human Services:

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

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of June 20. 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. 1191, A HOUSE RESOLUTION SPECIFICALLY DISAPPROVING EXECUTIVE ORDER NO. 85, ISSUED MARCH 25, 2011, UNDER PROVISIONS OF THE NORTH CAROLINA CONSTITUTION GRANTING EITHER HOUSE OF THE GENERAL ASSEMBLY TO DO SO, AS THE GENERAL ASSEMBLY HAS ACCOMPLISHED ADMINISTRATIVE REORGANIZATIONS BY LEGISLATION, with recommendation that it be adopted.

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

H.J.R. 1224, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF WILLIAM MANER "BILL" IVES, FORMER MEMBER OF THE GENERAL ASSEMBLY, with a favorable report.

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Pursuant to Rule 36(b), the resolution is placed on the Calendar of June 20.

S.B. 231 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE STANDARDS REQUIRED FOR INCORPORATION OF A MUNICIPALITY AND TO REQUIRE APPROVAL OF THE MUNICIPAL GOVERNING BOARD PRIOR TO CERTAIN EXTENSIONS OF WATER OR SEWER SERVICE BY OTHER GOVERNMENT ENTITIES, 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 June 20. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced and read the first time:

By Representatives Jackson and Weiss (Primary Sponsors); Avila, Gill, Hamilton, Martin, Murry, and Ross:

H.J.R. 1226, A JOINT RESOLUTION HONORING THE 100TH ANNIVERSARY OF THE RALEIGH FIRE DEPARTMENT AND THOSE WHO HAVE SERVED WITH THE DEPARTMENT.

Pursuant to Rule 32(a), the resolution is placed on the Calendar of June 20.

By Representative Jordan:

H.B. 1227, A BILL TO BE ENTITLED AN ACT TO DISAPPROVE A RULE ADOPTED BY THE ENVIRONMENTAL MANAGEMENT COMMISSION AND APPROVED BY THE RULES REVIEW COMMISSION, is referred to the Committee on Rules, Calendar, and Operations of the House.

SPEAKER TILLIS PRESIDING.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following report from standing committee is presented:

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By Representatives Langdon and Sager, Chairs, for the Committee on Agriculture:

S.B. 868 (Committee Substitute), A BILL TO BE ENTITLED AN ACT ADJUSTING THE DATES OF VALIDITY FOR LICENSES ISSUED BY THE WILDLIFE RESOURCES COMMISSION TO ELIMINATE THE PENALTY FOR EARLY RENEWAL, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 20.

CALENDAR

Action is taken on the following:

H.B. 237 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT PROVIDING THAT THE NORTH CAROLINA RATE BUREAU SHARE WITH THE NORTH CAROLINA INDUSTRIAL COMMISSION INFORMATION ON THE STATUS OF WORKERS' COMPENSATION INSURANCE COVERAGE ON EMPLOYERS IN THIS STATE AND MAKING CLARIFYING, CONFORMING, AND OTHER CHANGES RELATING TO THE WORKERS' COMPENSATION LAWS OF NORTH CAROLINA.

Pursuant to Rule 24.1A, Representative Weiss requests that she be excused from voting on this bill because of potential involvement by her spouse in the negotiations. This request is granted.

On motion of Representative T. Moore and without objection, the bill is withdrawn from the Calendar and re-referred to Judiciary Subcommittee C.

H.B. 1217, A BILL TO BE ENTITLED AN ACT TO ADJUST THE BOUNDARIES OF THE TOWN OF WOODFIN AND THE CITY OF ASHEVILLE, AS REQUESTED BY THE GOVERNING BOARDS OF THOSE MUNICIPALITIES, BY (1) ANNEXING INTO THE CITY OF ASHEVILLE CERTAIN STATE-OWNED PROPERTY, (2) REMOVING CERTAIN STATE-OWNED PROPERTY FROM THE TOWN OF WOODFIN AND ANNEXING IT INTO THE CITY OF ASHEVILLE, (3) REMOVING CERTAIN STATE-OWNED AND PRIVATE PROPERTY FROM THE CITY OF ASHEVILLE AND ANNEXING IT INTO THE TOWN OF WOODFIN, AND (4) UPON PETITION OF THE OWNER AND WITH THE CONCURRENCE OF THE TOWN OF WOODFIN, ALLOWING THE CITY OF ASHEVILLE TO ANNEX CERTAIN PROPERTY IN THE TOWN OF WOODFIN THAT, AS A RESULT OF THE OPERATION OF THIS ACT, IS SURROUNDED BY THE CITY OF ASHEVILLE OR A COMBINATION OF THE CITY OF ASHEVILLE

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AND UNINCORPORATED AREA, AND PROVIDING FOR THE CITY OF ASHEVILLE AND THE TOWN OF WOODFIN TO ENTER INTO AGREEMENTS REGARDING THE PROVISION OF MUNICIPAL SERVICES TO CERTAIN PROPERTIES IN EACH OTHER'S JURISDICTION.

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

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Avila, Bell, Blackwell, Blust, Boles, Bordsen, 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, 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, Pittman, Pridgen, Randleman, Rapp, Ross, Sager, Saine, Samuelson, Sanderson, Setzer, Shepard, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Wainwright, Walend, E. Warren, H. Warren, Weiss, West, Wilkins, and Wray - 114.

Voting in the negative: None.

Excused absences: Representatives Bradley, Current, Spear, and Womble - 4.

H.B. 1023 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW FOR EXPUNCTION OF NONVIOLENT FELONIES OR NONVIOLENT MISDEMEANORS AFTER FIFTEEN YEARS FOR PERSONS WHO HAVE HAD NO OTHER CONVICTIONS FOR FELONIES OR MISDEMEANORS OTHER THAN TRAFFIC VIOLATIONS UNDER THE LAWS OF THE UNITED STATES, THIS STATE, OR ANY OTHER JURISDICTION, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION, with Amendment No. 4 pending, is before the Body.

Representative T. Moore withdraws Amendment No. 4.

Representative T. Moore offers Amendment No. 5 which is adopted by electronic vote (94-21).

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Representatives Burr, Jones, McLawhorn, and Setzer request and are granted leave of the House to change their votes from "aye" to "no". The adjusted vote total is (90-25).

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.

S.B. 443 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE NORTH CAROLINA STATE ART SOCIETY, INC., TO CREATE A DIRECTOR'S COMMITTEE TO HIRE AND SUPERVISE THE DIRECTOR OF THE NORTH CAROLINA MUSEUM OF ART, TO REMOVE THE NORTH CAROLINA CEMETERY COMMISSION FROM THE NORTH CAROLINA DEPARTMENT OF COMMERCE, TO ENDOW THE CEMETERY COMMISSION WITH POWERS SIMILAR TO OCCUPATIONAL LICENSING BOARDS, TO MODIFY THE TERM OF THE VETERINARY TECHNICIAN APPOINTEE TO THE VETERINARY MEDICAL BOARD, AND TO INCREASE THE LENGTH OF THE TERM OF THE GENERAL ASSEMBLY'S APPOINTEES TO THE GEOGRAPHIC INFORMATION COORDINATING COUNCIL.

The bill, as amended, passes its third reading, by electronic vote (114-0), and is ordered engrossed and sent to the Senate for concurrence in the House committee substitute bill by Special Message.

S.B. 707 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE SCHOOL VIOLENCE PREVENTION ACT OF 2012; LIMIT PRAYERS FOR JUDGMENT CONTINUED; AND END SUNSET FOR A PROVISION REGARDING AN LEA'S BASIS OF KNOWLEDGE ABOUT A CHILD WITH A DISABILITY.

The bill, as amended, passes its third reading, by electronic vote (112-2), and is ordered engrossed and sent to the Senate for concurrence in the House committee substitute bill by Special Message.

S.B. 749 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE STATE'S LAWS PERTAINING TO TRANSPORTATION.

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

On motion of Representative T. Moore, the bill is temporarily displaced.

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S.B. 881, A BILL TO BE ENTITLED AN ACT TO TRANSFER THE WAREHOUSE FORMERLY OPERATED BY THE LAW ENFORCEMENT SUPPORT SERVICES DIVISION AND ITS CONTENTS FROM THE DEPARTMENT OF JUSTICE TO THE DEPARTMENT OF PUBLIC SAFETY AND TO ASSIGN THE RESPONSIBILITIES FOR THE STORAGE AND MANAGEMENT OF EVIDENCE HOUSED IN THE WAREHOUSE TO THE DEPARTMENT OF PUBLIC SAFETY, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON JUSTICE AND PUBLIC SAFETY.

The bill, as amended, passes its third reading, by electronic vote (112-2), and is ordered engrossed and sent to the Senate for concurrence in one House amendment by Special Message.

Representative Collins requests and is granted leave of the House to change his vote from "no" to "aye". The adjusted vote total is (113-1).

H.B. 1173, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PROBATION VIOLATOR WHO ABSCONDS OR OTHERWISE WILLFULLY AVOIDS ARREST AFTER THE ISSUANCE OF A WARRANT SHALL FORFEIT ANY PUBLIC ASSISTANCE BENEFITS UNTIL SURRENDERING TO THE COURT.

On motion of the Speaker, the bill is temporarily displaced.

S.B. 749 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE STATE'S LAWS PERTAINING TO TRANSPORTATION, which was temporarily displaced, is before the Body.

The bill, as amended, passes its third reading, by electronic vote (101-10) and is ordered engrossed and sent to the Senate.

Representatives Bryant and Farmer-Butterfield request and are granted leave of the House to be recorded as voting "aye". Representative Insko requests and is granted leave of the House to change her vote from "aye" to "no". The adjusted vote total is (102-11).

S.B. 810 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO (1) REESTABLISH THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE; (2A) MAKE VARIOUS TECHNICAL AND CLARIFYING CHANGES TO THE ADMINISTRATIVE PROCEDURES ACT; (2B) MAKE CONFORMING CHANGES TO THE STATE PERSONNEL ACT; (3) EXTEND THE EFFECTIVE DATE FOR CHANGES TO FINAL DECISION-MAKING

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AUTHORITY IN CERTAIN CONTESTED CASES; (4) LIMIT THE PERIOD DURING WHICH RECORDS OF UNCLAIMED PROPERTY MUST BE MAINTAINED; (5A) DIRECT AGENCIES TO SUBMIT A REPORT ON NOTICE GIVEN BEFORE AUDITING OR EXAMINING A BUSINESS TO THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE; (5B) LIMIT STATE AGENCY IDENTITY THEFT REPORTING REQUIREMENTS; (5C) REQUIRE THE DEPARTMENT OF LABOR TO PROVIDE NOTICE PRIOR TO INSPECTIONS; (6) CLARIFY THAT THE DISCHARGE OF WASTE INTO WATERS OF THE STATE DOES NOT INCLUDE THE RELEASE OF AIR CONTAMINANTS INTO THE OUTDOOR ATMOSPHERE; (7) AUTHORIZE RATHER THAN REQUIRE THE COMMISSION FOR PUBLIC HEALTH TO ADOPT RULES FOR THE TESTING OF WATER FROM NEW DRINKING WATER WELLS FOR CERTAIN VOLATILE ORGANIC COMPOUNDS; (8) DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO TRACK AND REPORT ON PERMIT PROCESSING TIMES; (9) DELAY THE EFFECTIVE DATE FOR COMPLIANCE WITH WADING POOL FENCING REQUIREMENTS FROM JULY 1, 2012, TO JANUARY 1, 2013; (10) DIRECT THE COMMISSION FOR PUBLIC HEALTH TO AMEND THE RULES GOVERNING THE DURATION OF PERMITS FOR SANITARY LANDFILLS AND THE PERIOD IN WHICH THOSE PERMITS ARE REVIEWED; (11) AMEND THE CRITERIA FOR DESIGNATION AS A PORT ENHANCEMENT ZONE; (12) EXEMPT CERTIFIED ROADSIDE FARM MARKETS FROM CERTAIN BUILDING CODE REQUIREMENTS; AND (13) ALLOW THE PERMITTING OF MOBILE FOOD UNITS THAT MEET THE SANITATION REQUIREMENTS OF A COMMISSARY.

On motion of Representative T. Moore and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of June 20.

S.B. 828 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE UNEMPLOYMENT INSURANCE LAWS.

Representative Ross offers Amendment No. 1 which is adopted by electronic vote (113-0).

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

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

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

BILLS PLACED ON CALENDAR

On motion of Representative T. Moore and without objection, the following bills are added to today's Calendar:

H.B. 1050, 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 REPEALING SPECIFIED INVOLUNTARY ANNEXATION ORDINANCES OF THE TOWN OF ELIZABETHTOWN RELATING TO THE INDUSTRIAL PARK AREA, AND BY PROHIBITING MUNICIPAL INITIATION OF ANY PROCEDURE TO INVOLUNTARILY ANNEX THOSE AREAS FOR TWELVE YEARS.

H.B. 1051, 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 REPEALING SPECIFIED INVOLUNTARY ANNEXATION ORDINANCES OF THE TOWN OF ELIZABETHTOWN RELATING TO THE HAYFIELDS AREA, AND BY PROHIBITING MUNICIPAL INITIATION OF ANY PROCEDURE TO INVOLUNTARILY ANNEX THOSE AREAS FOR TWELVE YEARS.

H.B. 1216 (Committee Substitute), A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN RESTRICTIONS ON SATELLITE ANNEXATIONS FOR THE TOWN OF WALLACE.

WITHDRAWAL OF BILL FROM COMMITTEE

On motion of Representative T. Moore and without objection, **H.B. 819** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STUDY AND MODIFY CERTAIN COASTAL MANAGEMENT POLICIES, is withdrawn from the Committee on Environment and pursuant to Rule 36(b), is placed on today's Calendar.

REPRESENTATIVE FOLWELL, SPEAKER PRO TEMPORE PRESIDING.

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CALENDAR (continued)

H.B. 1050, 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 REPEALING SPECIFIED INVOLUNTARY ANNEXATION ORDINANCES OF THE TOWN OF ELIZABETHTOWN RELATING TO THE INDUSTRIAL PARK AREA, AND BY PROHIBITING MUNICIPAL INITIATION OF ANY PROCEDURE TO INVOLUNTARILY ANNEX THOSE AREAS FOR TWELVE YEARS, 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, Blackwell, Blust, Boles, Bordsen, Brawley, L. Brown, R. Brown, Brubaker, Burr, Carney, Cleveland, Collins, Cook, Cotham, Crawford, Daughtry, Dixon, Dockham, Dollar, Faircloth, Floyd, Frye, Gillespie, Goodman, Graham, Hackney, Hager, Hall, Hastings, Hill, Hilton, Hollo, Holloway, Horn, Howard, Hurley, Iler, Ingle, Jeffus, Johnson, Jones, Jordan, Justice, Killian, Langdon, LaRoque, Lewis, Luebke, McComas, McCormick, McElraft, McGee, McGrady, McGuirt, Mills, Moffitt, T. Moore, Murry, Owens, Pierce, Pittman, Pridgen, Randleman, Sager, Saine, Samuelson, Sanderson, Setzer, Shepard, Stam, Starnes, Steen, Stevens, Stone, Torbett, Wainwright, Walend, E. Warren, H. Warren, West, and Wray - 85.

Voting in the negative: Representatives Bell, Bryant, Earle, Faison, Farmer-Butterfield, Fisher, Gill, Glazier, Haire, Hamilton, Harrison, Insko, Jackson, Keever, Lucas, Martin, McLawhorn, Mobley, R. Moore, Parfitt, Parmon, Rapp, Ross, Tolson, Weiss, and Wilkins - 26.

Excused absences: Representatives Bradley, Current, Spear, and Womble - 4.

Representative Bordsen requests and is granted leave of the House to change her vote from "aye" to "no". Representative Brisson requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (85-27).

H.B. 1051, 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

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CITIES AS IT DEEMS ADVISABLE BY REPEALING SPECIFIED INVOLUNTARY ANNEXATION ORDINANCES OF THE TOWN OF ELIZABETHTOWN RELATING TO THE HAYFIELDS AREA, AND BY PROHIBITING MUNICIPAL INITIATION OF ANY PROCEDURE TO INVOLUNTARILY ANNEX THOSE AREAS FOR TWELVE YEARS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, K. Alexander, Avila, Blackwell, Blust, Boles, Brandon, Brawley, Brisson, L. Brown, R. Brown, Brubaker, Burr, Carney, Cleveland, Collins, Cook, Cotham, Crawford, Daughtry, Dixon, Dockham, Dollar, Faircloth, Floyd, Frye, Gillespie, Goodman, Graham, Hager, Hall, Hastings, Hill, Hilton, Hollo, Holloway, Horn, Howard, Hurley, Iler, Ingle, Johnson, Jones, Jordan, Justice, Killian, Langdon, LaRoque, Lewis, McComas, McCormick, McElraft, McGee, McGrady, McGuirt, McLawhorn, Mills, Mobley, Moffitt, T. Moore, Murry, Pierce, Pittman, Pridgen, Randleman, Ross, Sager, Saine, Samuelson, Sanderson, Setzer, Shepard, Stam, Steen, Stevens, Stone, Torbett, Wainwright, Walend, E. Warren, H. Warren, West, and Wray - 83.

Voting in the negative: Representatives M. Alexander, Bell, Bordsen, Bryant, Earle, Faison, Farmer-Butterfield, Fisher, Gill, Glazier, Haire, Hamilton, Harrison, Insko, Jackson, Jeffus, Keever, Lucas, Luebke, Martin, Michaux, R. Moore, Owens, Parfitt, Parmon, Rapp, Tolson, Weiss, and Wilkins - 29.

Excused absences: Representatives Bradley, Current, Spear, and Womble - 4.

H.B. 1216 (Committee Substitute), A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN RESTRICTIONS ON SATELLITE ANNEXATIONS FOR THE TOWN OF WALLACE, 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, Burr, Carney, Cleveland, Collins, Cook, Cotham, Crawford, Daughtry, Dixon, Dockham, Dollar, Earle, Faircloth, Faison, Farmer-Butterfield, Fisher, Floyd, Frye, Gill, Gillespie, Glazier, Goodman, Graham, Hackney, Hager, Haire, Hall, Hamilton, Harrison, Hastings, Hill, Hilton, Hollo, Holloway, Horn, Howard, Hurley, Iler, Ingle, Insko, Jackson, Johnson, Jones, Jordan, Justice, Keever, Killian, Langdon, LaRoque, Lewis, Lucas, Luebke, Martin,

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McComas, McCormick, McElraft, McGee, McGrady, McGuirt, McLawhorn, Michaux, Mills, Mobley, Moffitt, R. Moore, T. Moore, Murry, Owens, Parfitt, Parmon, Pierce, Pittman, Randleman, Rapp, Ross, Sager, Saine, Samuelson, Sanderson, Setzer, Shepard, Stam, Starnes, Steen, Stevens, Tolson, Torbett, Wainwright, Walend, E. Warren, H. Warren, Weiss, West, Wilkins, and Wray - 110.

Voting in the negative: Representatives Jeffus, Pridgen, and Stone - 3.

Excused absences: Representatives Bradley, Current, Spear, and Womble - 4.

H.B. 819 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STUDY AND MODIFY CERTAIN COASTAL MANAGEMENT POLICIES.

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

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:

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, 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 Judiciary Subcommittee B.

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

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CONFERENCE REPORT

Representative Torbett sends forth the Conference Report on **H.B. 512** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS GOVERNING RENDERING PLANTS AND OPERATIONS AND TO BRING THE COLLECTION OF WASTE KITCHEN GREASE WITHIN THE PURVIEW OF THE ACT. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of June 20.

SPECIAL MESSAGE FROM THE SENATE**2011 GENERAL ASSEMBLY
SECOND SESSION 2012**

Senate Chamber
June 19, 2012

Mr. Speaker:

Pursuant to your message received on June 14, 2012, that the House of Representatives fails to concur in the Senate Committee Substitute to **H.B. 1015**, A BILL TO BE ENTITLED AN ACT TO SET THE PUBLIC UTILITY REGULATORY FEE, THE ELECTRIC MEMBERSHIP CORPORATION REGULATORY FEE, AND THE INSURANCE REGULATORY CHARGE, and requests conferees, the President *Pro Tempore* appoints:

Senator Rucho, Chair
Senator Rabon
Senator Brock

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

June 19, 2012

WITHDRAWAL OF BILL FROM COMMITTEE

On motion of Representative T. Moore and without objection, **H.R. 1022**, A HOUSE RESOLUTION HONORING THE LIFE AND MEMORY OF RICK RHYNE, MOORE COUNTY SHERIFF'S DEPUTY, KILLED IN THE LINE OF DUTY, 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 20.

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 receipt of Conference Reports, the receipt of Messages from the Senate, and the referral of bills to committees, to reconvene June 20 at 1:00 p.m.

The motion carries.

CONFEREES APPOINTED

The Speaker appoints the following conferees on **H.B. 819** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STUDY AND MODIFY CERTAIN COASTAL MANAGEMENT POLICIES: Representative McElraft, Chair; Representatives Samuelson, Spear, Hager, and Iler.

The Senate is so notified by Special Message.

RE-REFERRAL

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 1000**, A BILL TO BE ENTITLED AN ACT ESTABLISHING THE COMMUNITY ASSOCIATION MANAGERS LICENSURE ACT, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON HOMEOWNERS ASSOCIATIONS, is withdrawn from Judiciary Subcommittee A and re-referred to the Committee on Commerce and Job Development.

The House stands adjourned at 4:55 p.m.

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ONE HUNDRED THIRTIETH DAY

HOUSE OF REPRESENTATIVES
Wednesday, June 20, 2012

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

The following remarks and prayer are offered by Representative Rayne Brown:

"This prayer was written by a courageous man of God and Pastor of Central Baptist Church, the Reverend Ryan Bennett. Reverend Bennett lives in Representative Harry Warren's district but he ministers in the 81st and we are very thankful to have him as a part of our community.

"Our Father and our God, we take a moment to come to You in prayer. Lord, we ask for Your guidance as we govern this great State. Help us to do our best to be leaders for the people of North Carolina and to do our best to be followers of You. History shows us what happens to nations and governments that turn their backs on You and go against the instruction of Your word. Lord, Your Bible tells us in Proverbs 29:18 'where there is no vision the people perish.' We pray that with Your help we will serve with integrity, honesty, and humility, as always understanding that while we are privileged, so privileged to do the work we do, we are never, ever entitled.

"Lord, we pray for every person that is represented here today and for the State that we love so much. Keep us ever mindful of the responsibility that You have given us. We ask that You would encourage us when we need to be encouraged. Direct us when we need direction, lift us up when we falter and give us strength when we grow weak.

"Thank You for hearing this prayer and we have the faith to thank You in advance for answering it. We pray all of this in the most powerful Name of all, in Jesus' name. Amen."

Representative T. Moore, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 19 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Bradley and Womble for today. Representatives Hastings and Spear are excused for a portion of the Session.

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ENROLLED BILLS

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

S.B. 518, AN ACT TO REQUIRE 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.

S.B. 895, AN ACT TO AMEND STATUTES RELATED TO MOTORCYCLE LICENSES, TO DELAY THE IMPLEMENTATION OF TWO CHANGES TO DRIVERS LICENSES PENDING AN INFORMATION TECHNOLOGY SYSTEM UPGRADE, TO UPDATE CHAPTER 136 OF THE GENERAL STATUTES WITH THE TERM "CHIEF ENGINEER," WHICH REPLACES THE TERM "STATE HIGHWAY ADMINISTRATOR," AND TO AUTHORIZE RECIPROCITY AGREEMENTS FOR TOLL PAYMENTS BETWEEN THE NORTH CAROLINA TURNPIKE AUTHORITY AND OTHER TOLL AGENCIES, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

H.B. 1055, AN ACT RELATING TO PROVIDER ENDORSEMENT FUNCTIONS OF LOCAL MANAGEMENT ENTITIES, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON HEALTH AND HUMAN SERVICES.

H.B. 1056, AN ACT TO LIMIT ACCESS TO IDENTIFYING INFORMATION OF MINOR PARTICIPANTS IN PROGRAMS FUNDED BY THE NORTH CAROLINA PARTNERSHIP FOR CHILDREN OR OTHER LOCAL PARTNERSHIPS, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON HEALTH AND HUMAN SERVICES.

H.B. 1066, AN ACT TO CLARIFY, MODIFY, AND CONSOLIDATE THE LAW APPLICABLE TO THE PASSING OF TITLE TO INTERESTS IN REAL AND PERSONAL PROPERTY DEvised BY A WILL AND THE RIGHTS OF LIEN CREDITORS AND PURCHASERS FOR VALUE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

H.B. 1067, AN ACT TO CONFORM THE LAW GOVERNING CO-OWNERS WITH RIGHT OF SURVIVORSHIP UNDER THE SIMULTANEOUS DEATH ACT TO THE LAW GOVERNING THE HOLDING OF UNEQUAL SHARES IN A JOINT TENANCY WITH RIGHT OF SURVIVORSHIP, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

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H.B. 1069, AN ACT TO INCREASE THE MINIMUM AMOUNT OF INTESTATE PERSONAL PROPERTY PASSING TO THE SURVIVING SPOUSE AND THE AMOUNT OF THE YEAR'S ALLOWANCE FROM A DECEDENT'S ESTATE FOR A SURVIVING CHILD, TO REINSERT ERRONEOUSLY REMOVED REFERENCES TO A CHILD'S "NEXT FRIEND" IN THE STATUTES RELATING TO A CHILD'S YEAR'S ALLOWANCE, AND TO SPECIFY THAT THE CHILD'S YEAR'S ALLOWANCE MAY BE PAID TO A WIDOWER ON THE CHILD'S BEHALF AS WELL AS TO A WIDOW, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

H.B. 1081, AN ACT RELATING TO CHANGES PERTAINING TO LICENSED CLINICAL SOCIAL WORKERS, CLINICAL ADDICTION SPECIALISTS, AND PSYCHOLOGISTS, AS RECOMMENDED BY THE JOINT OVERSIGHT COMMITTEE ON HEALTH AND HUMAN SERVICES.

CHAPTERED BILLS

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

S.B. 818, AN ACT TO EXEMPT CLAY COUNTY FROM CERTAIN STATUTORY REQUIREMENTS IN THE RENOVATION AND RESTORATION OF ITS OLD COURTHOUSE BUILDING TO BE LEASED AND/OR USED AS A MULTIPURPOSE FACILITY. (S.L. 2012-32)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committee and permanent subcommittee are presented:

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

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

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

S.J.R. 958, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF JAMES SUMMERS "JIM" FORRESTER, SR., MD, FORMER MEMBER OF THE GENERAL ASSEMBLY, with a favorable report.

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

By Representative T. Moore, Chair, for Judiciary Subcommittee C, with approval of standing committee Chair for report to be made directly to the floor of the House:

H.B. 237 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT PROVIDING THAT THE NORTH CAROLINA RATE BUREAU SHARE WITH THE NORTH CAROLINA INDUSTRIAL COMMISSION INFORMATION ON THE STATUS OF WORKERS' COMPENSATION INSURANCE COVERAGE ON EMPLOYERS IN THIS STATE AND MAKING CLARIFYING, CONFORMING, AND OTHER CHANGES RELATING TO THE WORKERS' COMPENSATION LAWS OF NORTH CAROLINA, with recommendation that the House concur.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 21.

SPECIAL MESSAGES FROM THE SENATE

The following Special Messages are received from the Senate:

H.B. 438 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROMOTE EFFICIENCY AND EFFECTIVENESS IN THE ADMINISTRATION OF HUMAN SERVICES AND TO STRENGTHEN THE LOCAL PUBLIC HEALTH INFRASTRUCTURE BY ESTABLISHING A PUBLIC HEALTH IMPROVEMENT INCENTIVE PROGRAM AND ENSURING THE PROVISION OF THE TEN ESSENTIAL PUBLIC HEALTH SERVICES, is returned for concurrence in the Senate committee substitute bill and referred to the Committee on Health and Human Services.

Upon concurrence the Senate committee substitute bill changes the title.

H.B. 462 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO LIMIT USE OF CONTINGENT-BASED CONTRACTS FOR AUDIT OR ASSESSMENT PURPOSES, is returned for concurrence in the Senate committee substitute bill and referred to the Committee on Commerce and Job Development.

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Upon concurrence the Senate committee substitute bill changes the title.

H.B. 737 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE LAWS REGARDING THE SAFETY OF CHILDREN IN CHILD CARE FACILITIES, is returned for concurrence in the Senate committee substitute bill and referred to Judiciary Subcommittee C.

CALENDAR

Action is taken on the following:

H.R. 1022, A HOUSE RESOLUTION HONORING THE LIFE AND MEMORY OF RICK RHYNE, MOORE COUNTY SHERIFF'S DEPUTY, KILLED IN THE LINE OF DUTY.

The resolution is adopted, by electronic vote (116-0), and ordered printed.

H.J.R. 1224, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF WILLIAM MANER "BILL" IVES, FORMER MEMBER OF THE GENERAL ASSEMBLY.

On motion of Representative T. Moore and without objection, the resolution is withdrawn from the Calendar and placed on the Calendar of June 25.

H.J.R. 1226, A JOINT RESOLUTION HONORING THE 100TH ANNIVERSARY OF THE RALEIGH FIRE DEPARTMENT AND THOSE WHO HAVE SERVED WITH THE DEPARTMENT, 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.

S.J.R. 865, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF ROBERT C. "BOB" CARPENTER, FORMER MEMBER OF THE GENERAL ASSEMBLY, passes its second reading, by electronic vote (115-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered enrolled.

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H.J.R. 932 (Committee Substitute), A JOINT RESOLUTION HONORING THE USE OF NORTH CAROLINA FOR PROVIDING EXCEPTIONAL PROGRAMS AND SERVICES TO OUR MILITARY TROOPS AND THEIR FAMILIES, 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.

H.B. 391 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE THE LAWS RELATING TO COUNTY RESEARCH AND PRODUCTION SERVICE DISTRICTS TO REFLECT CHANGED CIRCUMSTANCES, TO ALLOW FLEXIBILITY IN PROVISION OF SERVICES IN URBAN AREAS OF SUCH DISTRICTS, AND TO AMEND THE COUNTY SERVICE DISTRICT ACT OF 1973 RELATING TO APPROVAL OF PROPERTY TAXES IN MULTIJURISDICTIONAL INDUSTRIAL PARK DISTRICTS.

On motion of Representative Avila, the House concurs in the material Senate committee substitute bill, on its second roll call reading, by the following vote, and the bill remains on the Calendar.

Those voting in the affirmative are: 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, Gill, Gillespie, Glazier, Goodman, Graham, Hackney, Hager, 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, Pittman, Pridgen, Randleman, Rapp, Ross, Sager, Saine, Samuelson, Sanderson, Setzer, Shepard, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Wainwright, Walend, E. Warren, H. Warren, Weiss, West, Wilkins, and Wray - 115.

Voting in the negative: Representative Haire.

Excused absences: Representatives Bradley, Spear, and Womble - 3.

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H.B. 1173, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PROBATION VIOLATOR WHO ABSCONDS OR OTHERWISE WILLFULLY AVOIDS ARREST AFTER THE ISSUANCE OF A WARRANT SHALL FORFEIT ANY PUBLIC ASSISTANCE BENEFITS UNTIL SURRENDERING TO THE COURT.

Representative Glazier offers Amendment No. 1 which is adopted by electronic vote (113-0).

Representative Haire offers Amendment No. 2 which is adopted by electronic vote (111-1).

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

The bill, as amended, passes its second reading by electronic vote (111-5).

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

CONFERENCE REPORT

Representative Torbett moves the adoption of the following Conference Report.

Senate Committee Substitute for H.B. 512

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 512, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS GOVERNING RENDERING PLANTS AND OPERATIONS AND TO BRING THE COLLECTION OF WASTE KITCHEN GREASE WITHIN THE PURVIEW OF THE ACT, Senate Finance Committee Substitute Adopted 6/15/11, submit the following report:

The House and Senate agree to the following amendments to the Senate Finance Committee Substitute Adopted 6/15/11 and the House concurs in the Senate committee substitute as amended:

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Delete the entire Senate Committee Substitute and substitute the attached Proposed Conference Committee Substitute H512-PCCS30643-ME-7.

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

Date conferees approved report: June 19, 2012

*Conferees for the
Senate*

S/ Andrew C. Brock, Chair
S/ David Rouzer
S/ Clark Jenkins

*Conferees for the
House of Representatives*

S/ John A. Torbett
S/ Joe Hackney
S/ Mike C. Stone
S/ Jimmy Dixon
S/ Mitchell S. Setzer

The Conference Report, which changes the title, is adopted, by electronic vote (116-0), and the Senate is so notified by Special Message. (The text of the Conference Committee Substitute may be found in its entirety in the 2012 Session Laws, Chapter 127.)

H.B. 1106, A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN DESCRIBED TERRITORY TO THE CORPORATE LIMITS OF THE TOWN OF APEX, 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, Frye, Gill, Gillespie, Glazier, Goodman, Graham, 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, Pittman, Pridgen, Randleman, Rapp, Ross, Sager, Saine, Samuelson, Sanderson, Setzer, Shepard, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Wainwright, Walend, E. Warren, H. Warren, Weiss, West, Wilkins, and Wray - 115.

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Voting in the negative: Representative Folwell.

Excused absences: Representatives Bradley, Spear, and Womble - 3.

H.B. 1050, 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 REPEALING SPECIFIED INVOLUNTARY ANNEXATION ORDINANCES OF THE TOWN OF ELIZABETHTOWN RELATING TO THE INDUSTRIAL PARK AREA, AND BY PROHIBITING MUNICIPAL INITIATION OF ANY PROCEDURE TO INVOLUNTARILY ANNEX THOSE AREAS FOR TWELVE YEARS, 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 Avila, Blackwell, Blust, Boles, Brandon, Brawley, Brisson, L. Brown, R. Brown, Brubaker, Burr, Cleveland, Collins, Cook, Cotham, Crawford, Current, Daughtry, Dixon, Dockham, Dollar, Faircloth, Floyd, Folwell, Frye, Gillespie, Graham, Hager, Hall, Hastings, Hill, Hilton, Hollo, Holloway, Horn, Howard, Hurley, Iler, Ingle, Jackson, Johnson, Jones, Jordan, Justice, Killian, Langdon, LaRoque, Lewis, McComas, McCormick, McElraft, McGee, McGrady, Mills, Moffitt, T. Moore, Murry, Pittman, Pridgen, Randleman, Sager, Saine, Samuelson, Sanderson, Setzer, Shepard, Stam, Starnes, Steen, Stevens, Stone, Torbett, Wainwright, Walend, E. Warren, H. Warren, and West - 77.

Voting in the negative: Representatives Adams, K. Alexander, M. Alexander, Bell, Bordsen, Bryant, Earle, Faison, Farmer-Butterfield, Fisher, Gill, Glazier, Goodman, Haire, Hamilton, Harrison, Insko, Jeffus, Kever, Lucas, Luebke, Martin, McGuirt, McLawhorn, Michaux, Mobley, R. Moore, Owens, Parfitt, Parmon, Pierce, Rapp, Ross, Tolson, Weiss, Wilkins, and Wray - 37.

Excused absences: Representatives Bradley, Spear, and Womble - 3.

Representative Carney requests and is granted leave of the House to be recorded as voting "no". The adjusted vote total is (77-38).

H.B. 1051, 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

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CITIES AS IT DEEMS ADVISABLE BY REPEALING SPECIFIED INVOLUNTARY ANNEXATION ORDINANCES OF THE TOWN OF ELIZABETHTOWN RELATING TO THE HAYFIELDS AREA, AND BY PROHIBITING MUNICIPAL INITIATION OF ANY PROCEDURE TO INVOLUNTARILY ANNEX THOSE AREAS FOR TWELVE YEARS, 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, Avila, Blackwell, Blust, Boles, Brandon, Brawley, Brisson, L. Brown, R. Brown, Brubaker, Burr, Cleveland, Collins, Cook, Cotham, Crawford, Current, Daughtry, Dixon, Dockham, Dollar, Faircloth, Fisher, Floyd, Folwell, Frye, Gillespie, Graham, Hager, Hall, Hastings, Hill, Hilton, Hollo, Holloway, Horn, Howard, Hurley, Iler, Ingle, Insko, Johnson, Jones, Jordan, Justice, Killian, Langdon, LaRoque, Lewis, Martin, McComas, McCormick, McElraft, McGee, McGrady, McLawhorn, Mills, Mobley, Moffitt, T. Moore, Murry, Pittman, Pridgen, Randleman, Sager, Saine, Samuelson, Sanderson, Setzer, Shepard, Stam, Starnes, Steen, Stevens, Stone, Torbett, Wainwright, Walend, E. Warren, H. Warren, West, and Wray - 83.

Voting in the negative: Representatives Adams, M. Alexander, Bell, Bordsen, Bryant, Carney, Earle, Faison, Farmer-Butterfield, Gill, Glazier, Goodman, Haire, Hamilton, Harrison, Jackson, Jeffus, Keever, Lucas, Luebke, McGuirt, Michaux, R. Moore, Owens, Parfitt, Parmon, Pierce, Rapp, Ross, Tolson, Weiss, and Wilkins - 32.

Excused absences: Representatives Bradley, Spear, and Womble - 3.

Representatives Fisher and Mobley request and are granted leave of the House to change their votes from "aye" to "no". The adjusted vote total is (81-34).

H.B. 1216 (Committee Substitute), A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN RESTRICTIONS ON SATELLITE ANNEXATIONS FOR THE TOWN OF WALLACE, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Avila, Bell, Blackwell, Blust, Boles, Bordsen, Brawley, Brisson, L. Brown, R. Brown, Brubaker, Bryant, Burr, Carney, Cleveland, Collins, Cook, Cotham, Crawford, Current, Daughtry, Dixon, Dockham, Dollar, Earle, Faircloth, Faison, Floyd, Frye, Gill, Gillespie, Glazier, Goodman, Graham, Hackney, Hager, Haire, Hall, Hamilton, Harrison, Hastings, Hill, Hilton, Hollo, Holloway, Horn, Hurley, Iler, Ingle, Insko,

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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, Parmon, Pierce, Pittman, Pridgen, Randleman, Rapp, Ross, Sager, Saine, Samuelson, Sanderson, Setzer, Shepard, Stam, Starnes, Steen, Stevens, Tolson, Torbett, Wainwright, Walend, E. Warren, H. Warren, Weiss, West, Wilkins, and Wray - 109.

Voting in the negative: Representatives Farmer-Butterfield, Fisher, Folwell, and Stone - 4.

Excused absences: Representatives Bradley, Spear, and Womble - 3.

Representative Fisher requests and is granted leave of the House to change her vote from "no" to "aye". The adjusted vote total is (110-3).

H.B. 988, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE AVERASBORO TOWNSHIP 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 by Special Message.

S.B. 426 (House Committee Substitute), 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 AUTHORIZE A RESOLUTION ESTABLISHING A MUNICIPAL SERVICE DISTRICT TO BECOME EFFECTIVE UPON A DATE SPECIFIED IN THE RESOLUTION IF SPECIAL OBLIGATION BONDS ARE ANTICIPATED TO BE AUTHORIZED FOR A PROJECT.

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.

WITHDRAWAL OF BILL FROM COMMITTEE

On motion of Representative T. Moore and without objection, **H.B. 438** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROMOTE EFFICIENCY AND EFFECTIVENESS IN THE ADMINISTRATION OF HUMAN SERVICES AND TO STRENGTHEN THE

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LOCAL PUBLIC HEALTH INFRASTRUCTURE BY ESTABLISHING A PUBLIC HEALTH IMPROVEMENT INCENTIVE PROGRAM AND ENSURING THE PROVISION OF THE TEN ESSENTIAL PUBLIC HEALTH SERVICES, is withdrawn from the Committee on Health and Human Services and pursuant to Rule 36(b), is placed on today's Calendar.

RE-REFERRAL

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 1180**, A BILL TO BE ENTITLED AN ACT TO IMPOSE A STATE TAX ON THE PRIVILEGE OF OPERATING A VIDEO SWEEPSTAKES ESTABLISHMENT IN THIS STATE AND USE THE PROCEEDS FROM THE STATE TAX FOR LOCAL LAW ENFORCEMENT AND PUBLIC EDUCATION AND TO AUTHORIZE COUNTIES AND CITIES TO IMPOSE A TAX ON THE PRIVILEGE OF OPERATING A VIDEO SWEEPSTAKES ESTABLISHMENT, is withdrawn from Judiciary Subcommittee B and re-referred to the Committee on Commerce and Job Development and, if favorable, to the Committee on Finance.

CALENDAR (continued)

H.B. 1084 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO (1) REQUIRE ASSOCIATIONS TO RELEASE LIENS UPON PAYMENT IN FULL; (2) REQUIRE ALL ASSOCIATIONS TO CONDUCT FINANCIAL REVIEWS OR FINANCIAL AUDITS; (3) REQUIRE THAT NOTICE OF ASSOCIATION MEETINGS DESCRIBE THE GENERAL NATURE OF ANY MATERIAL MATTER FOR WHICH A VOTE IS TO BE TAKEN, AND VOID ACTIONS TAKEN AT MEETINGS HELD IN VIOLATION OF REQUIREMENTS OF THE PLANNED COMMUNITY ACT OR THE CONDOMINIUM ACT, AS APPLICABLE, OR AN ASSOCIATION'S DECLARATION OR BYLAWS; (4) AMEND VOTING PROVISIONS AS THEY APPLY TO USE OF PROXIES AND BALLOTS; AND (5) ALLOW USE OF ALTERNATIVE DISPUTE RESOLUTION FOR CONFLICTS ARISING UNDER THE PLANNED COMMUNITY ACT OR CONDOMINIUM ACT.

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

Representative Harrison offers Amendment No. 2.

On motion of the Speaker, the bill, with Amendment No. 2 pending, is temporarily displaced.

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H.B. 1105 (Committee Substitute), 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.

Representative Weiss offers Amendment No. 1 which is adopted by electronic vote (111-3).

Representative Ross offers Amendment No. 2 which is adopted by electronic vote (114-0).

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, Bell, Blackwell, Blust, Boles, Bordsen, 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, 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, Murry, Owens, Parfitt, Parmon, Pierce, Pittman, Pridgen, Randleman, Rapp, Ross, Sager, Saine, Samuelson, Sanderson, Setzer, Shepard, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Wainwright, Walend, E. Warren, H. Warren, Weiss, West, Wilkins, and Wray - 114.

Voting in the negative: None.

Excused absences: Representatives Bradley, Spear, and Womble - 3.

S.B. 826 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL, CLARIFYING, AND ADMINISTRATIVE CHANGES TO THE TAX AND RELATED LAWS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, 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,

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Floyd, Folwell, Frye, Gill, Gillespie, Glazier, Goodman, Graham, 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, Murry, Owens, Parfitt, Parmon, Pierce, Pittman, Pridgen, Randleman, Rapp, Ross, Sager, Saine, Samuelson, Sanderson, Setzer, Shepard, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Wainwright, Walend, E. Warren, H. Warren, Weiss, West, Wilkins, and Wray - 114.

Voting in the negative: None.

Excused absences: Representatives Bradley, Spear, and Womble - 3.

H.B. 1084 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO (1) REQUIRE ASSOCIATIONS TO RELEASE LIENS UPON PAYMENT IN FULL; (2) REQUIRE ALL ASSOCIATIONS TO CONDUCT FINANCIAL REVIEWS OR FINANCIAL AUDITS; (3) REQUIRE THAT NOTICE OF ASSOCIATION MEETINGS DESCRIBE THE GENERAL NATURE OF ANY MATERIAL MATTER FOR WHICH A VOTE IS TO BE TAKEN, AND VOID ACTIONS TAKEN AT MEETINGS HELD IN VIOLATION OF REQUIREMENTS OF THE PLANNED COMMUNITY ACT OR THE CONDOMINIUM ACT, AS APPLICABLE, OR AN ASSOCIATION'S DECLARATION OR BYLAWS; (4) AMEND VOTING PROVISIONS AS THEY APPLY TO USE OF PROXIES AND BALLOTS; AND (5) ALLOW USE OF ALTERNATIVE DISPUTE RESOLUTION FOR CONFLICTS ARISING UNDER THE PLANNED COMMUNITY ACT OR CONDOMINIUM ACT, which was temporarily displaced, with Amendment No. 2 pending, is before the Body.

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

Amendment No. 2, as perfected by Amendment No. 3, is adopted by electronic vote (98-17). 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. 1098 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CONTINUE THE WORK OF THE SUSTAINABLE LOCAL FOOD ADVISORY COUNCIL, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON CHILDHOOD OBESITY.

June 20, 2012

On motion of Representative Sanderson 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. 1044 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW MEMBERS OF THE MILITARY WHO HAVE TAKEN A COMPARABLE MOTORCYCLE SAFETY PROGRAM PROVIDED BY FEDERALLY CERTIFIED INSTRUCTORS TO RECEIVE THE SAME MOTORCYCLE INSURANCE DISCOUNT AS CITIZENS WHO COMPLETE THE MOTORCYCLE SAFETY INSTRUCTION PROGRAM, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON MILITARY AFFAIRS, 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. 1074 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE STATUTES GOVERNING THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, AND THE DISABILITY INCOME PLAN OF NORTH CAROLINA TO PROVIDE PROTECTION AND REMEDIES FOR REPORTING VIOLATIONS OF RETIREMENT LAW; TO ESTABLISH GUIDELINES FOR FRAUD INVESTIGATIONS THAT WILL ENHANCE THE DEPARTMENT OF STATE TREASURER'S CAPABILITY TO PREVENT AND DETECT FRAUD, WASTE, AND ABUSE; TO MAKE IT A CLASS 1 MISDEMEANOR TO FRAUDULENTLY RECEIVE A DECEDENT'S MONTHLY DISABILITY BENEFIT; AND TO CLARIFY THE APPOINTMENT OF THE MEDICAL BOARD.

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

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

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

S.B. 231 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE STANDARDS REQUIRED FOR INCORPORATION OF A MUNICIPALITY.

June 20, 2012

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

S.B. 347 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT RELATING TO REASONABLE SAFETY AND CONTAINMENT MEASURES FOR MANAGING PATIENTS PENDING INVOLUNTARY COMMITMENT PLACEMENT, passes its second reading, by electronic vote (112-0), 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 (113-0).

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

S.B. 572 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE STATEWIDE THE AUTHORITY PREVIOUSLY GRANTED TO NASH COUNTY SO AS TO ALLOW COUNTIES TO PROVIDE GRANTS TO PROMOTE HIGH-SPEED INTERNET ACCESS SERVICE IN UNSERVED AREAS FOR ECONOMIC DEVELOPMENT AND TO MAKE OTHER CLARIFYING CHANGES, passes its second reading, by electronic vote (106-7), and there being no objection is read a third time.

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

S.B. 656 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENSURE THAT PATIENTS HAVE THE RIGHT TO CHOOSE THEIR PHYSICAL THERAPISTS UNDER THEIR HEALTH BENEFIT PLANS, passes its second reading, by electronic vote (114-0), and there being no objection is read a third time.

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

S.B. 810 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO (1) REESTABLISH THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE; (2A) MAKE VARIOUS TECHNICAL AND CLARIFYING CHANGES TO THE ADMINISTRATIVE PROCEDURES ACT; (2B) MAKE CONFORMING CHANGES TO THE STATE PERSONNEL ACT; (3) EXTEND THE EFFECTIVE DATE FOR CHANGES TO FINAL DECISION-MAKING AUTHORITY IN CERTAIN CONTESTED CASES; (4) LIMIT THE PERIOD

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DURING WHICH RECORDS OF UNCLAIMED PROPERTY MUST BE MAINTAINED; (5A) DIRECT AGENCIES TO SUBMIT A REPORT ON NOTICE GIVEN BEFORE AUDITING OR EXAMINING A BUSINESS TO THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE; (5B) LIMIT STATE AGENCY IDENTITY THEFT REPORTING REQUIREMENTS; (5C) REQUIRE THE DEPARTMENT OF LABOR TO PROVIDE NOTICE PRIOR TO INSPECTIONS; (6) CLARIFY THAT THE DISCHARGE OF WASTE INTO WATERS OF THE STATE DOES NOT INCLUDE THE RELEASE OF AIR CONTAMINANTS INTO THE OUTDOOR ATMOSPHERE; (7) AUTHORIZE RATHER THAN REQUIRE THE COMMISSION FOR PUBLIC HEALTH TO ADOPT RULES FOR THE TESTING OF WATER FROM NEW DRINKING WATER WELLS FOR CERTAIN VOLATILE ORGANIC COMPOUNDS; (8) DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO TRACK AND REPORT ON PERMIT PROCESSING TIMES; (9) DELAY THE EFFECTIVE DATE FOR COMPLIANCE WITH WADING POOL FENCING REQUIREMENTS FROM JULY 1, 2012, TO JANUARY 1, 2013; (10) DIRECT THE COMMISSION FOR PUBLIC HEALTH TO AMEND THE RULES GOVERNING THE DURATION OF PERMITS FOR SANITARY LANDFILLS AND THE PERIOD IN WHICH THOSE PERMITS ARE REVIEWED; (11) AMEND THE CRITERIA FOR DESIGNATION AS A PORT ENHANCEMENT ZONE; (12) EXEMPT CERTIFIED ROADSIDE FARM MARKETS FROM CERTAIN BUILDING CODE REQUIREMENTS; AND (13) ALLOW THE PERMITTING OF MOBILE FOOD UNITS THAT MEET THE SANITATION REQUIREMENTS OF A COMMISSARY.

Representative Avila offers Amendment No. 1 which is adopted by electronic vote (110-0).

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

Representative Lewis offers Amendment No. 2.

On motion of Representative Lewis, Amendment No. 2 is temporarily displaced.

Representative Gillespie offers Amendment No. 3 which is adopted by electronic vote (110-0).

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

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Representative Gillespie offers Amendment No. 4 which is adopted by electronic vote (111-0). This amendment changes the title.

Representative Weiss requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (112-0).

Representative Hager offers Amendment No. 5.

Representative Hager withdraws Amendment No. 5.

The bill, as amended, passes its second reading by electronic vote (81-34).

The caption having been amended, the bill, with Amendment No. 2 pending, remains on the Calendar.

S.B. 813 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF CULTURAL RESOURCES AND THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO STUDY VARIOUS REVENUE ENHANCEMENTS AND POTENTIAL SAVINGS AT STATE HISTORIC SITES AND MUSEUMS, THE STATE ZOO, STATE PARKS, AND STATE AQUARIUMS, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE, passes its second reading, by electronic vote (104-10), and there being no objection is read a third time.

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

S.B. 841, A BILL TO BE ENTITLED AN ACT TO ENSURE THAT THE RESOURCES OF THE PROGRAM EVALUATION DIVISION ARE UTILIZED EFFECTIVELY BY THE GENERAL ASSEMBLY, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE, 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 enrolled and presented to the Governor by Special Message.

S.B. 868 (Committee Substitute), A BILL TO BE ENTITLED AN ACT ADJUSTING THE DATES OF VALIDITY FOR LICENSES ISSUED BY THE WILDLIFE RESOURCES COMMISSION TO ELIMINATE THE PENALTY FOR EARLY RENEWAL, passes its second reading, by electronic vote (115-0), and there being no objection is read a third time.

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

RE-REFERRALS

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

On motion of Representative LaRoque, pursuant to Rule 39.2 and without objection, **S.B. 423**, A BILL TO BE ENTITLED AN ACT DIRECTING THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO STUDY THE TEACHER TENURE LAW, is withdrawn from the Committee on Education and re-referred to the Committee on Government.

On motion of Representative LaRoque, pursuant to Rule 39.2 and without objection, **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 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, **S.B. 849** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE SALARY CONTINUATION LAWS TO PROVIDE THAT ONLY OFFICERS INJURED AND INCAPACITATED AS THE RESULT OF EXTREME ACTIVITY IN THE COURSE OF PERFORMING THEIR OFFICIAL DUTIES RECEIVE A HIGHER COMPENSATION RATE FOR THE TWO-YEAR PERIOD BEFORE REVERTING TO THE RATES PROVIDED UNDER THE WORKERS' COMPENSATION LAWS, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON JUSTICE AND PUBLIC SAFETY, is withdrawn from the Committee on Judiciary and re-referred to Judiciary Subcommittee B.

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On motion of Representative LaRoque, pursuant to Rule 39.2 and without objection, **H.B. 1180**, A BILL TO BE ENTITLED AN ACT TO IMPOSE A STATE TAX ON THE PRIVILEGE OF OPERATING A VIDEO SWEEPSTAKES ESTABLISHMENT IN THIS STATE AND USE THE PROCEEDS FROM THE STATE TAX FOR LOCAL LAW ENFORCEMENT AND PUBLIC EDUCATION AND TO AUTHORIZE COUNTIES AND CITIES TO IMPOSE A TAX ON THE PRIVILEGE OF OPERATING A VIDEO SWEEPSTAKES ESTABLISHMENT, is withdrawn from the Committee on Commerce and Job Development and re-referred to the Committee on Finance.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative LaRoque and without objection, **H.R. 1191**, A HOUSE RESOLUTION SPECIFICALLY DISAPPROVING EXECUTIVE ORDER NO. 85, ISSUED MARCH 25, 2011, UNDER PROVISIONS OF THE NORTH CAROLINA CONSTITUTION GRANTING EITHER HOUSE OF THE GENERAL ASSEMBLY TO DO SO, AS THE GENERAL ASSEMBLY HAS ACCOMPLISHED ADMINISTRATIVE REORGANIZATIONS BY LEGISLATION, 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 Horn, that the House adjourn, subject to the appointment of conferees, the ratification of bills, the receipt of Committee Reports, the receipt of Conference Reports, the receipt of Messages from the Senate, and the referral of bills to committees, to reconvene June 21 at 11:00 a.m.

The motion carries.

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:

S.B. 434 (Committee Substitute), A BILL TO BE ENTITLED AN ACT GOVERNING THE LIABILITY OF DIRECTED TRUSTEES, with a favorable report as the House committee substitute bill, which changes the

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title, unfavorable as to the Senate committee substitute bill, and with recommendation that the House committee substitute bill be re-referred to the Committee on Appropriations.

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

S.B. 521 (Committee Substitute), A BILL TO BE ENTITLED AN ACT ABOLISHING THE RULE IN DUMPOR'S CASE, 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 21. 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. 1052 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS AMENDMENTS TO NORTH CAROLINA'S MECHANICS LIEN, TAX LIEN, AND PAYMENT BOND LAWS, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S MECHANICS LIENS ON REAL PROPERTY COMMITTEE, 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 21. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

S.B. 444 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS, 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 21. The Senate committee substitute bill is placed on the Unfavorable Calendar.

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S.B. 647 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CREATION OF MUTUAL INSURANCE HOLDING COMPANIES AND TO CHANGE THE TIME PERIOD FOR FIRE CODE INSPECTIONS OF PUBLIC BUILDINGS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 21.

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. 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, with a favorable report as the House committee substitute bill, which changes the title, unfavorable as to the Senate committee substitute bill, and with recommendation that the House committee substitute bill be re-referred to the Committee on Finance.

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

S.B. 94 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ALLOW THE RENEWABLE ENERGY TAX CREDIT TO BE ALLOCATED BY A PASS-THROUGH ENTITY TO ITS OWNERS AND TO CHANGE THE DEFINITION OF COST, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to Senate Committee Substitute Bill No. 2.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of June 21. Senate Committee Substitute Bill No. 2 is placed on the Unfavorable Calendar.

By Representative McGee, Chair, for the Committee on State Personnel:

S.B. 803 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO ADMINISTRATION OF THE STATE RETIREMENT SYSTEMS, with a favorable report as to the House committee substitute bill, unfavorable as to the Senate committee substitute bill.

June 20, 2012

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. 804, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND CONFORMING CHANGES TO STATUTES AFFECTING THE STATE RETIREMENT SYSTEMS, with a favorable report.

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

WITHDRAWAL OF BILL FROM COMMITTEE

On motion of Representative T. Moore and without objection, **S.B. 42** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE PERSONS FURNISHING LABOR OR MATERIALS IN CONNECTION WITH CERTAIN IMPROVEMENTS TO REAL PROPERTY TO GIVE WRITTEN NOTICE TO THE DESIGNATED LIEN AGENT OF THE OWNER OF THE IMPROVED REAL PROPERTY TO PRESERVE THEIR LIEN RIGHTS, is withdrawn from the Committee on Finance and pursuant to Rule 36(b), is placed on the Calendar of June 21.

SPECIAL MESSAGES FROM THE SENATE

The following Special Messages are received from the Senate:

S.B. 848, A BILL TO BE ENTITLED AN ACT INCORPORATING ADDITIONAL BASES FOR MAKING ASSESSMENTS UNDER THE CHARTER OF THE CITY OF DURHAM IN THE CASE OF BOTH PETITIONED AND NON-PETITIONED ASSESSMENTS, is read the first time and referred to the Committee on Finance.

S.B. 857, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE STOKES 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 Finance.

S.B. 884, A BILL TO BE ENTITLED AN ACT TO ALLOW PERSONS WHO WORK IN WAKE COUNTY TO BE ELIGIBLE FOR MEMBERSHIP ON THE BOARD OF TRUSTEES OF WAKE TECHNICAL COMMUNITY COLLEGE, is read the first time and referred to the Committee on Education.

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S.B. 918, A BILL TO BE ENTITLED AN ACT TO AMEND THE PURPOSES FOR WHICH OCCUPANCY TAX PROCEEDS REMITTED TO THE DURHAM CONVENTION AND VISITORS BUREAU MAY BE USED, is read the first time and referred to the Committee on Finance.

S.B. 935, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE OFFICE OF CORONER IN AVERY COUNTY, is read the first time and referred to the Committee on Government.

CONFERENCE REPORT

Representative Brubaker sends forth the Conference Report on **H.B. 950** (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2011 AND FOR OTHER PURPOSES. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of June 21.

The House stands adjourned at 5:14 p.m.

ONE HUNDRED THIRTY-FIRST DAY

HOUSE OF REPRESENTATIVES
Thursday, June 21, 2012

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:

"Let us breathe in and let out that miracle of the breath of life and calm our hearts and minds for a moment of prayer and reflection.

"This is my mother's prayer and I pray this prayer in honor of all mothers:

"God of our mothers and our fathers whose spirit has sustained us throughout the generations...

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"We thank Thee for health and strength and for this day with its fresh opportunities for work and service.

"Heal and restore those who are recovering from or facing illnesses, injuries and losses.

"We pray for Thy help and guidance as we face the duties to be done, the decisions to be made, the temptations that may beset us and the disappointments that await us.

"Guide us, strengthen us, and keep us and grant that in all things we may act according to Thy will.

"Bless us Creator God - to Thy service and keep us ever mindful of the needs of others. Amen."

Representative T. Moore, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 20 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Hastings and Womble for today. Representatives Bradley, Brubaker, McElraft, Spear, and West are excused for a portion of the Session.

SPECIAL MESSAGE FROM THE SENATE

2011 GENERAL ASSEMBLY SECOND SESSION 2012

Senate Chamber
June 20, 2012

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees for **H.B. 512** (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS GOVERNING RENDERING PLANTS AND OPERATIONS, TO REQUIRE CERTIFICATION OF GREASE OWNERSHIP BY COLLECTORS OF WASTE KITCHEN GREASE, AND TO CREATE CRIMINAL PENALTIES RELATED TO WASTE KITCHEN GREASE.

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When the appropriate action has been taken by both chambers, the bill will be ordered enrolled.

Respectfully,
S/ Sarah Clapp
Principal Clerk

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

SPECIAL MESSAGE FROM THE SENATE

**2011 GENERAL ASSEMBLY
SECOND SESSION 2012**

Senate Chamber
June 20, 2012

Mr. Speaker:

Pursuant to your message received on June 19, 2012, that the House of Representatives fails to concur in the Senate Committee Substitute to **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, and requests conferees, the President *Pro Tempore* appoints:

Senator Rouzer, Chair
Senator Preston
Senator Brown
Senator Goolsby
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

June 21, 2012

SPECIAL MESSAGE FROM THE SENATE**2011 GENERAL ASSEMBLY
SECOND SESSION 2012**

Senate Chamber
June 20, 2012

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. 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, and requests conferees. The President *Pro Tempore* appoints:

Senator East, Chair
Senator Jackson
Senator Rouzer
Senator Brown
Senator Walters
Senator Hartsell

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

Respectfully,
S/ Sarah Clapp
Principal Clerk

The Speaker appoints Representative Gillespie, Chair; Representatives McElraft, R. Moore, Samuelson, and West as conferees on the part of the House and the Senate is so notified by Special Message.

SPECIAL MESSAGES FROM THE SENATE

The following Special Messages are received from the Senate:

June 21, 2012

H.B. 1138 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT THE COUNTY OF DAVIDSON TO UTILIZE THE DESIGN-BUILD METHOD OF CONSTRUCTION AND RENOVATION OF COUNTY BUILDINGS, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of June 25.

S.B. 821 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO (1) DIRECT THE DIRECTOR OF THE DIVISION OF MARINE FISHERIES OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES, THE EXECUTIVE DIRECTOR OF THE WILDLIFE RESOURCES COMMISSION, AND THE DEPUTY SECRETARY FOR TRANSIT OF THE DEPARTMENT OF TRANSPORTATION TO JOINTLY STUDY FEES ASSOCIATED WITH THE ISSUANCE OF COASTAL FISHING LICENSES AND THE NUMBERING AND TITLING OF VESSELS; (2) DIRECT THE EXECUTIVE DIRECTOR OF THE WILDLIFE RESOURCES COMMISSION, THE DIRECTOR OF THE DIVISION OF MARINE FISHERIES OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES, AND THE COMMISSIONER OF AGRICULTURE TO JOINTLY STUDY THE REORGANIZATION OF FISH AND WILDLIFE MANAGEMENT IN THE STATE; (3) MAKE IT UNLAWFUL TO TAKE MENHADEN OR ATLANTIC THREAD HERRING WITH A PURSE SEINE NET DEPLOYED BY A MOTHER SHIP AND ONE OR MORE RUNNER BOATS IN COASTAL FISHING WATERS; (4) AMEND THE MARINE FISHERIES COMMISSION ADVISORY COMMITTEES; AND (5) PROVIDE THAT A SUPERMAJORITY OF THE MARINE FISHERIES COMMISSION IS REQUIRED TO OVERRIDE A RECOMMENDATION OF THE DIVISION OF MARINE FISHERIES REGARDING OVERFISHING OR REBUILDING OF FISH STOCKS, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 951, A BILL TO BE ENTITLED AN ACT TO TRANSFER THE CLEVELAND COUNTY CORRECTIONAL FACILITY TO CLEVELAND COMMUNITY COLLEGE, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

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

June 21, 2012

By Representatives Howard, Folwell, Setzer, and Starnes, Chairs, for the Committee on Finance:

H.B. 958, A BILL TO BE ENTITLED AN ACT TO CREATE A PUBLIC-PRIVATE PARTNERSHIP FOR THE NORTH CAROLINA ZOOLOGICAL PARK, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON PUBLIC-PRIVATE PARTNERSHIPS, 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 25. The original bill is placed on the Unfavorable Calendar.

H.B. 989 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO LIMIT ELIGIBILITY FOR PERMANENT REGISTRATION PLATES TO GOVERNMENTAL ENTITIES, AND TO REFORM THE PROCESS BY WHICH ELIGIBLE ENTITIES APPLY FOR AND ARE ISSUED PERMANENT REGISTRATION PLATES, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE BASED ON RECOMMENDATIONS FROM THE PROGRAM EVALUATION DIVISION, BUT TO CONTINUE TO ALLOW CIVIL AIR PATROLS, INCORPORATED EMERGENCY RESCUE SQUADS, RURAL FIRE DEPARTMENTS, AND LOCAL CHAPTERS OF THE AMERICAN NATIONAL RED CROSS TO BE ELIGIBLE FOR PERMANENT REGISTRATION PLATES, with a favorable report.

Pursuant to Rule 36(b) and without objection, the bill is placed on today's Calendar.

H.B. 1215, A BILL TO BE ENTITLED AN ACT TO SUPPORT THE STATE THEATER OF NORTH CAROLINA KNOWN AS THE FLAT ROCK PLAYHOUSE, 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 T. Moore, Chair, for Judiciary Subcommittee C, with approval of standing committee Chair for report to be made directly to the floor of the House:

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

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WITH THE REGISTER OF DEEDS, IN ORDER TO ALLAY JUROR PRIVACY CONCERNS, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the original bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of June 25. The original bill is placed on the Unfavorable Calendar.

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. 699, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE NAME OF THE DIVISION OF CRIMINAL INFORMATION; TO ALLOW THE DIVISION OF CRIMINAL INFORMATION TO PROMULGATE RULES FOR USAGE OF THE CRIMINAL INFORMATION NETWORK; TO ALLOW THE DIVISION OF CRIMINAL INFORMATION TO ASSESS FEES FOR SETUP, ACCESS TO, AND USE OF THE CRIMINAL INFORMATION NETWORK, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the original bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of June 25. The original bill is placed on the Unfavorable Calendar.

CONFERENCE REPORT

Representative Howard sends forth the Conference Report on **H.B. 1015** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO SET THE REGULATORY FEES AND TO ENHANCE ECONOMIC DEVELOPMENT. Without objection, the Conference Report is placed on today's Calendar.

ENROLLED BILLS

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

S.B. 77, AN ACT PROVIDING THAT AFTER DECEMBER 31, 2012, 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

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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.

S.B. 416, AN ACT TO AMEND DEATH PENALTY PROCEDURES.

S.B. 443, AN ACT TO ELIMINATE THE NORTH CAROLINA STATE ART SOCIETY, INC., TO CREATE A DIRECTOR'S COMMITTEE TO HIRE AND SUPERVISE THE DIRECTOR OF THE NORTH CAROLINA MUSEUM OF ART, TO REMOVE THE NORTH CAROLINA CEMETERY COMMISSION FROM THE NORTH CAROLINA DEPARTMENT OF COMMERCE, TO ENDOW THE CEMETERY COMMISSION WITH POWERS SIMILAR TO OCCUPATIONAL LICENSING BOARDS, TO MODIFY THE TERM OF THE VETERINARY TECHNICIAN APPOINTEE TO THE VETERINARY MEDICAL BOARD, AND TO INCREASE THE LENGTH OF THE TERM OF THE GENERAL ASSEMBLY'S APPOINTEES TO THE GEOGRAPHIC INFORMATION COORDINATING COUNCIL.

S.B. 491, AN ACT TO EXTEND THE SUNSET ON THE LAW ESTABLISHING THE NORTH CAROLINA SUSTAINABLE LOCAL FOOD ADVISORY COUNCIL.

S.B. 813, AN ACT TO REQUIRE THE DEPARTMENT OF CULTURAL RESOURCES AND THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO STUDY VARIOUS REVENUE ENHANCEMENTS AND POTENTIAL SAVINGS AT STATE HISTORIC SITES AND MUSEUMS, THE STATE ZOO, STATE PARKS, AND STATE AQUARIUMS, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE.

S.B. 841, AN ACT TO ENSURE THAT THE RESOURCES OF THE PROGRAM EVALUATION DIVISION ARE UTILIZED EFFECTIVELY BY THE GENERAL ASSEMBLY, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE.

S.B. 868, AN ACT ADJUSTING THE DATES OF VALIDITY FOR LICENSES ISSUED BY THE WILDLIFE RESOURCES COMMISSION TO ELIMINATE THE PENALTY FOR EARLY RENEWAL.

S.B. 881, AN ACT TO MAKE TECHNICAL AND OTHER CHANGES TO THE GENERAL STATUTES REGARDING THE DEPARTMENT OF PUBLIC SAFETY; AND TO TRANSFER THE WAREHOUSE FORMERLY

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OPERATED BY THE LAW ENFORCEMENT SUPPORT SERVICES DIVISION AND ITS CONTENTS FROM THE DEPARTMENT OF JUSTICE TO THE DEPARTMENT OF PUBLIC SAFETY AND TO ASSIGN THE RESPONSIBILITIES FOR THE STORAGE AND MANAGEMENT OF EVIDENCE HOUSED IN THE WAREHOUSE TO THE DEPARTMENT OF PUBLIC SAFETY, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON JUSTICE AND PUBLIC SAFETY.

H.B. 971, AN ACT TO AUTHORIZE LEASE TERMINATION FOR A SERVICE MEMBER WHO DIES WHILE ON ACTIVE DUTY, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON MILITARY AFFAIRS.

H.B. 1068, AN ACT TO AMEND ARTICLE 9 OF THE UNIFORM COMMERCIAL CODE RELATING TO SECURED TRANSACTIONS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

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

S.B. 859, AN ACT TO PROVIDE THAT REGULAR MUNICIPAL ELECTIONS IN THE TOWN OF PILOT MOUNTAIN AND THE TOWN OF DOBSON ARE HELD IN EVEN-NUMBERED YEARS.

H.B. 1018, AN ACT TO AUTHORIZE APPROVAL OF THE YADKIN VALLEY REGIONAL CAREER ACADEMY AS A COOPERATIVE INNOVATIVE HIGH SCHOOL FOR THE 2012-2013 SCHOOL YEAR.

H.B. 1107, AN ACT AMENDING THE DIVISION OF ALCOHOLIC BEVERAGE CONTROL PROFITS IN GRANVILLE COUNTY.

H.B. 1108, AN ACT TO MAKE MODIFICATIONS TO THE BUTNER PUBLIC SAFETY AUTHORITY.

H.B. 1133, AN ACT TO REVISE PENDER COUNTY COMMISSIONER DISTRICTS.

H.B. 1205, AN ACT TO MAKE IT UNLAWFUL TO GO ON CERTAIN POSTED PROPERTY WITHOUT WRITTEN PERMISSION.

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

S.J.R. 865, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF ROBERT C. "BOB" CARPENTER, FORMER MEMBER OF THE GENERAL ASSEMBLY. (RESOLUTION 2012-5)

H.J.R. 932, A JOINT RESOLUTION HONORING THE USO OF NORTH CAROLINA FOR PROVIDING EXCEPTIONAL PROGRAMS AND SERVICES TO OUR MILITARY TROOPS AND THEIR FAMILIES. (RESOLUTION 2012-6)

CALENDAR

Action is taken on the following:

CONFERENCE REPORT

Representative Howard moves the adoption of the following Conference Report.

Senate Committee Substitute for H.B. 1015

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 1015, A BILL TO BE ENTITLED AN ACT TO SET THE REGULATORY FEES AND TO ENHANCE ECONOMIC DEVELOPMENT, Senate Finance Committee Substitute Adopted 6/5/12 Third Edition Engrossed 6/7/12 Fourth Edition Engrossed 6/11/12, submit the following report:

The House and Senate agree to the following amendment to the Senate Finance Committee Substitute Adopted 6/5/12, Third Edition Engrossed 6/7/12, Fourth Edition Engrossed 6/11/12, and the House concurs in the Senate Finance Committee Substitute as amended:

Delete the entire Senate Committee Substitute and substitute the attached Proposed Conference Committee Substitute H1015-PCCS30648-RB-2.

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

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Date conferees approved report: June 20, 2012.

*Conferees for the
Senate*

S/ Bob Rucho, Chair
S/ Bill Rabon
S/ Andrew C. Brock

*Conferees for the
House of Representatives*

S/ Julia C. Howard, Chair
S/ Edgar V. Starnes
S/ Becky Carney

The Conference Report, which changes the title, is adopted, by electronic vote (113-2), and the Senate is so notified by Special Message. (The text of the Conference Committee Substitute may be found in its entirety in the 2012 Session Laws, Chapter 74.)

CONFERENCE REPORT

Representative Brubaker moves the adoption of the following Conference Report.

Senate Committee Substitute No. 2 for H.B. 950

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 950, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2011 AND FOR OTHER PURPOSES, Senate Pensions & Retirement and Aging Committee Substitute Adopted 6/12/12 Fifth Edition Engrossed 6/13/12, submit the following report:

The House and Senate agree to the following amendment to the Senate Pensions & Retirement and Aging Committee Substitute Adopted 6/12/12 Fifth Edition Engrossed 6/13/12, and the House concurs in the Senate Committee Substitute as amended:

Delete the entire Senate Pensions & Retirement and Aging Committee Substitute Adopted 6/12/12 Fifth Edition Engrossed 6/13/12, and substitute the attached Proposed Conference Committee Substitute H950-PCCS30649-LU-2.

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

June 21, 2012

Date conferees approved report: June 20, 2012.

*Conferees for the
Senate*

S/ Richard Y. Stevens, Chair
S/ Hunt
S/ Peter S. Brunstetter
S/ Bob Rucho
S/ Harry Brown

*Conferees for the
House of Representatives*

S/ Harold J. Brubaker, Chair
S/ Linda P. Johnson
S/ J. W. Crawford, Jr.
S/ Nelson Dollar
S/ Mitch Gillespie
S/ David R. Lewis

Representative T. Moore calls the previous question on the passage of the bill and the call is sustained by electronic vote (64-51).

The Conference Report is adopted, by electronic vote (71-45), and the Senate is so notified by Special Message. (The text of the Conference Committee Substitute may be found in its entirety in the 2012 Session Laws, Chapter 142.)

REPRESENTATIVE FOLWELL, SPEAKER PRO TEMPORE,
PRESIDING.

BILLS PLACED ON CALENDAR

On motion of Representative T. Moore and without objection, the following bills are placed on today's Calendar.

H.B. 989 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO LIMIT ELIGIBILITY FOR PERMANENT REGISTRATION PLATES TO GOVERNMENTAL ENTITIES, AND TO REFORM THE PROCESS BY WHICH ELIGIBLE ENTITIES APPLY FOR AND ARE ISSUED PERMANENT REGISTRATION PLATES, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE BASED ON RECOMMENDATIONS FROM THE PROGRAM EVALUATION DIVISION, BUT TO CONTINUE TO ALLOW CIVIL AIR PATROLS, INCORPORATED EMERGENCY RESCUE SQUADS, RURAL FIRE DEPARTMENTS, AND LOCAL CHAPTERS OF THE AMERICAN NATIONAL RED CROSS TO BE ELIGIBLE FOR PERMANENT REGISTRATION PLATES.

H.B. 1215 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE HENDERSON COUNTY BOARD OF COMMISSIONERS TO LEVY AN ADDITIONAL ONE PERCENT

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ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX AND TO MAKE OTHER ADMINISTRATIVE CHANGES.

CALENDAR (continued)

H.B. 438 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROMOTE EFFICIENCY AND EFFECTIVENESS IN THE ADMINISTRATION OF HUMAN SERVICES AND TO STRENGTHEN THE LOCAL PUBLIC HEALTH INFRASTRUCTURE BY ESTABLISHING A PUBLIC HEALTH IMPROVEMENT INCENTIVE PROGRAM AND ENSURING THE PROVISION OF THE TEN ESSENTIAL PUBLIC HEALTH SERVICES.

On motion of Representative McComas, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (65-46), and the bill is ordered enrolled and presented to the Governor by Special Message.

Representative Mobley requests and is granted leave of the House to change her vote from "aye" to "no". The adjusted vote total is (64-47).

H.B. 1106, A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN DESCRIBED TERRITORY TO THE CORPORATE LIMITS OF THE TOWN OF APEX, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Avila, Bell, Blackwell, Blust, Boles, Bordsen, Bradley, Brandon, Brawley, Brisson, L. Brown, R. Brown, Bryant, Burr, Carney, Cleveland, Collins, Cook, Cotham, Crawford, Current, Daughtry, Dixon, Dockham, Dollar, Earle, Faircloth, Farmer-Butterfield, Fisher, Floyd, Frye, Gill, Gillespie, Glazier, Goodman, Graham, 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, McGee, McGrady, McGuirt, McLawhorn, Mills, Mobley, Moffitt, R. Moore, T. Moore, Murry, Owens, Parfitt, Parmon, Pierce, Pittman, Pridgen, Randleman, Rapp, Ross, Sager, Saine, Samuelson, Sanderson, Setzer, Shepard, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Wainwright, Walend, E. Warren, Weiss, West, Wilkins, and Wray - 109.

Voting in the negative: None.

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Excused absences: Representatives Brubaker, Hastings, McElraft, Spear, and Womble - 5.

H.B. 1105 (Committee Substitute), 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.

Representative McGee offers Amendment No. 3 which is adopted by electronic vote (111-0).

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

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Avila, Bell, Blackwell, Blust, Boles, Bordsen, Bradley, Brandon, Brawley, Brisson, L. Brown, R. Brown, Bryant, Burr, Carney, Cleveland, Collins, Cook, Cotham, Crawford, Current, Daughtry, Dixon, Dockham, Dollar, Earle, Faircloth, Farmer-Butterfield, Fisher, Floyd, Frye, Gill, Gillespie, Glazier, Goodman, Graham, Hackney, Hager, Haire, Hall, Hamilton, Harrison, Hill, Hilton, Hollo, Holloway, Horn, 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, R. Moore, T. Moore, Murry, Owens, Parfitt, Parmon, Pierce, Pittman, Pridgen, Randleman, Rapp, Ross, Sager, Saine, Samuelson, Sanderson, Setzer, Shepard, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Wainwright, Walend, E. Warren, Weiss, West, Wilkins, and Wray - 110.

Voting in the negative: None.

Excused absences: Representatives Brubaker, Hastings, McElraft, Spear, and Womble - 5.

S.B. 826 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL, CLARIFYING, AND ADMINISTRATIVE CHANGES TO THE TAX AND RELATED LAWS, passes its third reading, by the following vote, and is ordered enrolled and presented to the Governor by Special Message.

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, Bryant, Burr, Carney, Cleveland, Collins, Cook, Cotham, Crawford, Current, Daughtry, Dixon,

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Dockham, Dollar, Earle, Faircloth, Farmer-Butterfield, Fisher, Floyd, Frye, Gill, Gillespie, Glazier, Goodman, Graham, 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, McGee, McGrady, McGuirt, McLawhorn, Michaux, Mills, Mobley, Moffitt, R. Moore, T. Moore, Murry, Owens, Parfitt, Parmon, Pierce, Pittman, Pridgen, Rapp, Ross, Sager, Saine, Samuelson, Sanderson, Setzer, Shepard, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Wainwright, Walend, E. Warren, Weiss, West, Wilkins, and Wray - 110.

Voting in the negative: None.

Excused absences: Representatives Brubaker, Hastings, McElraft, Spear, and Womble - 5.

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

S.B. 444 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS, 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, Brawley, Brisson, L. Brown, R. Brown, Bryant, Burr, Carney, Cleveland, Collins, Cook, Cotham, Crawford, Current, Daughtry, Dixon, Dockham, Dollar, Earle, Faircloth, Farmer-Butterfield, Fisher, Floyd, Frye, Gill, Gillespie, Glazier, Goodman, Graham, 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, McGee, McGrady, McGuirt, McLawhorn, Michaux, Mills, Mobley, Moffitt, R. Moore, T. Moore, Murry, Owens, Parfitt, Pierce, Pittman, Pridgen, Randleman, Rapp, Ross, Sager, Saine, Samuelson, Sanderson, Setzer, Shepard, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Wainwright, Walend, E. Warren, H. Warren, Weiss, West, Wilkins, and Wray - 110.

Voting in the negative: None.

Excused absences: Representatives Brubaker, Hastings, McElraft, Spear, and Womble - 5.

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

H.B. 1084 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO (1) REQUIRE ASSOCIATIONS TO RELEASE LIENS UPON PAYMENT IN FULL; (2) REQUIRE ALL ASSOCIATIONS TO CONDUCT FINANCIAL REVIEWS OR FINANCIAL AUDITS; (3) REQUIRE THAT NOTICE OF ASSOCIATION MEETINGS DESCRIBE THE GENERAL NATURE OF ANY MATERIAL MATTER FOR WHICH A VOTE IS TO BE TAKEN, AND VOID ACTIONS TAKEN AT MEETINGS HELD IN VIOLATION OF REQUIREMENTS OF THE PLANNED COMMUNITY ACT OR THE CONDOMINIUM ACT, AS APPLICABLE, OR AN ASSOCIATION'S DECLARATION OR BYLAWS; (4) AMEND VOTING PROVISIONS AS THEY APPLY TO USE OF PROXIES AND BALLOTS; AND (5) ALLOW USE OF ALTERNATIVE DISPUTE RESOLUTION FOR CONFLICTS ARISING UNDER THE PLANNED COMMUNITY ACT OR CONDOMINIUM ACT.

Representative Justice offers Amendment No. 4 which is adopted by electronic vote (111-0). This amendment changes the title.

Representative T. Moore moves that the Rules be suspended in order for the bill to have its third reading today. The motion carries by electronic vote (107-6).

The bill, as amended, passes its third reading, by electronic vote (112-0), and is ordered engrossed and sent to the Senate by Special Message.

H.B. 1173, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PROBATION VIOLATOR WHO ABSCONDS OR OTHERWISE WILLFULLY AVOIDS ARREST AFTER THE ISSUANCE OF A WARRANT SHALL FORFEIT ANY PUBLIC ASSISTANCE BENEFITS UNTIL SURRENDERING TO THE COURT.

The bill, as amended, passes its third reading, by electronic vote (105-8), and is ordered engrossed and sent to the Senate by Special Message.

S.B. 810 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO (1) REESTABLISH THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE; (1A) MODIFY APPOINTMENTS TO THE MINING AND ENERGY COMMISSION; (2A) MAKE VARIOUS TECHNICAL AND CLARIFYING CHANGES TO THE ADMINISTRATIVE PROCEDURES ACT; (2B) MAKE CONFORMING CHANGES TO THE STATE PERSONNEL ACT; (3) EXTEND THE EFFECTIVE DATE FOR CHANGES TO FINAL DECISION-

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MAKING AUTHORITY IN CERTAIN CONTESTED CASES; (4) LIMIT THE PERIOD DURING WHICH RECORDS OF UNCLAIMED PROPERTY MUST BE MAINTAINED; (5A) DIRECT AGENCIES TO SUBMIT A REPORT ON NOTICE GIVEN BEFORE AUDITING OR EXAMINING A BUSINESS TO THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE; (5B) LIMIT STATE AGENCY IDENTITY THEFT REPORTING REQUIREMENTS; (5C) REQUIRE THE DEPARTMENT OF LABOR TO PROVIDE NOTICE PRIOR TO INSPECTIONS; (6) CLARIFY THAT THE DISCHARGE OF WASTE INTO WATERS OF THE STATE DOES NOT INCLUDE THE RELEASE OF AIR CONTAMINANTS INTO THE OUTDOOR ATMOSPHERE; (7) AUTHORIZE RATHER THAN REQUIRE THE COMMISSION FOR PUBLIC HEALTH TO ADOPT RULES FOR THE TESTING OF WATER FROM NEW DRINKING WATER WELLS FOR CERTAIN VOLATILE ORGANIC COMPOUNDS; (7A) CLARIFY APPLICATION OF CERTAIN NUTRIENT RULES TO SMALL WASTEWATER DISCHARGES; (8) DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO TRACK AND REPORT ON PERMIT PROCESSING TIMES; (9) DELAY THE EFFECTIVE DATE FOR COMPLIANCE WITH WADING POOL FENCING REQUIREMENTS FROM JULY 1, 2012, TO JANUARY 1, 2013; (10) DIRECT THE COMMISSION FOR PUBLIC HEALTH TO AMEND THE RULES GOVERNING THE DURATION OF PERMITS FOR SANITARY LANDFILLS AND THE PERIOD IN WHICH THOSE PERMITS ARE REVIEWED; (11) AMEND THE CRITERIA FOR DESIGNATION AS A PORT ENHANCEMENT ZONE; (12) EXEMPT CERTIFIED ROADSIDE FARM MARKETS FROM CERTAIN BUILDING CODE REQUIREMENTS; AND (13) ALLOW THE PERMITTING OF MOBILE FOOD UNITS THAT MEET THE SANITATION REQUIREMENTS OF A COMMISSARY.

On motion of the Chair, the bill, with Amendment No. 2 pending, is temporarily displaced.

SPECIAL MESSAGE FROM THE SENATE

2011 GENERAL ASSEMBLY SECOND SESSION 2012

Senate Chamber
June 21, 2012

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

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H.B. 950 (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2011 AND FOR OTHER PURPOSES.

When the appropriate action has been taken by both chambers, the bill will be ordered enrolled.

Respectfully,
S/ Sarah Clapp
Principal Clerk

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

CALENDAR (continued)

S.B. 810 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO (1) REESTABLISH THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE; (2A) MAKE VARIOUS TECHNICAL AND CLARIFYING CHANGES TO THE ADMINISTRATIVE PROCEDURES ACT; (2B) MAKE CONFORMING CHANGES TO THE STATE PERSONNEL ACT; (3) EXTEND THE EFFECTIVE DATE FOR CHANGES TO FINAL DECISION-MAKING AUTHORITY IN CERTAIN CONTESTED CASES; (4) LIMIT THE PERIOD DURING WHICH RECORDS OF UNCLAIMED PROPERTY MUST BE MAINTAINED; (5A) DIRECT AGENCIES TO SUBMIT A REPORT ON NOTICE GIVEN BEFORE AUDITING OR EXAMINING A BUSINESS TO THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE; (5B) LIMIT STATE AGENCY IDENTITY THEFT REPORTING REQUIREMENTS; (5C) REQUIRE THE DEPARTMENT OF LABOR TO PROVIDE NOTICE PRIOR TO INSPECTIONS; (6) CLARIFY THAT THE DISCHARGE OF WASTE INTO WATERS OF THE STATE DOES NOT INCLUDE THE RELEASE OF AIR CONTAMINANTS INTO THE OUTDOOR ATMOSPHERE; (7) AUTHORIZE RATHER THAN REQUIRE THE COMMISSION FOR PUBLIC HEALTH TO ADOPT RULES FOR THE TESTING OF WATER FROM NEW DRINKING WATER WELLS FOR CERTAIN VOLATILE ORGANIC COMPOUNDS; (8) DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO TRACK AND REPORT ON PERMIT PROCESSING TIMES; (9) DELAY THE EFFECTIVE DATE FOR COMPLIANCE WITH WADING POOL FENCING REQUIREMENTS FROM JULY 1, 2012, TO JANUARY 1, 2013; (10) DIRECT THE COMMISSION FOR PUBLIC HEALTH TO AMEND THE RULES GOVERNING THE DURATION OF PERMITS FOR SANITARY LAND-

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FILLS AND THE PERIOD IN WHICH THOSE PERMITS ARE REVIEWED; (11) AMEND THE CRITERIA FOR DESIGNATION AS A PORT ENHANCEMENT ZONE; (12) EXEMPT CERTIFIED ROADSIDE FARM MARKETS FROM CERTAIN BUILDING CODE REQUIREMENTS; AND (13) ALLOW THE PERMITTING OF MOBILE FOOD UNITS THAT MEET THE SANITATION REQUIREMENTS OF A COMMISSARY, which was temporarily displaced, with Amendment No. 2 pending, is before the Body.

Representative Lewis withdraws Amendment No. 2.

Representative Lewis offers Amendment No. 6 which is adopted by electronic vote (110-0).

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

Representative Gillespie offers Amendment No. 7.

On motion of the Chair, the bill, with Amendment No. 7 pending, is temporarily displaced.

H.B. 1052 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS AMENDMENTS TO NORTH CAROLINA'S MECHANICS LIEN, TAX LIEN, AND PAYMENT BOND LAWS, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S MECHANICS LIENS ON REAL PROPERTY COMMITTEE, passes its second reading, by electronic vote (100-1), and there being no objection is read a third time.

Representative Hurley requests and is granted leave of the House to change her vote from "no" to "aye". Representative Bell requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (102-0).

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

S.B. 42 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE PERSONS FURNISHING LABOR OR MATERIALS IN CONNECTION WITH CERTAIN IMPROVEMENTS TO REAL PROPERTY TO GIVE WRITTEN NOTICE TO THE DESIGNATED LIEN AGENT OF THE OWNER OF THE IMPROVED REAL PROPERTY TO PRESERVE THEIR LIEN RIGHTS.

June 21, 2012

SPEAKER TILLIS PRESIDING.

Representative Stevens offers Amendment No. 1 which is adopted by electronic vote (110-0).

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. 950, AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2011 AND FOR OTHER PURPOSES.

CALENDAR (continued)

S.B. 42 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE PERSONS FURNISHING LABOR OR MATERIALS IN CONNECTION WITH CERTAIN IMPROVEMENTS TO REAL PROPERTY TO GIVE WRITTEN NOTICE TO THE DESIGNATED LIEN AGENT OF THE OWNER OF THE IMPROVED REAL PROPERTY TO PRESERVE THEIR LIEN RIGHTS, which was temporarily displaced, is before the Body.

REPRESENTATIVE FOLWELL, SPEAKER PRO TEMPORE PRESIDING.

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

H.B. 391 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE THE LAWS RELATING TO COUNTY RESEARCH AND PRODUCTION SERVICE DISTRICTS TO REFLECT CHANGED CIRCUMSTANCES, TO ALLOW FLEXIBILITY IN PROVISION OF SERVICES IN URBAN AREAS OF SUCH DISTRICTS, AND TO AMEND THE COUNTY SERVICE DISTRICT ACT OF 1973 RELATING TO APPROVAL OF PROPERTY TAXES IN MULTI-JURISDICTIONAL INDUSTRIAL PARK DISTRICTS.

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

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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, Bryant, Burr, Carney, Cleveland, Collins, Cook, Cotham, Crawford, Current, Dixon, Dockham, Dollar, Earle, Faircloth, Faison, Farmer-Butterfield, Fisher, Floyd, Frye, Gill, Gillespie, Glazier, Goodman, Graham, Hackney, Hager, Haire, Hall, Hamilton, Harrison, Hill, Hilton, Hollo, Holloway, Horn, 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, R. Moore, T. Moore, Murry, Owens, Parfitt, Parmon, Pierce, Pittman, Pridgen, Randleman, Rapp, Ross, Sager, Saine, Samuelson, Sanderson, Setzer, Shepard, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Wainwright, Walend, E. Warren, H. Warren, Weiss, Wilkins, and Wray - 110.

Voting in the negative: None.

Excused absences: Representatives Brubaker, Hastings, McElraft, Spear, West, and Womble - 6.

SPEAKER TILLIS PRESIDING.

S.B. 94 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT DELAYING THE EFFECTIVE DATE OF OPERATING STANDARDS SET BY THE 911 BOARD FOR PSAPS, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

Representative Michaux 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 for concurrence in the House committee substitute bill by Special Message.

SPECIAL MESSAGES FROM THE SENATE

The following Special Messages are received from the Senate:

H.B. 14 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE DIRECTOR OF THE BUDGET TO USE REPAIRS AND RENOVATIONS FUNDS TO ENSURE ADEQUATE FUNDING IN THE STATE MEDICAID PROGRAM FOR THE 2011-2012 FISCAL YEAR, is returned for concurrence in the Senate committee substitute bill.

June 21, 2012

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

Upon concurrence the Senate committee substitute bill changes the title.

S.B. 900, A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF SURF CITY, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 901, A BILL TO BE ENTITLED AN ACT TO REMOVE THE CAP ON SATELLITE ANNEXATIONS FOR THE TOWN OF OCEAN ISLE BEACH, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

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

H.R. 1222, A HOUSE RESOLUTION HONORING THE NORTH CAROLINA SYMPHONY AND ITS FOUNDERS, 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.

By Representative McComas, Chair, for the Committee on Commerce and Job Development:

S.B. 815, A BILL TO BE ENTITLED AN ACT INITIATING REFORM OF THE WORKFORCE DEVELOPMENT LAWS OF NORTH CAROLINA, MODIFYING THE COMPOSITION OF THE NORTH CAROLINA COMMISSION ON WORKFORCE DEVELOPMENT, AND ESTABLISHING THE JOINT LEGISLATIVE WORKFORCE DEVELOPMENT SYSTEM REFORM COMMITTEE, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE BASED ON RECOMMENDATIONS FROM THE PROGRAM EVALUATION DIVISION, with a favorable report.

June 21, 2012

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 25.

CALENDAR (continued)

S.B. 521 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT ABOLISHING THE RULE IN DUMPOR'S CASE AND CONCERNING BROKER PRICE OPINIONS, passes its second reading, by electronic vote (92-21), and there being no objection is read a third time.

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

S.B. 647 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CREATION OF MUTUAL INSURANCE HOLDING COMPANIES AND TO CHANGE THE TIME PERIOD FOR FIRE CODE INSPECTIONS OF PUBLIC BUILDINGS, passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

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

S.B. 661 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE STATE AUDITOR TO AUDIT THE ROANOKE ISLAND COMMISSION, INCLUDING FUNDS RECEIVED BY FRIENDS OF ELIZABETH II, INC., passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

Representative Shepard requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (113-0).

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

On motion of Representative T. Moore and without objection, **H.B. 14** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE DIRECTOR OF THE BUDGET TO USE REPAIRS AND RENOVATIONS FUNDS TO ENSURE ADEQUATE FUNDING IN THE STATE MEDICAID PROGRAM FOR THE 2011-2012 FISCAL YEAR, is placed on today's Calendar for immediate consideration.

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On motion of Representative Dollar, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (103-10), and the bill is ordered enrolled and presented to the Governor by Special Message.

RE-REFERRAL

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

CALENDAR (continued)

H.B. 237 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT PROVIDING THAT THE NORTH CAROLINA RATE BUREAU SHARE WITH THE NORTH CAROLINA INDUSTRIAL COMMISSION INFORMATION ON THE STATUS OF WORKERS' COMPENSATION INSURANCE COVERAGE ON EMPLOYERS IN THIS STATE AND MAKING CLARIFYING, CONFORMING, AND OTHER CHANGES RELATING TO THE WORKERS' COMPENSATION LAWS OF NORTH CAROLINA.

Pursuant to Rule 24.1A(c), the request that Representative Weiss be excused from voting on June 19 is continued.

On motion of Representative Folwell, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (69-42), and the bill is ordered enrolled and presented to the Governor by Special Message.

S.B. 810 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO (1) REESTABLISH THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE; (1A) MODIFY APPOINTMENTS TO THE MINING AND ENERGY COMMISSION; (2A) MAKE VARIOUS TECHNICAL AND CLARIFYING CHANGES TO THE ADMINISTRATIVE PROCEDURES ACT; (2B) MAKE CONFORMING CHANGES TO THE STATE PERSONNEL ACT; (3) EXTEND THE EFFECTIVE DATE FOR CHANGES TO FINAL DECISION-MAKING AUTHORITY IN CERTAIN CONTESTED CASES; (4) LIMIT THE PERIOD DURING WHICH RECORDS OF UNCLAIMED PROPERTY MUST BE MAINTAINED; (5A) DIRECT AGENCIES TO SUBMIT A

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REPORT ON NOTICE GIVEN BEFORE AUDITING OR EXAMINING A BUSINESS TO THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE; (5B) LIMIT STATE AGENCY IDENTITY THEFT REPORTING REQUIREMENTS; (5C) REQUIRE THE DEPARTMENT OF LABOR TO PROVIDE NOTICE PRIOR TO INSPECTIONS; (6) CLARIFY THAT THE DISCHARGE OF WASTE INTO WATERS OF THE STATE DOES NOT INCLUDE THE RELEASE OF AIR CONTAMINANTS INTO THE OUTDOOR ATMOSPHERE; (7) AUTHORIZE RATHER THAN REQUIRE THE COMMISSION FOR PUBLIC HEALTH TO ADOPT RULES FOR THE TESTING OF WATER FROM NEW DRINKING WATER WELLS FOR CERTAIN VOLATILE ORGANIC COMPOUNDS; (8) DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO TRACK AND REPORT ON PERMIT PROCESSING TIMES; (9) DELAY THE EFFECTIVE DATE FOR COMPLIANCE WITH WADING POOL FENCING REQUIREMENTS FROM JULY 1, 2012, TO JANUARY 1, 2013; (10) DIRECT THE COMMISSION FOR PUBLIC HEALTH TO AMEND THE RULES GOVERNING THE DURATION OF PERMITS FOR SANITARY LANDFILLS AND THE PERIOD IN WHICH THOSE PERMITS ARE REVIEWED; (11) AMEND THE CRITERIA FOR DESIGNATION AS A PORT ENHANCEMENT ZONE; (12) EXEMPT CERTIFIED ROADSIDE FARM MARKETS FROM CERTAIN BUILDING CODE REQUIREMENTS; AND (13) ALLOW THE PERMITTING OF MOBILE FOOD UNITS THAT MEET THE SANITATION REQUIREMENTS OF A COMMISSARY, which was temporarily displaced, with Amendment No. 7 pending, is before the Body.

Amendment No. 7 is adopted by electronic vote (110-1). This amendment changes the title.

Representative Hamilton requests and is granted leave of the House to change her vote from "no" to "aye". The adjusted vote total is (111-0).

Representative LaRoque moves that the Rules be suspended in order for the bill to have its third reading today. The motion carries by electronic vote (101-8).

The bill, as amended, passes its third reading, by electronic vote (77-34) and is ordered engrossed and sent to the Senate for concurrence in the House committee substitute bill by Special Message.

S.B. 42 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE PERSONS FURNISHING LABOR OR MATERIALS IN CONNECTION WITH CERTAIN IMPROVEMENTS TO REAL

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PROPERTY TO GIVE WRITTEN NOTICE TO THE DESIGNATED LIEN AGENT OF THE OWNER OF THE IMPROVED REAL PROPERTY TO PRESERVE THEIR LIEN RIGHTS, which was temporarily displaced, is before the Body.

The bill, as amended, passes its second reading, by electronic vote (108-4), and there being no objection is read a third time.

Representative Fisher requests and is granted leave of the House to change her vote from "aye" to "no". The adjusted vote total is (107-5).

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

H.B. 1215 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE HENDERSON COUNTY BOARD OF COMMISSIONERS TO LEVY AN ADDITIONAL ONE 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, Bell, Blackwell, Bordsen, Bradley, Brandon, Brisson, R. Brown, Bryant, Carney, Cotham, Crawford, Current, Daughtry, Dockham, Earle, Faison, Farmer-Butterfield, Fisher, Floyd, Gill, Glazier, Goodman, Graham, Hackney, Haire, Hamilton, Harrison, Hill, Horn, Howard, Iler, Insko, Jeffus, Johnson, Jones, Justice, Keever, Langdon, LaRoque, Lewis, Lucas, Luebke, Martin, McComas, McGee, McGrady, McGuirt, McLawhorn, Michaux, Mobley, R. Moore, Owens, Parfitt, Parmon, Pierce, Pridgen, Rapp, Ross, Samuelson, Stam, Starnes, Stevens, Tolson, Torbett, Wainwright, Walend, E. Warren, Weiss, Wilkins, and Wray - 73.

Voting in the negative: Representatives Avila, Blust, Boles, Brawley, L. Brown, Burr, Cleveland, Collins, Dixon, Dollar, Faircloth, Folwell, Gillespie, Hager, Hall, Hilton, Hollo, Holloway, Hurley, Ingle, Jackson, Jordan, Killian, McCormick, Mills, T. Moore, Murry, Pittman, Randleman, Sager, Saine, Sanderson, Setzer, Shepard, Steen, Stone, and H. Warren - 37.

Excused absences: Representatives Brubaker, Hastings, McElraft, Spear, West, and Womble - 6.

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H.B. 989 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO LIMIT ELIGIBILITY FOR PERMANENT REGISTRATION PLATES TO GOVERNMENTAL ENTITIES, AND TO REFORM THE PROCESS BY WHICH ELIGIBLE ENTITIES APPLY FOR AND ARE ISSUED PERMANENT REGISTRATION PLATES, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE BASED ON RECOMMENDATIONS FROM THE PROGRAM EVALUATION DIVISION, BUT TO CONTINUE TO ALLOW CIVIL AIR PATROLS, INCORPORATED EMERGENCY RESCUE SQUADS, RURAL FIRE DEPARTMENTS, AND LOCAL CHAPTERS OF THE AMERICAN NATIONAL RED CROSS TO BE ELIGIBLE FOR PERMANENT REGISTRATION PLATES, passes its second reading by electronic vote (112-1).

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

RE-REFERRAL

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 1077**, A BILL TO BE ENTITLED AN ACT TO INCREASE PUBLIC-PRIVATE PARTNERSHIPS FOR TOLLING AND OTHER FINANCING METHODS ON TRANSPORTATION INFRASTRUCTURE PROJECTS, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Transportation.

Representative LaRoque moves, seconded by Representative Wilkins, that the House adjourn, subject to the appointment of conferees, the ratification of bills, the receipt of Committee Reports, the receipt of Conference Reports, the receipt of Messages from the Senate, and the referral of bills to committees, to reconvene Monday, June 25, 2012, 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 McElraft, Samuelson, and West, Chairs, for the Committee on Environment:

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H.B. 177 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO: (1) CREATE AN INTERAGENCY TASK FORCE TO STUDY THE FEASIBILITY AND DESIRABILITY OF ADVANCING THE USE OF ALTERNATIVE FUELS BY STATE AGENCIES AND THE DEVELOPMENT OF ASSOCIATED FUELING INFRASTRUCTURE; (2) ESTABLISH CRITERIA FOR THE OPERATION OF ELECTRIC VEHICLE CHARGING STATIONS LOCATED AT STATE-OWNED REST STOPS ALONG THE HIGHWAYS AND; (3) AMEND THE ENERGY JOBS ACT OF 2011 IF THE ENERGY JOBS ACT OF 2011 BECOMES LAW, with recommendation that the House concur and the bill be re-referred to the Committee on Transportation.

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

H.B. 953, A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL AMENDMENTS TO VARIOUS LAWS RELATED TO ENVIRONMENT AND NATURAL RESOURCES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of June 25. The original bill is placed on the Unfavorable Calendar.

S.B. 447 (Committee Substitute), A BILL TO BE ENTITLED AN ACT REWRITING THE LAWS REGULATING LANDSCAPE CONTRACTORS AND AUTHORIZING THE NORTH CAROLINA LANDSCAPE CONTRACTORS' LICENSING BOARD TO INCREASE CERTAIN FEES, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of June 25. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representative L. Brown and Ingle, Chair, for the Committee on Government:

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 OTHER-

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WISE TRANSFER NONMETALLIC KNUCKLES TO A MINOR, reported without prejudice and with 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. 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, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of June 25. The Senate committee substitute bill is placed on the Unfavorable Calendar.

S.B. 905, A BILL TO BE ENTITLED AN ACT TO PROTECT THE PROPERTY RIGHTS OF HOMEOWNERS BY REQUIRING THAT DEVELOPMENT PERMITS ISSUED TO REPAIR OR RECONSTRUCT SINGLE-FAMILY AND DUPLEX RESIDENTIAL DWELLINGS IN CURRITUCK COUNTY GREATER THAN FIVE THOUSAND SQUARE FEET AND CONSTRUCTED PRIOR TO AUGUST 11, 2009, SHALL INCLUDE A MINIMUM SETBACK OF SIXTY FEET OR THIRTY TIMES THE SHORELINE EROSION RATE, WHICHEVER IS GREATER, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 25.

S.B. 919, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CARTERET COUNTY BOARD OF COMMISSIONERS TO REDISTRIBUTE ITS RESIDENCY DISTRICTS FOR THE 2012 PRIMARY AND GENERAL ELECTIONS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 25.

S.B. 932 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING UNION COUNTY TO CONSTRUCT LAW ENFORCEMENT AND HUMAN SERVICES FACILITIES USING DESIGN-BUILD DELIVERY METHODS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 25.

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S.B. 934, A BILL TO BE ENTITLED AN ACT TO PERMIT THE LOWER CAPE FEAR WATER AND SEWER AUTHORITY TO UTILIZE THE DESIGN-BUILD METHOD OF CONSTRUCTION FOR A FOURTEEN-MILE PARALLEL WATER TRANSMISSION LINE WITHIN ITS SERVICE AREA, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 25.

S.B. 939, A BILL TO BE ENTITLED AN ACT TO PERMIT THE CITY OF FAYETTEVILLE TO DISCLOSE LIMITED PERSONNEL INFORMATION TO THE MEMBERS OF THE CITIZEN REVIEW BOARD TO FACILITATE ITS REVIEW OF POLICE DISCIPLINARY CASES, with a favorable report as to the House committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of June 25. The original bill is placed on the Unfavorable Calendar.

SPECIAL MESSAGE FROM THE SENATE

2011 GENERAL ASSEMBLY SECOND SESSION 2012

Senate Chamber
June 21, 2012

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. 828** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE UNEMPLOYMENT INSURANCE LAWS, and requests conferees. The President *Pro Tempore* appoints:

Senator Rucho, Chair
Senator Hartsell
Senator Brown

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

June 21, 2012

SPECIAL MESSAGE FROM THE SENATE**2011 GENERAL ASSEMBLY
SECOND SESSION 2012**

Senate Chamber
June 21, 2012

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. 707** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE SCHOOL VIOLENCE PREVENTION ACT.

Respectfully,
S/ Sarah Clapp
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE**2011 GENERAL ASSEMBLY
SECOND SESSION 2012**

Senate Chamber
June 21, 2012

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees for **H.B. 1015** (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO SET THE REGULATORY FEES, TO CONTINUE THE INDIVIDUAL INCOME TAX DEDUCTION FOR EDUCATOR EXPENSES, AND TO ENHANCE ECONOMIC DEVELOPMENT.

When the appropriate action has been taken by both chambers, the bill will be ordered enrolled.

Respectfully,
S/ Sarah Clapp
Principal Clerk

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

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SPECIAL MESSAGES FROM THE SENATE

The following Special Messages are received from the Senate:

S.B. 949 (Committee Substitute), A BILL TO BE ENTITLED AN ACT PROVIDING THAT THE TOWN OF BOONE SHALL NOT EXERCISE THE POWERS OF EXTRATERRITORIAL JURISDICTION, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

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, is returned for concurrence in one Senate amendment.

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

H.B. 853 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND LOCAL INTAKE PROCEDURES FOR RECEIVING DELINQUENCY AND UNDISCIPLINED COMPLAINTS UNDER THE LAWS PERTAINING TO UNDISCIPLINED AND DELINQUENT JUVENILES, TO AUTHORIZE MONITORING OF COUNTY DETENTION CENTERS BY THE DEPARTMENT OF PUBLIC SAFETY, TO AMEND LAWS ON STATE STANDARDS FOR JUVENILE DETENTION AND LOCAL JAILS, TO CORRECT REFERENCES TO THE AGENCY RESPONSIBLE FOR JUVENILE DETENTION, AND TO PROVIDE PROCEDURES FOR REVIEW OF JUVENILES ON PROTECTIVE SUPERVISION, is returned for concurrence in the Senate committee substitute bill.

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

Upon concurrence the Senate committee substitute bill changes the title.

S.J.R. 955 (Committee Substitute), A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE 2011 REGULAR SESSION OF THE GENERAL ASSEMBLY, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

ENROLLED BILLS

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

June 21, 2012

S.B. 749, AN ACT TO AMEND THE STATE'S LAWS PERTAINING TO TRANSPORTATION.

S.B. 820, AN ACT TO (1) RECONSTITUTE THE MINING COMMISSION AS THE MINING AND ENERGY COMMISSION, (2) REQUIRE THE MINING AND ENERGY COMMISSION AND OTHER REGULATORY AGENCIES TO DEVELOP A MODERN REGULATORY PROGRAM FOR THE MANAGEMENT OF OIL AND GAS EXPLORATION AND DEVELOPMENT ACTIVITIES IN THE STATE, INCLUDING THE USE OF HORIZONTAL DRILLING AND HYDRAULIC FRACTURING FOR THAT PURPOSE, (3) AUTHORIZE HORIZONTAL DRILLING AND HYDRAULIC FRACTURING, BUT PROHIBIT THE ISSUANCE OF PERMITS FOR THESE ACTIVITIES PENDING SUBSEQUENT LEGISLATIVE ACTION, (4) ENHANCE LAND-OWNER AND PUBLIC PROTECTIONS RELATED TO HORIZONTAL DRILLING AND HYDRAULIC FRACTURING, AND (5) ESTABLISH THE JOINT LEGISLATIVE COMMISSION ON ENERGY POLICY.

S.B. 869, AN ACT TO REMOVE THE REQUIREMENT THAT FIREFIGHTERS AND RESCUE SQUAD WORKERS 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.

H.B. 1028, AN ACT TO REQUIRE THE NORTH CAROLINA APPRAISAL BOARD TO REPORT THE RECORDS OF APPRAISAL MANAGEMENT COMPANIES TO THE NORTH CAROLINA DEPARTMENT OF REVENUE.

S.B. 826, AN ACT TO MAKE TECHNICAL, CLARIFYING, AND ADMINISTRATIVE CHANGES TO THE TAX AND RELATED LAWS.

H.B. 14, AN ACT AUTHORIZING THE DIRECTOR OF THE BUDGET TO USE REPAIRS AND RENOVATIONS FUNDS TO ENSURE ADEQUATE FUNDING IN THE STATE MEDICAID PROGRAM FOR THE 2011-2012 FISCAL YEAR.

H.B. 237, AN ACT PROVIDING THAT THE NORTH CAROLINA RATE BUREAU SHARE WITH THE NORTH CAROLINA INDUSTRIAL COMMISSION INFORMATION ON THE STATUS OF WORKERS' COMPENSATION INSURANCE COVERAGE ON EMPLOYERS IN THIS STATE AND MAKING CLARIFYING, CONFORMING, AND OTHER CHANGES RELATING TO THE WORKERS' COMPENSATION LAWS OF NORTH CAROLINA.

June 21, 2012

H.B. 391, AN ACT TO REVISE THE LAWS RELATING TO COUNTY RESEARCH AND PRODUCTION SERVICE DISTRICTS TO REFLECT CHANGED CIRCUMSTANCES, TO ALLOW FLEXIBILITY IN PROVISION OF SERVICES IN URBAN AREAS OF SUCH DISTRICTS, AND TO AMEND THE COUNTY SERVICE DISTRICT ACT OF 1973 RELATING TO APPROVAL OF PROPERTY TAXES IN MULTI-JURISDICTIONAL INDUSTRIAL PARK DISTRICTS.

H.B. 438, AN ACT TO PROMOTE EFFICIENCY AND EFFECTIVENESS IN THE ADMINISTRATION OF HUMAN SERVICES AND TO STRENGTHEN THE LOCAL PUBLIC HEALTH INFRASTRUCTURE BY ESTABLISHING A PUBLIC HEALTH IMPROVEMENT INCENTIVE PROGRAM AND ENSURING THE PROVISION OF THE TEN ESSENTIAL PUBLIC HEALTH SERVICES.

H.B. 952, AN ACT TO EXEMPT FROM STATE AIR TOXICS EMISSIONS CONTROLS THOSE SOURCES OF EMISSIONS THAT ARE SUBJECT TO CERTAIN FEDERAL EMISSIONS REQUIREMENTS, TO DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO REQUIRE PERMIT CONDITIONS THAT ELIMINATE UNACCEPTABLE RISKS TO HUMAN HEALTH, TO DIRECT THE DIVISION OF AIR QUALITY TO REVIEW THE STATE AIR TOXICS PROGRAM, AND TO REQUIRE REPORTS ON THE IMPLEMENTATION OF THIS ACT, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

H.B. 1015, AN ACT TO SET THE REGULATORY FEES, TO CONTINUE THE INDIVIDUAL INCOME TAX DEDUCTION FOR EDUCATOR EXPENSES, AND TO ENHANCE ECONOMIC DEVELOPMENT.

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

H.B. 224, AN ACT TO VALIDATE A SPECIAL ASSESSMENT LEVIED BY FOXFIRE VILLAGE.

H.B. 943, AN ACT TO REQUIRE THE APPROVAL OF THE BOARD OF COMMISSIONERS OF DAVIDSON COUNTY BEFORE A CITY NOT PRIMARILY LOCATED WITHIN DAVIDSON COUNTY MAY ANNEX ANY TERRITORY WITHIN DAVIDSON COUNTY.

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H.B. 1207, AN ACT TO ALLOW GRANVILLE COUNTY, PERSON COUNTY, THE CITY OF CREEDMOOR, THE TOWN OF BUTNER, AND THE TOWN OF STEM TO COLLECT DELINQUENT STORM-WATER UTILITY FEES IN THE SAME MANNER AS DELINQUENT PERSONAL AND REAL PROPERTY TAXES.

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

H.J.R. 1223, A JOINT RESOLUTION HONORING THE STATE LIBRARY FOR PROVIDING SERVICE FOR TWO HUNDRED YEARS AND THOSE WHO PLAYED A ROLE IN THE LIBRARY'S SUCCESS. (RESOLUTION 2012-7)

CONFEREES APPOINTED

The Speaker appoints the following conferees on **S.B. 828** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE UNEMPLOYMENT INSURANCE LAWS: Representative Howard, Chair; Representatives Setzer and Starnes.

The Senate is so notified by Special Message.

The House stands adjourned at 5:06 p.m.

ONE HUNDRED THIRTY-SECOND DAY

HOUSE OF REPRESENTATIVES
Monday, June 25, 2012

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 Justin Burr.

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

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Leaves of absence are granted Representatives Hilton, Spear, and Womble for today. Representative Murry is 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:

H.B. 741, AN ACT TO SET A MAXIMUM LENGTH FOR LAW ENFORCEMENT AND EMERGENCY MANAGEMENT VEHICLES. (S.L. 2012-33)

H.B. 813, AN ACT TO EXPAND THE DEFINITION OF INDUSTRIAL MACHINERY EXEMPT FROM BUILDING CODE INSPECTION TO INCLUDE EQUIPMENT AND MACHINERY ACQUIRED BY STATE-SUPPORTED CENTERS PROVIDING TESTING, RESEARCH, AND DEVELOPMENT SERVICES TO MANUFACTURING CLIENTS. (S.L. 2012-34)

H.B. 941, AN ACT TO CLARIFY THE APPROPRIATE MEASUREMENT OF PSEUDOEPHEDRINE PRODUCTS FOR PURPOSES OF THE PSEUDOEPHEDRINE TRANSACTION LIMITS, AND TO CLARIFY THE IDENTIFICATION AND ELECTRONIC RECORD-KEEPING REQUIREMENTS FOR PSEUDOEPHEDRINE PRODUCTS, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON METHAMPHETAMINE ABUSE. (S.L. 2012-35)

H.B. 1025, AN ACT TO EXTEND THE SUNSET OF CERTAIN TAX PROVISIONS. (S.L. 2012-36)

S.B. 806, AN ACT TO MAKE CHANGES TO THE LAW DEALING WITH THE ANNUAL ASSESSMENTS OF MORTGAGE BANKERS, MORTGAGE BROKERS, AND MORTGAGE SERVICERS, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON THE MODERNIZATION OF NORTH CAROLINA BANKING LAWS. (S.L. 2012-37)

H.B. 149, AN ACT TO CREATE THE CRIMINAL OFFENSE OF TERRORISM. (S.L. 2012-38)

H.B. 176, AN ACT TO PROVIDE FOR REVIEW OF A DEFENDANT'S PARTICIPATION IN A COURT-ORDERED ABUSER TREATMENT PROGRAM, AS RECOMMENDED BY THE JOINT

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LEGISLATIVE COMMITTEE ON DOMESTIC VIOLENCE, AND TO EXPAND THE TYPES OF OFFENSES REPORTED BY THE CLERK. (S.L. 2012-39)

H.B. 235, AN ACT TO AMEND THE LAWS PERTAINING TO TERMINATION OF PARENTAL RIGHTS TO INCLUDE CONVICTION OF A SEXUALLY RELATED OFFENSE THAT RESULTS IN THE CONCEPTION OF THE JUVENILE AS A BASIS FOR TERMINATION OF PARENTAL RIGHTS. (S.L. 2012-40)

H.B. 261, AN ACT TO REQUIRE INTRASTATE MOTOR CARRIERS TO BE MARKED. (S.L. 2012-41)

H.B. 490, AN ACT TO NAME THE YADKIN RIVER BRIDGE AT THE DAVIDSON AND ROWAN COUNTY LINES THE "YADKIN RIVER VETERANS MEMORIAL BRIDGE." (S.L. 2012-42)

S.B. 824, AN ACT TO REQUIRE THE SECRETARY OF REVENUE'S INTERPRETATION OF THE LAW CONCERNING THE SECRETARY'S AUTHORITY TO ADJUST NET INCOME OR REQUIRE A COMBINED RETURN BE MADE THROUGH RULE MAKING AND TO PROVIDE AN EXPEDITED PROCESS FOR RULE MAKING ON THIS ISSUE. (S.L. 2012-43)

S.B. 889, AN ACT TO CHANGE THE DEFINITION ON AN AREA THAT CAN BE REPRESENTED BY A RURAL PLANNING ORGANIZATION, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE. (S.L. 2012-44)

S.B. 929, AN ACT TO REVISE THE RESIDENCY REQUIREMENTS FOR MEMBERS OF THE BOARD OF TRUSTEES OF A FIREMEN'S LOCAL RELIEF FUND. (S.L. 2012-45)

H.B. 199, AN ACT TO RECODIFY THE PROVISIONS OF THE GENERAL STATUTES THAT REGULATE PRECIOUS METALS BUSINESSES, PAWNBROKERS AND CASH CONVERTERS, AND SECONDARY METALS RECYCLERS, AND TO STRENGTHEN METALS THEFT PREVENTION BY REQUIRING PERMITTING OF NON-FERROUS METALS PURCHASERS, MAKING IT A CRIME TO CUT, MUTILATE, DEFACE, OR OTHERWISE INJURE THE PROPERTY OF ANOTHER TO OBTAIN NONFERROUS METALS, CREATING RELATED CRIMINAL OFFENSES, AND MAKING OTHER RELATED CHANGES TO THE GENERAL STATUTES. (S.L. 2012-46)

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S.B. 859, AN ACT TO PROVIDE THAT REGULAR MUNICIPAL ELECTIONS IN THE TOWN OF PILOT MOUNTAIN AND THE TOWN OF DOBSON ARE HELD IN EVEN-NUMBERED YEARS. (S.L. 2012-47)

H.B. 1018, AN ACT TO AUTHORIZE APPROVAL OF THE YADKIN VALLEY REGIONAL CAREER ACADEMY AS A COOPERATIVE INNOVATIVE HIGH SCHOOL FOR THE 2012-2013 SCHOOL YEAR. (S.L. 2012-48)

H.B. 1107, AN ACT AMENDING THE DIVISION OF ALCOHOLIC BEVERAGE CONTROL PROFITS IN GRANVILLE COUNTY. (S.L. 2012-49)

H.B. 1108, AN ACT TO MAKE MODIFICATIONS TO THE BUTNER PUBLIC SAFETY AUTHORITY. (S.L. 2012-50)

H.B. 1133, AN ACT TO REVISE PENDER COUNTY COMMISSIONER DISTRICTS. (S.L. 2012-51)

H.B. 1205, AN ACT TO MAKE IT UNLAWFUL TO GO ON CERTAIN POSTED PROPERTY WITHOUT WRITTEN PERMISSION. (S.L. 2012-52)

H.B. 224, AN ACT TO VALIDATE A SPECIAL ASSESSMENT LEVIED BY FOXFIRE VILLAGE. (S.L. 2012-53)

H.B. 943, AN ACT TO REQUIRE THE APPROVAL OF THE BOARD OF COMMISSIONERS OF DAVIDSON COUNTY BEFORE A CITY NOT PRIMARILY LOCATED WITHIN DAVIDSON COUNTY MAY ANNEX ANY TERRITORY WITHIN DAVIDSON COUNTY. (S.L. 2012-54)

H.B. 1207, AN ACT TO ALLOW GRANVILLE COUNTY, PERSON COUNTY, THE CITY OF CREEDMOOR, THE TOWN OF BUTNER, AND THE TOWN OF STEM TO COLLECT DELINQUENT STORM-WATER UTILITY FEES IN THE SAME MANNER AS DELINQUENT PERSONAL AND REAL PROPERTY TAXES. (S.L. 2012-55)

WITHDRAWAL OF BILLS FROM CALENDAR

On motion of Representative T. Moore and without objection, **S.B. 803** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO ADMINISTRATION OF THE STATE RETIREMENT SYSTEMS, is withdrawn from the Calendar and placed on the Calendar of June 26.

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On motion of Representative T. Moore and without objection, **H.B. 958** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE A PUBLIC-PRIVATE PARTNERSHIP FOR THE NORTH CAROLINA ZOOLOGICAL PARK, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON PUBLIC-PRIVATE PARTNERSHIPS, is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative T. Moore and without objection, **S.B. 447** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT REWRITING THE LAWS REGULATING LANDSCAPE CONTRACTORS, is withdrawn from the Calendar and re-referred to the Committee on Commerce and Job Development.

On motion of Representative T. Moore and without objection, **S.B. 472** (House Committee Substitute), A BILL TO BE ENTITLED A BILL TO BE ENTITLED AN ACT REGARDING THE OPERATION OF PUBLIC ENTERPRISES BY THE CITY OF KINSTON, is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following report from standing committee is presented:

By Representative Dockham, Chair, for the Committee on Insurance:

S.B. 836 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPROVE THE RATE-MAKING PROCESS BY REQUIRING THE DEPARTMENT OF INSURANCE TO ACCEPT PUBLIC COMMENT ON ALL PROPERTY INSURANCE RATE FILINGS, BY PROVIDING THE COMMISSIONER WITH THE POWER TO SPECIFY THE APPROPRIATE RATE LEVEL OR LEVELS BETWEEN THE CURRENT RATE AND THE FILED RATE UPON A FINDING THAT A RATE FILING DOES NOT COMPLY WITH APPLICABLE LAW, BY PROVIDING THAT THE COST OF REINSURANCE BE INCLUDED AS A FACTOR IN RATE MAKING AND REQUIRING CERTAIN SUPPORTING INFORMATION ON REINSURANCE COSTS IN A FILING, BY REQUIRING THAT THE RATE BUREAU CREATE A RATING PLAN FOR A PROPERTY INSURANCE POLICY THAT EXCLUDES COVERAGE FOR THE PERILS OF WINDSTORM AND HAIL, AND BY REQUIRING THAT THE RATE BUREAU AND THE DEPARTMENT OF INSURANCE STUDY THE FAIRNESS AND EFFICACY OF

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THE CURRENT PROPERTY INSURANCE GEOGRAPHIC RATE TERRITORIES, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON PROPERTY INSURANCE RATE MAKING, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 26.

ENROLLED BILLS

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

H.B. 512, AN ACT TO AMEND THE LAWS GOVERNING RENDERING PLANTS AND OPERATIONS, TO REQUIRE CERTIFICATION OF GREASE OWNERSHIP BY COLLECTORS OF WASTE KITCHEN GREASE, AND TO CREATE CRIMINAL PENALTIES RELATED TO WASTE KITCHEN GREASE.

CHAPTERED BILLS

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

S.B. 816, AN ACT TO REWRITE THE BANKING LAWS OF NORTH CAROLINA, AS RECOMMENDED BY THE JOINT LEGISLATIVE STUDY COMMISSION ON THE MODERNIZATION OF NORTH CAROLINA BANKING LAWS. (S.L. 2012-56)

H.B. 14, AN ACT AUTHORIZING THE DIRECTOR OF THE BUDGET TO USE REPAIRS AND RENOVATIONS FUNDS TO ENSURE ADEQUATE FUNDING IN THE STATE MEDICAID PROGRAM FOR THE 2011-2012 FISCAL YEAR. (S.L. 2012-57)

CALENDAR

Action is taken on the following:

H.J.R. 1224, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF WILLIAM MANER "BILL" IVES, FORMER MEMBER OF THE GENERAL ASSEMBLY, passes its second reading, by electronic vote (113-0), and there being no objection is read a third time.

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

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S.B. 133 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ELIMINATE OBSOLETE PROVISIONS FROM, AND MAKE CLARIFYING CHANGES TO, THE LAWS GOVERNING PREPARATION AND STORAGE OF JURY LISTS.

On motion of Representative LaRoque and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of June 26.

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.R. 1019, A HOUSE RESOLUTION HONORING THE LIFE AND MEMORY OF ALAN THOMAS DICKSON, BUSINESS LEADER, with recommendation that it be adopted.

Pursuant to Rule 36(b) and without objection, the resolution is placed on the Calendar for immediate consideration.

The resolution is adopted, by electronic vote (112-0), and ordered printed.

CONFERENCE REPORT

Representative Stam sends forth the Conference Report on **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. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of June 26.

CALENDAR (continued)

S.J.R. 958, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF JAMES SUMMERS "JIM" FORRESTER, SR., MD, FORMER MEMBER OF THE GENERAL ASSEMBLY, passes its second reading, by electronic vote (108-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered enrolled.

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H.B. 1138 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT THE COUNTY OF DAVIDSON TO UTILIZE THE DESIGN-BUILD METHOD OF CONSTRUCTION AND RENOVATION OF COUNTY BUILDINGS.

On motion of Representative Dockham, the House concurs in the Senate committee substitute bill and the bill is ordered enrolled.

S.B. 919, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CARTERET COUNTY BOARD OF COMMISSIONERS TO REDISTRIBUTE ITS RESIDENCY DISTRICTS FOR THE 2012 PRIMARY AND GENERAL ELECTIONS, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 932 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING UNION COUNTY TO CONSTRUCT LAW ENFORCEMENT AND HUMAN SERVICES FACILITIES USING DESIGN-BUILD DELIVERY METHODS, 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. 934, A BILL TO BE ENTITLED AN ACT TO PERMIT THE LOWER CAPE FEAR WATER AND SEWER AUTHORITY TO UTILIZE THE DESIGN-BUILD METHOD OF CONSTRUCTION FOR A FOURTEEN-MILE PARALLEL WATER TRANSMISSION LINE WITHIN ITS SERVICE AREA, 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. 1215 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE HENDERSON COUNTY BOARD OF COMMISSIONERS TO LEVY AN ADDITIONAL ONE 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.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Bell, Blackwell, Bordsen, Bradley, Brandon, Brisson, R. Brown, Brubaker, Bryant, Carney, Collins, Cook, Cotham, Crawford, Current, Daughtry, Dockham, Earle, Faison, Farmer-Butterfield, Fisher, Floyd, Gill,

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Glazier, Goodman, Graham, Hackney, Haire, Hall, Hamilton, Harrison, Hill, Horn, Iler, Ingle, Insko, Jeffus, Johnson, Jones, Justice, Kever, Langdon, LaRoque, Lewis, Lucas, Luebke, Martin, McComas, McElraft, McGee, McGrady, McGuirt, McLawhorn, Michaux, Mobley, Owens, Parfitt, Parmon, Pierce, Pridgen, Rapp, Ross, Samuelson, Shepard, Stam, Starnes, Stevens, Tolson, Torbett, Wainwright, Walend, E. Warren, H. Warren, Weiss, West, Wilkins, and Wray - 80.

Voting in the negative: Representatives Avila, Blust, Boles, Brawley, L. Brown, Burr, Cleveland, Dixon, Dollar, Faircloth, Gillespie, Hager, Hastings, Hollo, Holloway, Hurley, Jackson, Jordan, Killian, McCormick, Mills, T. Moore, Pittman, Randleman, Sager, Saine, Sanderson, Setzer, Steen, and Stone - 30.

Excused absences: Representatives Hilton, Murry, Spear, and Womble - 4.

Representatives Collins, Ingle, and H. Warren request and are granted leave of the House to change their votes from "aye" to "no". The adjusted vote total is (77-33).

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. 426 (House Committee Substitute), 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 AUTHORIZE A RESOLUTION ESTABLISHING A MUNICIPAL SERVICE DISTRICT TO BECOME EFFECTIVE UPON A DATE SPECIFIED IN THE RESOLUTION IF SPECIAL OBLIGATION BONDS ARE ANTICIPATED TO BE AUTHORIZED FOR A PROJECT, with a favorable report.

Pursuant to Rule 36(b) and without objection, the bill is placed on today's Calendar.

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S.B. 900, A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF SURF CITY, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 26.

S.B. 901, A BILL TO BE ENTITLED AN ACT TO REMOVE THE CAP ON SATELLITE ANNEXATIONS FOR THE TOWN OF OCEAN ISLE BEACH, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 26.

S.B. 949 (Committee Substitute), A BILL TO BE ENTITLED AN ACT PROVIDING THAT THE TOWN OF BOONE SHALL NOT EXERCISE THE POWERS OF EXTRATERRITORIAL JURISDICTION, with a favorable report.

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

S.B. 951, A BILL TO BE ENTITLED AN ACT TO TRANSFER THE CLEVELAND COUNTY CORRECTIONAL FACILITY TO CLEVELAND COMMUNITY COLLEGE, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the original bill.

Pursuant to Rule 36(b) and without objection, the House committee substitute bill is placed on today's Calendar. The original bill is placed on the Unfavorable Calendar.

CALENDAR (continued)

S.B. 939 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT THE CITY OF FAYETTEVILLE TO DISCLOSE LIMITED PERSONNEL INFORMATION TO THE MEMBERS OF THE CITIZEN REVIEW BOARD TO FACILITATE ITS REVIEW OF POLICE DISCIPLINARY CASES.

On motion of Representative T. Moore and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of June 26.

S.B. 444 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF

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CERTAIN CAPITAL IMPROVEMENTS PROJECTS, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in the House committee substitute bill by Special Message.

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, Avila, 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, Gill, Gillespie, Glazier, Goodman, Graham, Hackney, Hager, Haire, Hall, Hamilton, Harrison, Hastings, Hill, 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, Owens, Parfitt, Pierce, Pittman, Pridgen, Randleman, Rapp, Ross, Sager, Saine, Samuelson, Sanderson, Setzer, Shepard, Stam, Starnes, Steen, Stevens, Tolson, Torbett, Wainwright, Walend, E. Warren, H. Warren, Weiss, West, Wilkins, and Wray - 110.

Voting in the negative: Representative Stone.

Excused absences: Representatives Hilton, Murry, Spear, and Womble - 4.

H.B. 989 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO LIMIT ELIGIBILITY FOR PERMANENT REGISTRATION PLATES TO GOVERNMENTAL ENTITIES, AND TO REFORM THE PROCESS BY WHICH ELIGIBLE ENTITIES APPLY FOR AND ARE ISSUED PERMANENT REGISTRATION PLATES, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE BASED ON RECOMMENDATIONS FROM THE PROGRAM EVALUATION DIVISION, BUT TO CONTINUE TO ALLOW CIVIL AIR PATROLS, INCORPORATED EMERGENCY RESCUE SQUADS, RURAL FIRE DEPARTMENTS, AND LOCAL CHAPTERS OF THE AMERICAN NATIONAL RED CROSS TO BE ELIGIBLE FOR PERMANENT REGISTRATION PLATES.

Representative Burr offers Amendment No. 1 which fails of adoption by electronic vote (17-96).

Representative T. Moore requests and is granted leave of the House to change his vote from "aye" to "no". The adjusted vote total is (16-97).

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The bill passes its third reading, by electronic vote (111-3), and is ordered sent to the Senate by Special Message.

Representatives Bryant, Parfitt, and Stevens request and are granted leave of the House to change their votes from "no" to "aye". The adjusted vote total is (114-0).

H.B. 953 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL AMENDMENTS TO VARIOUS LAWS RELATED TO ENVIRONMENT AND NATURAL RESOURCES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, 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 by Special Message.

S.B. 699 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE NAME OF THE DIVISION OF CRIMINAL INFORMATION; TO ALLOW THE DIVISION OF CRIMINAL INFORMATION TO PROMULGATE RULES FOR USAGE OF THE CRIMINAL INFORMATION NETWORK; TO ALLOW THE DIVISION OF CRIMINAL INFORMATION TO ASSESS FEES FOR SETUP, ACCESS TO, AND USE OF THE CRIMINAL INFORMATION NETWORK; TO RECODIFY THE EXISTING SUPERIOR COURT DISTRICTS USING 2010 GEOGRAPHY; AND TO ALLOW SHARING OF CONFIDENTIAL INVESTIGATORY INFORMATION BETWEEN THE STATE ETHICS COMMISSION AND THE LEGISLATIVE ETHICS COMMITTEE, passes its second reading by electronic vote (112-1).

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

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

S.B. 804, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND CONFORMING CHANGES TO STATUTES AFFECTING THE STATE RETIREMENT SYSTEMS, passes its second reading, by electronic vote (113-0), and there being no objection is read a third time.

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

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S.B. 815, A BILL TO BE ENTITLED AN ACT INITIATING REFORM OF THE WORKFORCE DEVELOPMENT LAWS OF NORTH CAROLINA, MODIFYING THE COMPOSITION OF THE NORTH CAROLINA COMMISSION ON WORKFORCE DEVELOPMENT, AND ESTABLISHING THE JOINT LEGISLATIVE WORKFORCE DEVELOPMENT SYSTEM REFORM COMMITTEE, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE BASED ON RECOMMENDATIONS FROM THE PROGRAM EVALUATION DIVISION, passes its second reading, by electronic vote (113-1), and there being no objection is read a third time.

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

S.B. 426 (House Committee Substitute), 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 AUTHORIZE A RESOLUTION ESTABLISHING A MUNICIPAL SERVICE DISTRICT TO BECOME EFFECTIVE UPON A DATE SPECIFIED IN THE RESOLUTION IF SPECIAL OBLIGATION BONDS ARE ANTICIPATED TO BE AUTHORIZED FOR A PROJECT, 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, Dockham, Dollar, Earle, Faircloth, Faison, Farmer-Butterfield, Fisher, Floyd, Gill, Gillespie, Glazier, Goodman, Graham, Hackney, Hager, Haire, Hall, Hamilton, Harrison, Hastings, Hill, 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, Pittman, Pridgen, Randleman, Rapp, Ross, Sager, Saine, Samuelson, Sanderson, Setzer, Shepard, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Wainwright, Walend, E. Warren, H. Warren, Weiss, West, Wilkins, and Wray - 114.

Voting in the negative: None.

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Excused absences: Representatives Hilton, Spear, and Womble - 3.

INTRODUCTION OF PAGES

Pages for the week of June 25 are introduced to the membership. They are: Kayla Alderman of Forsyth; Kristen Alderman of Forsyth; Sallie Allen of Wake; Carly Allen of Person; Samantha Bailey of Guilford; Madeline Bankson of New Hanover; Summer Blackwelder of Cabarrus; Margaret Coleman of Sampson; Betsy Reade Creech of Wake; Paula Crisp of Wake; Ashley Hines of Richmond; Cameron Jernigan of Hertford; Bailey Jones of Mecklenburg; Samuel Jones of Guilford; Michael Knutson of Wayne; Mary Leviner of Richmond; Owen Levy of Gaston; Shirley Marshall of Wake; Derrick McNeill of Moore; Peter Ojo of Cumberland; Meredith Ratledge of Davie; Aliya Ruffin of Wake; Margaret Swaim of Wake; Anna Wallace of Stanly; Jessica White of Davie; and Phillip Wray of Northampton.

CALENDAR (continued)

S.B. 951 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO TRANSFER THE CLEVELAND COUNTY CORRECTIONAL FACILITY TO CLEVELAND COMMUNITY COLLEGE AND TO AMEND THE DEFINITION OF A HISTORIC ABC ESTABLISHMENT, fails to pass its second reading, by electronic vote (25-86), and is placed on the Unfavorable Calendar.

CONFERENCE REPORT

Representative Howard sends forth the Conference Report on **S.B. 828** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE UNEMPLOYMENT INSURANCE LAWS. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of June 26.

MOTION TO RECONSIDER VOTE

S.B. 951 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO TRANSFER THE CLEVELAND COUNTY CORRECTIONAL FACILITY TO CLEVELAND COMMUNITY COLLEGE AND TO AMEND THE DEFINITION OF A HISTORIC ABC ESTABLISHMENT.

Having voted with the prevailing side, Representative Stam moves that the vote by which the bill failed to pass be reconsidered.

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Representative Hackney moves, seconded by Representative Haire, that the motion to reconsider do lie upon the table. The motion fails by electronic vote (48-64).

The motion to reconsider the vote by which the bill failed to pass carries by electronic vote (67-44). The bill is before the Body.

On motion of Representative T. Moore and without objection, the bill is removed from the Calendar and placed on the Calendar of June 26.

SPECIAL MESSAGES FROM THE SENATE

The following Special Messages are received from the Senate:

H.B. 180 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO VOLUNTARILY ANNEX CERTAIN DESCRIBED AREAS TO THE CORPORATE LIMITS OF THE CITY OF WILMINGTON, is returned for concurrence in the Senate committee substitute bill and referred to the Committee on Rules, Calendar, and Operations of the House.

Upon concurrence the Senate committee substitute bill changes the title.

The Speaker rules the Senate committee substitute bill to be material, thus constituting its first reading.

H.B. 964 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA LONGITUDINAL DATA SYSTEM AND GOVERNING BOARD; AND TO PROVIDE THAT PRIVATE COLLEGES AND UNIVERSITIES, NONPUBLIC SCHOOLS, AND THE NORTH CAROLINA INDEPENDENT COLLEGES AND UNIVERSITIES ARE NOT LIABLE FOR A BREACH OF CONFIDENTIALITY CAUSED BY THE ACT OR OMISSION OF A STATE AGENCY, LOCAL SCHOOL ADMINISTRATIVE UNIT, COMMUNITY COLLEGE, OR CONSTITUENT INSTITUTION OF THE UNIVERSITY OF NORTH CAROLINA, is returned for concurrence in Senate Amendments No. 1 and No. 2.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 26.

H.B. 1096 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO SAVE MONEY BY REPEALING A STATUTE REQUIRING LOCAL SCHOOL ADMINISTRATIVE UNITS, COMMUNITY COLLEGES, AND THE UNIVERSITY OF NORTH CAROLINA TO HAVE SEPARATE BIDS FOR JUICE AND WATER, is returned for concurrence in the Senate committee substitute bill.

June 25, 2012

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of June 26.

Upon concurrence the Senate committee substitute bill changes the title.

S.B. 876, A BILL TO BE ENTITLED AN ACT TO REMOVE A CERTAIN DESCRIBED TRACT FROM THE CORPORATE LIMITS OF THE TOWN OF MOORESVILLE AT THE REQUEST OF THE TOWN BOARD OF COMMISSIONERS, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committee are presented:

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

S.B. 821 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO (1) DIRECT THE DIRECTOR OF THE DIVISION OF MARINE FISHERIES OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES, THE EXECUTIVE DIRECTOR OF THE WILDLIFE RESOURCES COMMISSION, AND THE DEPUTY SECRETARY FOR TRANSIT OF THE DEPARTMENT OF TRANSPORTATION TO JOINTLY STUDY FEES ASSOCIATED WITH THE ISSUANCE OF COASTAL FISHING LICENSES AND THE NUMBERING AND TITLING OF VESSELS; (2) DIRECT THE EXECUTIVE DIRECTOR OF THE WILDLIFE RESOURCES COMMISSION, THE DIRECTOR OF THE DIVISION OF MARINE FISHERIES OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES, AND THE COMMISSIONER OF AGRICULTURE TO JOINTLY STUDY THE REORGANIZATION OF FISH AND WILDLIFE MANAGEMENT IN THE STATE; (3) MAKE IT UNLAWFUL TO TAKE MENHADEN OR ATLANTIC THREAD HERRING WITH A PURSE SEINE NET DEPLOYED BY A MOTHER SHIP AND ONE OR MORE RUNNER BOATS IN COASTAL FISHING WATERS; (4) AMEND THE MARINE FISHERIES COMMISSION ADVISORY COMMITTEES; AND (5) PROVIDE THAT A SUPER-MAJORITY OF THE MARINE FISHERIES COMMISSION IS REQUIRED TO OVERRIDE A RECOMMENDATION OF THE DIVISION OF MARINE FISHERIES REGARDING OVERFISHING OR REBUILDING OF FISH STOCKS, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the Senate committee substitute bill.

June 25, 2012

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of June 26. The Senate committee substitute bill is placed on the Unfavorable Calendar.

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, 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 26. The Senate committee substitute bill is placed on the Unfavorable Calendar.

Representative LaRoque moves, seconded by Representative Starnes, that the House adjourn, in memory of Louis Marvin Spear, father of Representative Tim Spear, and subject to the appointment of conferees, the ratification of bills, the receipt of Committee Reports, the receipt of Conference Reports, the receipt of Messages from the Senate, and the referral of bills to committees, to reconvene June 26 at 2:00 p.m.

The motion carries.

RE-REFERRALS

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 1073**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PURPOSE OF THE UNIVERSITY OF NORTH CAROLINA HEALTH CARE SYSTEM, TO INCREASE THE AUTHORITY OF THE UNIVERSITY OF NORTH CAROLINA BOARD OF GOVERNORS TO GOVERN THE HEALTH CARE SYSTEM, TO REDUCE THE NUMBER AND CHANGE THE COMPOSITION OF THE MEMBERS OF THE BOARD OF DIRECTORS OF THE HEALTH CARE SYSTEM, TO INCREASE THE SYSTEM'S ACCOUNTABILITY AND TRANSPARENCY, TO CLARIFY ITS STATUS AS A STATE AGENCY, AND TO LIMIT FUTURE EXPANSION, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON STATE-OWNED ASSETS, is withdrawn from the Committee on Health and Human Services and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative T. Moore and without objection, **S.B. 905**, A BILL TO BE ENTITLED AN ACT TO PROTECT THE PROPERTY RIGHTS OF HOMEOWNERS BY REQUIRING THAT DEVELOPMENT

June 25, 2012

PERMITS ISSUED TO REPAIR OR RECONSTRUCT SINGLE-FAMILY AND DUPLEX RESIDENTIAL DWELLINGS IN CURRITUCK COUNTY GREATER THAN FIVE THOUSAND SQUARE FEET AND CONSTRUCTED PRIOR TO AUGUST 11, 2009, SHALL INCLUDE A MINIMUM SETBACK OF SIXTY FEET OR THIRTY TIMES THE SHORELINE EROSION RATE, WHICHEVER IS GREATER, is withdrawn from the Calendar, pursuant to Rule 36(b), and re-referred to the Committee on Rules, Calendar, and Operations of the House.

The House stands adjourned at 10:00 p.m.

ONE HUNDRED THIRTY-THIRD DAY

HOUSE OF REPRESENTATIVES
Tuesday, June 26, 2012

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

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 June 25 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Hilton and Womble for today. Representative Wainwright is excused for a portion of the Session.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Dockham, Chair, for the Committee on Insurance:

H.B. 244 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE STERLING MONTESSORI ACADEMY AND CHARTER SCHOOL, THE CASA ESPERANZA MONTESSORI CHARTER SCHOOL, AND KESTREL HEIGHTS SCHOOL TO ELECT TO PARTICIPATE IN THE STATE HEALTH PLAN FOR TEACHERS

June 26, 2012

AND STATE EMPLOYEES AND TO PROVIDE PROTECTIONS FOR WHISTLE-BLOWERS ALLEGING FRAUD OR OTHER MISCONDUCT RELATED TO THE STATE HEALTH PLAN, with recommendation that the House do not concur.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 27.

By Representatives Current, Dollar, and Hollo, Chairs, for the Committee on Health and Human Services:

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

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

By Representatives Howard, Folwell, Setzer, and Starnes, Chairs, for the Committee on Finance:

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

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

H.B. 994, A BILL TO BE ENTITLED AN ACT TO ALLOW THE COUNTY OF ROCKINGHAM TO USE DESIGN-BUILD DELIVERY METHODS, 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 27. The original bill is placed on the Unfavorable Calendar.

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H.B. 1179 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE STATE TO TERMINATE ITS LEASE OF THE INDIAN CULTURAL CENTER PROPERTY AND TO DIRECT THE DISPOSITION OF THE PROPERTY, 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 27. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

S.B. 848, A BILL TO BE ENTITLED AN ACT INCORPORATING ADDITIONAL BASES FOR MAKING ASSESSMENTS UNDER THE CHARTER OF THE CITY OF DURHAM IN THE CASE OF BOTH PETITIONED AND NON-PETITIONED ASSESSMENTS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 27.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced and read the first time:

By Representatives Spear, Carney, Collins, Fisher, Glazier, Harrison, Ross, Weiss, and Wray:

H.J.R. 1228, A JOINT RESOLUTION HONORING THE FOUNDERS OF THE TOWN OF EDENTON ON THE OCCASION OF THE TOWN'S THREE HUNDREDTH ANNIVERSARY.

Pursuant to Rule 32(a), the resolution is placed on the Calendar of June 27.

By Representative T. Moore:

H.R. 1229, A HOUSE RESOLUTION TO ESTABLISH THE PROCEDURE FOR NOMINATING AND ELECTING A PERSON TO FILL A VACANCY ON THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA.

Pursuant to Rule 32(a), and without objection, the resolution is placed on today's Calendar.

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SPECIAL MESSAGE FROM THE SENATE**2011 GENERAL ASSEMBLY
SECOND SESSION 2012**

Senate Chamber
June 26, 2012

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. 525** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STREAMLINE DUPLICATE OVERSIGHT OF CERTAIN DHHS SERVICE PROVIDERS.

Respectfully,
S/ Sarah Clapp
Principal Clerk

CALENDAR

Action is taken on the following:

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

H.R. 1222 (Committee Substitute), A HOUSE RESOLUTION HONORING THE NORTH CAROLINA SYMPHONY AND ITS FOUNDERS.

The resolution is adopted, by electronic vote (116-0), and ordered printed.

ENROLLED BILLS

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

S.B. 347, AN ACT RELATING TO REASONABLE SAFETY AND CONTAINMENT MEASURES FOR MANAGING PATIENTS PENDING INVOLUNTARY COMMITMENT PLACEMENT.

June 26, 2012

S.B. 572, AN ACT TO MAKE STATEWIDE THE AUTHORITY PREVIOUSLY GRANTED TO NASH COUNTY SO AS TO ALLOW COUNTIES TO PROVIDE GRANTS TO PROMOTE HIGH-SPEED INTERNET ACCESS SERVICE IN UNSERVED AREAS FOR ECONOMIC DEVELOPMENT AND TO MAKE OTHER CLARIFYING CHANGES.

S.B. 656, AN ACT TO ENSURE THAT PATIENTS HAVE THE RIGHT TO CHOOSE THEIR PHYSICAL THERAPISTS UNDER THEIR HEALTH BENEFIT PLANS.

S.B. 804, AN ACT TO MAKE TECHNICAL AND CONFORMING CHANGES TO STATUTES AFFECTING THE STATE RETIREMENT SYSTEMS.

S.B. 815, AN ACT INITIATING REFORM OF THE WORKFORCE DEVELOPMENT LAWS OF NORTH CAROLINA, MODIFYING THE COMPOSITION OF THE NORTH CAROLINA COMMISSION ON WORKFORCE DEVELOPMENT, AND ESTABLISHING THE JOINT LEGISLATIVE WORKFORCE DEVELOPMENT SYSTEM REFORM COMMITTEE, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE BASED ON RECOMMENDATIONS FROM THE PROGRAM EVALUATION DIVISION.

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

S.B. 919, AN ACT TO ALLOW THE CARTERET COUNTY BOARD OF COMMISSIONERS TO REDISTRICT ITS RESIDENCY DISTRICTS FOR THE 2012 PRIMARY AND GENERAL ELECTIONS.

S.B. 932, AN ACT AUTHORIZING UNION COUNTY TO CONSTRUCT LAW ENFORCEMENT AND HUMAN SERVICES FACILITIES USING DESIGN-BUILD DELIVERY METHODS.

S.B. 934, AN ACT TO PERMIT THE LOWER CAPE FEAR WATER AND SEWER AUTHORITY TO UTILIZE THE DESIGN-BUILD METHOD OF CONSTRUCTION FOR A FOURTEEN-MILE PARALLEL WATER TRANSMISSION LINE WITHIN ITS SERVICE AREA.

H.B. 1032, AN ACT REMOVING CERTAIN DESCRIBED NON-CONTIGUOUS PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF MORGANTON.

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H.B. 1088, AN ACT CONCERNING THE DIVISION BETWEEN GRAHAM AND SWAIN COUNTIES OF TVA PAYMENTS IN LIEU OF TAXES, AND CLARIFYING THE COMMON BOUNDARY BETWEEN THOSE COUNTIES.

H.B. 1138, AN ACT TO PERMIT THE COUNTY OF DAVIDSON TO UTILIZE THE DESIGN-BUILD METHOD OF CONSTRUCTION AND RENOVATION OF COUNTY BUILDINGS.

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

H.J.R. 1224, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF WILLIAM MANER "BILL" IVES, FORMER MEMBER OF THE GENERAL ASSEMBLY. (RESOLUTION 2012-8)

S.J.R. 958, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF JAMES SUMMERS "JIM" FORRESTER, SR., MD, FORMER MEMBER OF THE GENERAL ASSEMBLY. (RESOLUTION 2012-9)

CALENDAR (continued)

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

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.

On motion of Representative McElraft, the House concurs in Senate Amendment No. 1, by electronic vote (116-0), and the bill is ordered enrolled and presented to the Governor by Special Message.

H.B. 853 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND LOCAL INTAKE PROCEDURES FOR RECEIVING DELINQUENCY AND UNDISCIPLINED COMPLAINTS UNDER THE LAWS PERTAINING TO UNDISCIPLINED AND DELINQUENT JUVENILES, TO AUTHORIZE MONITORING OF COUNTY DETENTION CENTERS BY THE DEPARTMENT OF PUBLIC SAFETY, TO AMEND LAWS ON STATE STANDARDS FOR JUVENILE DETENTION AND LOCAL JAILS, TO CORRECT REFERENCES TO THE AGENCY RESPONSIBLE FOR JUVENILE DETENTION, AND TO PROVIDE PROCEDURES FOR REVIEW OF JUVENILES ON PROTECTIVE SUPERVISION.

June 26, 2012

On motion of Representative Mobley, the House does not concur in the Senate committee substitute bill, by electronic vote (116-0), and conferees are requested.

The Chair appoints Representative Mobley, Chair; Representatives Hurley, Randleman, Glazier, and Bordsen as conferees on the part of the House and the Senate is so notified by Special Message.

H.B. 964 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA LONGITUDINAL DATA SYSTEM AND GOVERNING BOARD; AND TO PROVIDE THAT PRIVATE COLLEGES AND UNIVERSITIES, NONPUBLIC SCHOOLS, AND THE NORTH CAROLINA INDEPENDENT COLLEGES AND UNIVERSITIES ARE NOT LIABLE FOR A BREACH OF CONFIDENTIALITY CAUSED BY THE ACT OR OMISSION OF A STATE AGENCY, LOCAL SCHOOL ADMINISTRATIVE UNIT, COMMUNITY COLLEGE, OR CONSTITUENT INSTITUTION OF THE UNIVERSITY OF NORTH CAROLINA.

On motion of Representative Blackwell, the House concurs in Senate Amendment No. 1 by electronic vote (115-0).

On motion of Representative Blackwell, the House concurs in Senate Amendment No. 2, by electronic vote (116-0), and the bill is ordered enrolled and presented to the Governor by Special Message.

H.B. 1096 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO SAVE MONEY BY REPEALING A STATUTE REQUIRING LOCAL SCHOOL ADMINISTRATIVE UNITS, COMMUNITY COLLEGES, AND THE UNIVERSITY OF NORTH CAROLINA TO HAVE SEPARATE BIDS FOR JUICE AND WATER.

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

H.R. 1229, A HOUSE RESOLUTION TO ESTABLISH THE PROCEDURE FOR NOMINATING AND ELECTING A PERSON TO FILL A VACANCY ON THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA.

On motion of Representative T. Moore, the resolution is temporarily displaced.

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SPEAKER TILLIS PRESIDING.

CONFERENCE REPORTS

Representative Stam moves the adoption of the following Conference Report.

House Committee Substitute for S.B. 105

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 105, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTY FOR CERTAIN SECOND DEGREE MURDERS TO CLASS B1 FELONIES, House Committee Substitute Favorable 4/20/11, submit the following report:

The House and Senate agree to the following amendment to House Committee Substitute Favorable 4/20/11, Second Edition Engrossed 4/20/11, and the Senate concurs in the House Committee Substitute as amended:

Delete the entire House Committee Substitute Favorable 4/20/11, Second Edition Engrossed 4/20/11, and substitute the attached Proposed Conference Committee Substitute S105-PCCS35393-RK-7.

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

Date conferees approved report: June 25, 2012.

*Conferees for the
Senate*

S/ Buck Newton, Chair
S/ David Rouzer
S/ Edward W. Jones
S/ Warren Daniel
S/ Thom Goolsby

*Conferees for the
House of Representatives*

S/ Stam, Chair
S/ Dan W. Ingle
S/ John Faircloth
S/ Rick Glazier

The Conference Report, which changes the title, is adopted, by electronic vote (117-0), and the Senate is so notified by Special Message. (The text of the Conference Committee Substitute may be found in its entirety in the 2012 Session Laws, Chapter 165.)

June 26, 2012

Representative Howard moves the adoption of the following Conference Report.

House Committee Substitute for S.B. 828

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 828, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE UNEMPLOYMENT INSURANCE LAWS, House Committee Substitute Favorable 6/13/12 Fifth Edition Engrossed 6/19/12, submit the following report:

The Senate and House agree to the following amendment and the Senate concurs in House Committee Substitute Favorable 6/13/12 Fifth Edition Engrossed 6/19/12, as amended:

On page 2, lines 33 and 34, by rewriting the lines to read:

"SECTION 1.(f) To maintain the rule of law with respect to State and federal relations pertaining to employment security laws in North Carolina, any executive order issued by the Governor that purports to extend unemployment insurance benefits, whether those benefits will be paid from federal or State funds, is void ab initio, unless the executive order is issued upon authority that is conferred expressly by an act enacted by the General Assembly or granted specifically to the Governor by the Congress of the United States.

SECTION 1.(g) This section is effective when it becomes law and applies retroactively to January 1, 2012."

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

Date conferees approved report: June 25, 2012.

*Conferees for the
Senate*

S/ Bob Rucho, Chair
S/ Fletcher L. Hartsell, Jr.
S/ Harry Brown

*Conferees for the
House of Representatives*

S/ Julia C. Howard, Chair
S/ Mitchell S. Setzer
S/ Edgar V. Starnes

June 26, 2012

The Conference Report is adopted, by electronic vote (117-0), and the Senate is so notified by Special Message.

CALENDAR (continued)

S.B. 900, A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF SURF CITY.

On motion of the Speaker, the bill is temporarily displaced.

S.B. 901, A BILL TO BE ENTITLED AN ACT TO REMOVE THE CAP ON SATELLITE ANNEXATIONS FOR THE TOWN OF OCEAN ISLE BEACH, 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, Dockham, Dollar, Earle, Faircloth, Faison, Farmer-Butterfield, Fisher, Floyd, Folwell, Frye, Gill, Gillespie, Glazier, Goodman, Graham, Hackney, Hager, Haire, Hall, Hamilton, Harrison, Hastings, Hill, 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, Pittman, Pridgen, Randleman, Rapp, Ross, Sager, Saine, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Wainwright, Walend, E. Warren, H. Warren, Weiss, West, Wilkins, and Wray - 117.

Voting in the negative: None.

Excused absences: Representatives Hilton and Womble - 2.

S.B. 900, A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF SURF CITY, which was temporarily displaced, is before the Body.

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

June 26, 2012

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, Dockham, Dollar, Earle, Faircloth, Faison, Farmer-Butterfield, Fisher, Floyd, Folwell, Frye, Gill, Gillespie, Glazier, Goodman, Graham, Hackney, Hager, Haire, Hall, Hamilton, Harrison, Hastings, Hill, 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, Pittman, Pridgen, Randleman, Rapp, Ross, Sager, Saine, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Wainwright, Walend, E. Warren, H. Warren, Weiss, West, Wilkins, and Wray - 117.

Voting in the negative: None.

Excused absences: Representatives Hilton and Womble - 2.

S.B. 939 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT THE CITY OF FAYETTEVILLE TO DISCLOSE LIMITED PERSONNEL INFORMATION TO THE MEMBERS OF THE CITIZEN REVIEW BOARD TO FACILITATE ITS REVIEW OF POLICE DISCIPLINARY CASES.

On motion of Representative Glazier, the bill is withdrawn from the Calendar and re-referred to the Committee on Government.

S.B. 426 (House Committee Substitute), 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 AUTHORIZE A RESOLUTION ESTABLISHING A MUNICIPAL SERVICE DISTRICT TO BECOME EFFECTIVE UPON A DATE SPECIFIED IN THE RESOLUTION IF SPECIAL OBLIGATION BONDS ARE ANTICIPATED TO BE AUTHORIZED FOR A PROJECT, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in the House committee substitute bill by Special Message.

June 26, 2012

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, Dockham, Dollar, Earle, Faircloth, Faison, Farmer-Butterfield, Fisher, Floyd, Folwell, Frye, Gill, Gillespie, Glazier, Goodman, Graham, Hackney, Hager, Haire, Hall, Hamilton, Harrison, Hastings, Hill, 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, McGuiert, McLawhorn, Michaux, Mills, Mobley, Moffitt, T. Moore, Murry, Owens, Parfitt, Parmon, Pierce, Pittman, Pridgen, Randleman, Rapp, Ross, Sager, Saine, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Wainwright, Walend, E. Warren, H. Warren, Weiss, West, Wilkins, and Wray - 116.

Voting in the negative: None.

Excused absences: Representatives Hilton and Womble - 2.

S.B. 699 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE NAME OF THE DIVISION OF CRIMINAL INFORMATION; TO ALLOW THE DIVISION OF CRIMINAL INFORMATION TO PROMULGATE RULES FOR USAGE OF THE CRIMINAL INFORMATION NETWORK; TO ALLOW THE DIVISION OF CRIMINAL INFORMATION TO ASSESS FEES FOR SETUP, ACCESS TO, AND USE OF THE CRIMINAL INFORMATION NETWORK; TO RECODIFY THE EXISTING SUPERIOR COURT DISTRICTS USING 2010 GEOGRAPHY; AND TO ALLOW SHARING OF CONFIDENTIAL INVESTIGATORY INFORMATION BETWEEN THE STATE ETHICS COMMISSION AND THE LEGISLATIVE ETHICS COMMITTEE, passes its third reading, by electronic vote (116-0), and is ordered sent to the Senate for concurrence in the House committee substitute bill by Special Message.

S.B. 133 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ELIMINATE OBSOLETE PROVISIONS FROM, AND MAKE CLARIFYING CHANGES TO, THE LAWS GOVERNING PREPARATION AND STORAGE OF JURY LISTS.

Representative Spear offers Amendment No. 1 which is adopted by electronic vote (112-4). This amendment changes the title.

The bill, as amended, passes its second reading by electronic vote (117-0). The caption having been amended, the bill remains on the Calendar.

June 26, 2012

RE-REFERRALS

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 1104**, A BILL TO BE ENTITLED AN ACT TO CREATE A TAX CREDIT FOR CORPORATIONS MAKING DONATIONS TO FUND EDUCATION SCHOLARSHIPS, is withdrawn from the Committee on Education and re-referred to the Committee on Finance.

On motion of Representative T. Moore, pursuant to Rule 39.2 and without objection, **H.B. 959**, A BILL TO BE ENTITLED AN ACT TO FACILITATE THE TRANSFER OF UNUSED DEPARTMENT OF TRANSPORTATION LAND TO THE PRIVATE SECTOR BY STREAMLINING THE PROCESS OF SELLING THAT LAND, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON STATE-OWNED ASSETS, is withdrawn from the Committee on Transportation and re-referred to the Committee on Appropriations.

WITHDRAWAL OF BILLS FROM COMMITTEE

On motion of Representative T. Moore and without objection, **S.B. 755** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE EQUAL ACCESS ACT, 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 27.

On motion of Representative T. Moore and without objection, **H.B. 177** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO: (1) CREATE AN INTERAGENCY TASK FORCE TO STUDY THE FEASIBILITY AND DESIRABILITY OF ADVANCING THE USE OF ALTERNATIVE FUELS BY STATE AGENCIES AND THE DEVELOPMENT OF ASSOCIATED FUELING INFRASTRUCTURE; (2) ESTABLISH CRITERIA FOR THE OPERATION OF ELECTRIC VEHICLE CHARGING STATIONS LOCATED AT STATE-OWNED REST STOPS ALONG THE HIGHWAYS AND; (3) AMEND THE ENERGY JOBS ACT OF 2011 IF THE ENERGY JOBS ACT OF 2011 BECOMES LAW, is withdrawn from the Committee on Transportation and pursuant to Rule 36(b), is placed on the Calendar of June 27.

CALENDAR (continued)

S.B. 382 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE WATER AND SEWER SERVICE IN A DESIGNATED URBAN GROWTH AREA AND TO DELAY THE IMPLEMENTATION DEADLINE FOR LOCAL STORMWATER MANAGEMENT PROGRAMS UNDER THE JORDAN LAKE NEW DEVELOPMENT RULE.

June 26, 2012

Representative Blust offers Amendment No. 1 which is adopted by electronic vote (65-52).

Representative Luebke offers Amendment No. 2 which fails of adoption by (52-65).

The bill, as amended, passes its second reading by electronic vote (70-47).

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

SPECIAL MESSAGE FROM THE SENATE

2011 GENERAL ASSEMBLY SECOND SESSION 2012

Senate Chamber
June 26, 2012

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. 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, and requests conferees. The President *Pro Tempore* appoints:

Senator Brunstetter, Chair
Senator Goolsby
Senator Clodfelter
Senator Stein

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

Respectfully,
S/ Sarah Clapp
Principal Clerk

June 26, 2012

The Speaker appoints Representative Stevens, Chair; Representatives Jordan, Blackwell, and Glazier 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
SECOND SESSION 2012**

Senate Chamber
June 26, 2012

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. 647** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CREATION OF MUTUAL INSURANCE HOLDING COMPANIES, and requests conferees. The President *Pro Tempore* appoints:

Senator Rucho, Chair
Senator Apodaca
Senator Brown

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 Howard, Chair; Representatives Starnes, Dockham, and Brisson 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
SECOND SESSION 2012**

Senate Chamber
June 26, 2012

June 26, 2012

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. 828** (Conference Report), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE UNEMPLOYMENT INSURANCE LAWS.

When the appropriate action has been taken by both chambers, the bill will be ordered enrolled.

Respectfully,
S/ Sarah Clapp
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

The following Special Message is received from the Senate:

H.B. 552 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE GREATER ASHEVILLE REGIONAL AIRPORT AUTHORITY, TO REMOVE THE ASHEVILLE REGIONAL AIRPORT AND THE WESTERN NORTH CAROLINA AGRICULTURAL CENTER FROM THE ZONING JURISDICTION OF THE CITY OF ASHEVILLE, TO REQUIRE THE CITY OF ASHEVILLE TO CONVEY TO THE STATE OF NORTH CAROLINA ANY OF ITS RIGHT, TITLE, AND INTEREST TO THE WESTERN NORTH CAROLINA AGRICULTURAL CENTER, AND TO REMOVE THE WESTERN NORTH CAROLINA AGRICULTURAL CENTER FROM THE CORPORATE LIMITS OF THE CITY OF ASHEVILLE, 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 27.

Upon concurrence the Senate committee substitute bill changes the title.

The Speaker rules the Senate committee substitute bill to be material, thus constituting its first reading.

June 26, 2012

SPECIAL MESSAGE FROM THE SENATE**2011 GENERAL ASSEMBLY
SECOND SESSION 2012**

Senate Chamber
June 26, 2012

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that Senator Mansfield and Senator Apodaca have been added as conferees on **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.

Respectfully,
S/ Sarah Clapp
Principal Clerk

**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. 1077, A BILL TO BE ENTITLED AN ACT TO INCREASE PUBLIC-PRIVATE PARTNERSHIPS FOR TOLLING AND OTHER FINANCING METHODS ON TRANSPORTATION INFRASTRUCTURE PROJECTS, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, with a favorable report as to the committee substitute bill, unfavorable as to the original bill, 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.

June 26, 2012

CALENDAR (continued)

S.B. 803 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO ADMINISTRATION OF THE STATE RETIREMENT SYSTEMS.

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

Representative Hamilton offers Amendment No. 2.

Representative Hamilton withdraws Amendment No. 2.

The bill, as amended, passes its second reading by electronic vote (113-2).

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

S.B. 821 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO (1) DIRECT THE DIRECTOR OF THE DIVISION OF MARINE FISHERIES OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES, THE EXECUTIVE DIRECTOR OF THE WILDLIFE RESOURCES COMMISSION, AND THE DEPUTY SECRETARY FOR TRANSIT OF THE DEPARTMENT OF TRANSPORTATION TO JOINTLY STUDY FEES ASSOCIATED WITH THE ISSUANCE OF COASTAL FISHING LICENSES AND THE NUMBERING AND TITLING OF VESSELS; (2) DIRECT THE EXECUTIVE DIRECTOR OF THE WILDLIFE RESOURCES COMMISSION, THE DIRECTOR OF THE DIVISION OF MARINE FISHERIES OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES, AND THE COMMISSIONER OF AGRICULTURE TO JOINTLY STUDY THE REORGANIZATION OF FISHERIES MANAGEMENT IN THE STATE; (3) MAKE IT UNLAWFUL TO TAKE MENHADEN OR ATLANTIC THREAD HERRING WITH A PURSE SEINE NET DEPLOYED BY A MOTHER SHIP AND ONE OR MORE RUNNER BOATS IN COASTAL FISHING WATERS; (4) AMEND THE MARINE FISHERIES COMMISSION ADVISORY COMMITTEES; AND (5) PROVIDE THAT A SUPERMAJORITY OF THE MARINE FISHERIES COMMISSION IS REQUIRED TO OVERRIDE A RECOMMENDATION OF THE DIVISION OF MARINE FISHERIES REGARDING OVERFISHING OR REBUILDING OF FISH STOCKS, passes its second reading, by electronic vote (108-6), and there being no objection is read a third time.

June 26, 2012

Representative Cook requests and is granted leave of the House to change his vote from "no" to "aye". Representative Hall requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (110-5).

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

S.B. 951 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO TRANSFER THE CLEVELAND COUNTY CORRECTIONAL FACILITY TO CLEVELAND COMMUNITY COLLEGE AND TO AMEND THE DEFINITION OF A HISTORIC ABC ESTABLISHMENT.

Representative T. Moore offers Amendment No. 1 which is adopted by electronic vote (116-0). The amendment changes the title.

Representative Haire offers Amendment No. 2 which is adopted by electronic vote (108-5). The amendment changes the title.

The bill, as amended, passes its second reading, by electronic vote (113-3). The caption having been amended, the bill remains on the Calendar.

H.R. 1229, A HOUSE RESOLUTION TO ESTABLISH THE PROCEDURE FOR NOMINATING AND ELECTING A PERSON TO FILL A VACANCY ON THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA, which was temporarily displaced, is before the Body.

The resolution is adopted by electronic vote (116-0) and ordered printed.

BILL PLACED ON CALENDAR

On motion of Representative T. Moore and without objection, **S.B. 191** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN GOVERNANCE OF LOCAL MANAGEMENT ENTITIES WITH RESPECT TO THE IMPLEMENTATION OF STATE-WIDE EXPANSION OF THE 1915(B)/(C) MEDICAID WAIVER, is placed on the Calendar for immediate consideration.

Pursuant to Rule 24.1A, Representative Farmer-Butterfield requests that she be excused from voting on this bill because she works for a non-profit corporation that also serves as a corporate guardian for people with mental health developmental disabilities and substance abuse needs. This request is granted.

June 26, 2012

Representative Dollar offers Amendment No. 1 which is adopted by electronic vote (112-0).

The bill, as amended, passes its second reading, by electronic vote (112-0), 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 (113-0).

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

Representative T. Moore moves, seconded by Representative Saine, that the House adjourn, subject to the appointment of conferees, the ratification of bills, the receipt of Committee Reports, the receipt of Conference Reports, the receipt of Messages from the Senate, and the referral of bills to committees, to reconvene June 27 at 2:00 p.m.

The motion carries.

SPECIAL MESSAGES FROM THE SENATE

The following Special Messages are received from the Senate:

H.B. 1021 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY CERTAIN PROVISIONS OF THE JUSTICE REINVESTMENT ACT, is returned for concurrence in one Senate amendment and referred to Judiciary Subcommittee B.

H.B. 153 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT A PERSON WHO HAS BEEN CONVICTED OF A FELONY RELATED TO EMPLOYMENT OR HOLDING OFFICE FROM RECEIVING RETIREMENT BENEFITS FROM THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, THE CONSOLIDATED JUDICIAL RETIREMENT SYSTEM, THE LEGISLATIVE RETIREMENT SYSTEM, THE OPTIONAL RETIREMENT PROGRAM FOR THE UNIVERSITY OF NORTH CAROLINA, THE OPTIONAL RETIREMENT PROGRAM FOR STATE-FUNDED COMMUNITY COLLEGES, THE SUPPLEMENTAL RETIREMENT INCOME PLAN FOR STATE LAW-ENFORCEMENT OFFICERS, AND THE SUPPLEMENTAL RETIREMENT INCOME PLAN FOR LOCAL GOVERNMENTAL LAW-ENFORCEMENT OFFICERS, 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 June 27.

Upon concurrence the Senate committee substitute bill changes the title.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of the Chair and without objection, **S.B. 949** (Committee Substitute), A BILL TO BE ENTITLED AN ACT PROVIDING THAT THE TOWN OF BOONE SHALL NOT EXERCISE THE POWERS OF EXTRATERRITORIAL JURISDICTION, is withdrawn from the Calendar, pursuant to Rule 36(b), and referred to the Committee on Rules, Calendar, and Operations of the House.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following report from standing committee is presented:

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

S.B. 876, A BILL TO BE ENTITLED AN ACT TO REMOVE A CERTAIN DESCRIBED TRACT FROM THE CORPORATE LIMITS OF THE TOWN OF MOORESVILLE AT THE REQUEST OF THE TOWN BOARD OF COMMISSIONERS, 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 **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, to Judiciary Subcommittee B.

The House stands adjourned at 6:30 p.m.

June 26, 2012

ONE HUNDRED THIRTY-FOURTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, June 27, 2012

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

Prayer is offered by Representative Jimmy Dixon.

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

Leaves of absence are granted Representatives Hilton and Womble for today. Representatives Boles, Gillespie, Holloway, Lewis, and Stone are excused for a portion of the Session.

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

The towns of Bryson City, Franklin, Highlands and Webster submit to the NC General Assembly resolutions relating to amending the U.S. Constitution via congressional action to establish that corporations are not entitled to constitutional rights of natural persons and that money is not speech.

The resolutions will be on file in the House Principal Clerk's office.

ENROLLED BILLS

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

S.B. 94, AN ACT DELAYING THE EFFECTIVE DATE OF OPERATING STANDARDS SET BY THE 911 BOARD FOR PSAPS.

S.B. 661, AN ACT TO DIRECT THE STATE AUDITOR TO AUDIT THE ROANOKE ISLAND COMMISSION, INCLUDING FUNDS RECEIVED BY FRIENDS OF ELIZABETH II, INC.

S.B. 828, AN ACT TO MAKE CHANGES TO THE UNEMPLOYMENT INSURANCE LAWS.

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H.B. 605, AN ACT TO EXPAND THE DEFINITION OF LOCAL AGENCY FOR PURPOSES OF THE DEBT SETOFF COLLECTION ACT.

H.B. 964, AN ACT TO CREATE THE NORTH CAROLINA LONGITUDINAL DATA SYSTEM AND GOVERNING BOARD; AND TO PROVIDE THAT PRIVATE COLLEGES AND UNIVERSITIES, NON-PUBLIC SCHOOLS, AND THE NORTH CAROLINA INDEPENDENT COLLEGES AND UNIVERSITIES ARE NOT LIABLE FOR A BREACH OF CONFIDENTIALITY CAUSED BY THE ACT OR OMISSION OF A STATE AGENCY, LOCAL SCHOOL ADMINISTRATIVE UNIT, COMMUNITY COLLEGE, OR CONSTITUENT INSTITUTION OF THE UNIVERSITY OF NORTH CAROLINA.

H.B. 1096, AN ACT TO SAVE MONEY BY REPEALING A STATUTE REQUIRING LOCAL SCHOOL ADMINISTRATIVE UNITS, COMMUNITY COLLEGES, AND THE UNIVERSITY OF NORTH CAROLINA TO HAVE SEPARATE BIDS FOR JUICE AND WATER.

CHAPTERED BILLS

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

S.B. 919, AN ACT TO ALLOW THE CARTERET COUNTY BOARD OF COMMISSIONERS TO REDISTRIBUTE ITS RESIDENCY DISTRICTS FOR THE 2012 PRIMARY AND GENERAL ELECTIONS. (S.L. 2012-58)

S.B. 932, AN ACT AUTHORIZING UNION COUNTY TO CONSTRUCT LAW ENFORCEMENT AND HUMAN SERVICES FACILITIES USING DESIGN-BUILD DELIVERY METHODS. (S.L. 2012-59)

S.B. 934, AN ACT TO PERMIT THE LOWER CAPE FEAR WATER AND SEWER AUTHORITY TO UTILIZE THE DESIGN-BUILD METHOD OF CONSTRUCTION FOR A FOURTEEN-MILE PARALLEL WATER TRANSMISSION LINE WITHIN ITS SERVICE AREA. (S.L. 2012-60)

H.B. 1032, AN ACT REMOVING CERTAIN DESCRIBED NON-CONTIGUOUS PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF MORGANTON. (S.L. 2012-61)

H.B. 1088, AN ACT CONCERNING THE DIVISION BETWEEN GRAHAM AND SWAIN COUNTIES OF TVA PAYMENTS IN LIEU OF TAXES, AND CLARIFYING THE COMMON BOUNDARY BETWEEN THOSE COUNTIES. (S.L. 2012-62)

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H.B. 1138, AN ACT TO PERMIT THE COUNTY OF DAVIDSON TO UTILIZE THE DESIGN-BUILD METHOD OF CONSTRUCTION AND RENOVATION OF COUNTY BUILDINGS. (S.L. 2012-63)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

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

By Representative Dockham, Chair, for the Committee on Insurance:

S.B. 738 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT A PERSON THAT HOLDS CERTAIN ALCOHOLIC BEVERAGE CONTROL PERMITS HAVE AT LEAST ONE MILLION DOLLARS IN LIABILITY INSURANCE, 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) and without objection, the House committee substitute bill is placed on today's Supplemental Calendar. The Senate committee substitute 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. 1073, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PURPOSE OF THE UNIVERSITY OF NORTH CAROLINA HEALTH CARE SYSTEM, TO INCREASE THE AUTHORITY OF THE UNIVERSITY OF NORTH CAROLINA BOARD OF GOVERNORS TO GOVERN THE HEALTH CARE SYSTEM, TO REDUCE THE NUMBER AND CHANGE THE COMPOSITION OF THE MEMBERS OF THE BOARD OF DIRECTORS OF THE HEALTH CARE SYSTEM, TO INCREASE THE SYSTEM'S ACCOUNTABILITY AND TRANSPARENCY, TO CLARIFY ITS STATUS AS A STATE AGENCY, AND TO LIMIT FUTURE EXPANSION, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON STATE-OWNED ASSETS, 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.

June 27, 2012

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. 1021 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY CERTAIN PROVISIONS OF THE JUSTICE REINVESTMENT ACT, with recommendation that the House concur.

Pursuant to Rule 36(b) and without objection, the bill is placed on today's Supplemental Calendar.

S.B. 141 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE NEW FELONY FIRST-DEGREE TRESPASS OFFENSES, TO MAKE VARIOUS CHANGES REGARDING THE PROCEDURES FOR A MOTION FOR APPROPRIATE RELIEF, TO AMEND THE PROCEDURE FOR IMMEDIATE LICENSE REVOCATIONS FOR PROVISIONAL LICENSEES CHARGED WITH CERTAIN CRIMINAL MOVING VIOLATIONS, TO INCREASE THE BENCHMARK FOR PUBLICLY BIDDING LOTTERY COMMISSION CONTRACTS, TO MODIFY THE LOTTERY COMMISSION CONFLICT OF INTEREST PROVISIONS, AND TO CLARIFY THAT CERTAIN CHANGES TO PAYABLE ON DEATH CONTRACTS DID NOT CHANGE THE PROCEDURES FOR CREATING THOSE CONTRACTS, with a favorable report as to House Committee Substitute Bill No. 2, which changes the title, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(b) and without objection, House Committee Substitute Bill No. 2 is placed on today's Supplemental Calendar. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

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

H.B. 959, A BILL TO BE ENTITLED AN ACT TO FACILITATE THE TRANSFER OF UNUSED DEPARTMENT OF TRANSPORTATION LAND TO THE PRIVATE SECTOR BY STREAMLINING THE PROCESS OF SELLING THAT LAND, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON STATE-OWNED ASSETS, 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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S.B. 187 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE THE USE OF PHOTOGRAPHIC CAMERA SYSTEMS TO REGULATE TRAFFIC UNLAWFUL, 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) and without objection, the House committee substitute bill is placed on today's Supplemental Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representatives Current, Dollar, and Hollo, Chairs, for the Committee on Health and Human Services:

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

Pursuant to Rule 36(b) and without objection, the House committee substitute bill is placed on today's Supplemental Calendar. The original bill is placed on the Unfavorable Calendar.

CALENDAR

Action is taken on the following:

H.J.R. 1228, A JOINT RESOLUTION HONORING THE FOUNDERS OF THE TOWN OF EDENTON ON THE OCCASION OF THE TOWN'S THREE HUNDREDTH ANNIVERSARY, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

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 sent to the Senate by Special Message.

June 27, 2012

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced and read the first time:

By Representatives Martin, Lewis, and Ross (Primary Sponsors); and Glazier:

H.B. 1230, A BILL TO BE ENTITLED AN ACT TO ALTER THE REPORTING SCHEDULE FOR INDEPENDENT EXPENDITURES AND ELECTIONEERING COMMUNICATIONS TO PROVIDE INFORMATION IN A TIMELY FASHION, is referred to the Committee on Elections.

By Representatives Martin, Lewis, and Ross (Primary Sponsors); Farmer-Butterfield, Gill, and Glazier:

H.B. 1231, A BILL TO BE ENTITLED AN ACT TO REQUIRE ELECTRONIC FILING OF CERTAIN CAMPAIGN FINANCE REPORTS BY CANDIDATE CAMPAIGN COMMITTEES, is referred to the Committee on Elections.

SPEAKER TILLIS PRESIDING.

CALENDAR (continued)

H.B. 552 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE GREATER ASHEVILLE REGIONAL AIRPORT AUTHORITY, TO REMOVE THE ASHEVILLE REGIONAL AIRPORT AND THE WESTERN NORTH CAROLINA AGRICULTURAL CENTER FROM THE ZONING JURISDICTION OF THE CITY OF ASHEVILLE, TO REQUIRE THE CITY OF ASHEVILLE TO CONVEY TO THE STATE OF NORTH CAROLINA ANY OF ITS RIGHT, TITLE, AND INTEREST TO THE WESTERN NORTH CAROLINA AGRICULTURAL CENTER, AND TO REMOVE THE WESTERN NORTH CAROLINA AGRICULTURAL CENTER FROM THE CORPORATE LIMITS OF THE CITY OF ASHEVILLE.

On motion of Representative Moffitt, the House concurs in the material Senate committee substitute bill, which changes the title, on its second roll call reading, by the following vote, and the bill remains on the Calendar.

Those voting in the affirmative are: Representatives Avila, 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, Hager, Hastings,

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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, Pittman, Pridgen, Randleman, Sager, Saine, Samuelson, Sanderson, Setzer, Shepard, Stam, Starnes, Steen, Stevens, Stone, Torbett, Walend, H. Warren, and West - 68.

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, Hill, Insko, Jackson, Jeffus, Kever, Lucas, Luebke, Martin, McGuirt, McLawhorn, Michaux, Mobley, R. Moore, Owens, Parfitt, Parmon, Pierce, Rapp, Ross, Spear, Tolson, Wainwright, E. Warren, Weiss, Wilkins, and Wray - 49.

Excused absences: Representatives Hilton and Womble - 2.

H.B. 153 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT A PERSON WHO HAS BEEN CONVICTED OF A FELONY RELATED TO EMPLOYMENT OR HOLDING OFFICE FROM RECEIVING RETIREMENT BENEFITS FROM THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, THE CONSOLIDATED JUDICIAL RETIREMENT SYSTEM, THE LEGISLATIVE RETIREMENT SYSTEM, THE OPTIONAL RETIREMENT PROGRAM FOR THE UNIVERSITY OF NORTH CAROLINA, THE OPTIONAL RETIREMENT PROGRAM FOR STATE-FUNDED COMMUNITY COLLEGES, THE SUPPLEMENTAL RETIREMENT INCOME PLAN FOR STATE LAW-ENFORCEMENT OFFICERS, AND THE SUPPLEMENTAL RETIREMENT INCOME PLAN FOR LOCAL GOVERNMENTAL LAW-ENFORCEMENT OFFICERS.

On motion of the Speaker, the bill is temporarily displaced.

H.B. 177 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO: (1) CREATE AN INTERAGENCY TASK FORCE TO STUDY THE FEASIBILITY AND DESIRABILITY OF ADVANCING THE USE OF ALTERNATIVE FUELS BY STATE AGENCIES AND THE DEVELOPMENT OF ASSOCIATED FUELING INFRASTRUCTURE; (2) ESTABLISH CRITERIA FOR THE OPERATION OF ELECTRIC VEHICLE CHARGING STATIONS LOCATED AT STATE-OWNED REST STOPS ALONG THE HIGHWAYS AND; (3) AMEND THE ENERGY JOBS ACT OF 2011 IF THE ENERGY JOBS ACT OF 2011 BECOMES LAW.

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On motion of Representative Samuelson, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (83-33), and the bill is ordered enrolled and presented to the Governor by Special Message.

H.B. 244 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE STERLING MONTESSORI ACADEMY AND CHARTER SCHOOL, THE CASA ESPERANZA MONTESSORI CHARTER SCHOOL, AND KESTREL HEIGHTS SCHOOL TO ELECT TO PARTICIPATE IN THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES AND TO PROVIDE PROTECTIONS FOR WHISTLE-BLOWERS ALLEGING FRAUD OR OTHER MISCONDUCT RELATED TO THE STATE HEALTH PLAN.

On motion of Representative Murry, the House does not concur in the Senate committee substitute bill, by electronic vote (117-0), and conferees are requested.

The Speaker appoints Representative Murry, Chair; Representatives Dockham and Wray as conferees on the part of the House and the Senate is so notified by Special Message.

S.B. 836 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPROVE THE RATE-MAKING PROCESS BY REQUIRING THE DEPARTMENT OF INSURANCE TO ACCEPT PUBLIC COMMENT ON ALL PROPERTY INSURANCE RATE FILINGS, BY PROVIDING THE COMMISSIONER WITH THE POWER TO SPECIFY THE APPROPRIATE RATE LEVEL OR LEVELS BETWEEN THE CURRENT RATE AND THE FILED RATE UPON A FINDING THAT A RATE FILING DOES NOT COMPLY WITH APPLICABLE LAW, BY PROVIDING THAT THE COST OF REINSURANCE BE INCLUDED AS A FACTOR IN RATE MAKING AND REQUIRING CERTAIN SUPPORTING INFORMATION ON REINSURANCE COSTS IN A FILING, BY REQUIRING THAT THE RATE BUREAU CREATE A RATING PLAN FOR A PROPERTY INSURANCE POLICY THAT EXCLUDES COVERAGE FOR THE PERILS OF WINDSTORM AND HAIL, AND BY REQUIRING THAT THE RATE BUREAU AND THE DEPARTMENT OF INSURANCE STUDY THE FAIRNESS AND EFFICACY OF THE CURRENT PROPERTY INSURANCE GEOGRAPHIC RATE TERRITORIES, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON PROPERTY INSURANCE RATE MAKING.

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On motion of the Speaker, the bill is temporarily displaced.

**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. 910, A BILL TO BE ENTITLED AN ACT TO CREATE THE CRIMINAL OFFENSE OF UNLAWFUL SALE, SURRENDER, OR PURCHASE OF A CHILD; AND TO REQUIRE THE NORTH CAROLINA CONFERENCE OF DISTRICT ATTORNEYS TO CONDUCT A STUDY TO DETERMINE WHAT OTHER MEASURES MAY BE NEEDED TO STOP THIS TYPE OF CRIMINAL ACTIVITY, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the original bill.

Pursuant to Rule 36(b) and without objection, the House committee substitute bill is placed on today's 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. 1077 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE PUBLIC-PRIVATE PARTNERSHIPS FOR TOLLING AND OTHER FINANCING METHODS ON TRANSPORTATION INFRASTRUCTURE PROJECTS, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, with a favorable report as to Committee Substitute Bill No. 2, which changes the title, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(b) 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.

S.B. 231 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND THE STANDARDS REQUIRED FOR INCORPORATION OF A MUNICIPALITY, with a favorable report as to House Committee Substitute Bill No. 3, which changes the title, unfavorable as to House Committee Substitute Bill No. 2.

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Pursuant to Rule 36(b) and without objection, House Committee Substitute Bill No. 3 is placed on today's Supplemental Calendar. House Committee Substitute Bill No. 2 is placed on the Unfavorable Calendar.

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

Pursuant to Rule 36(b) and without objection, the House committee substitute bill is placed on today's Supplemental Calendar. The original bill is placed on the Unfavorable Calendar.

CONFERENCE REPORTS

Representative Stevens sends forth the Conference Report on **S.B. 42** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE PERSONS FURNISHING LABOR OR MATERIALS IN CONNECTION WITH CERTAIN IMPROVEMENTS TO REAL PROPERTY TO GIVE WRITTEN NOTICE TO THE DESIGNATED LIEN AGENT OF THE OWNER OF THE IMPROVED REAL PROPERTY TO PRESERVE THEIR LIEN RIGHTS. Without objection, the Conference Report is placed on today's Supplemental Calendar.

Representative Howard sends forth the Conference Report on **S.B. 647** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CREATION OF MUTUAL INSURANCE HOLDING COMPANIES AND TO CHANGE THE TIME PERIOD FOR FIRE CODE INSPECTIONS OF PUBLIC BUILDINGS. Without objection, the Conference Report is placed on today's Supplemental Calendar.

CALENDAR (continued)

S.B. 836 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPROVE THE RATE-MAKING PROCESS BY REQUIRING THE DEPARTMENT OF INSURANCE TO ACCEPT PUBLIC COMMENT ON ALL PROPERTY INSURANCE RATE FILINGS, BY PROVIDING THE COMMISSIONER WITH THE POWER TO SPECIFY THE APPROPRIATE RATE LEVEL OR LEVELS BETWEEN THE CURRENT RATE AND THE FILED RATE UPON A FINDING THAT A RATE FILING DOES NOT COMPLY WITH APPLICABLE LAW, BY PROVIDING

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THAT THE COST OF REINSURANCE BE INCLUDED AS A FACTOR IN RATE MAKING AND REQUIRING CERTAIN SUPPORTING INFORMATION ON REINSURANCE COSTS IN A FILING, BY REQUIRING THAT THE RATE BUREAU CREATE A RATING PLAN FOR A PROPERTY INSURANCE POLICY THAT EXCLUDES COVERAGE FOR THE PERILS OF WINDSTORM AND HAIL, AND BY REQUIRING THAT THE RATE BUREAU AND THE DEPARTMENT OF INSURANCE STUDY THE FAIRNESS AND EFFICACY OF THE CURRENT PROPERTY INSURANCE GEOGRAPHIC RATE TERRITORIES, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON PROPERTY INSURANCE RATE MAKING, which was temporarily displaced, is before the Body.

The bill passes its second reading, by electronic vote (111-1), and there being no objection is read a third time.

Representatives Blust, McGee, and Stone request and are granted leave of the House to be recorded as voting "aye". The adjusted vote total is (114-1).

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

S.B. 900, A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF SURF CITY, 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, 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, Hackney, Haire, Hall, Hamilton, Harrison, Hastings, Hill, 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, Murry, Owens, Parfitt, Parmon, Pierce, Pittman, Pridgen, Randleman, Rapp, Ross, Sager, Saine, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Wainwright, Walend, E. Warren, H. Warren, Weiss, West, Wilkins, and Wray - 115.

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Voting in the negative: None.

Excused absences: Representatives Hilton and Womble - 2.

S.B. 901, A BILL TO BE ENTITLED AN ACT TO REMOVE THE CAP ON SATELLITE ANNEXATIONS FOR THE TOWN OF OCEAN ISLE BEACH, 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, 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, Hackney, Haire, Hall, Hamilton, Harrison, Hastings, Hill, 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, Pittman, Pridgen, Randleman, Rapp, Ross, Sager, Saine, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Wainwright, Walend, E. Warren, H. Warren, Weiss, West, Wilkins, and Wray - 116.

Voting in the negative: None.

Excused absences: Representatives Hilton and Womble - 2.

H.B. 994 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT THE COUNTY OF ROCKINGHAM TO USE DESIGN-BUILD DELIVERY METHODS, 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.

SPECIAL MESSAGE FROM THE SENATE

The following Special Message is received from the Senate:

S.J.R. 960, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF ROBERT G. "BOB" SHAW, FORMER MEMBER OF THE GENERAL ASSEMBLY, is read the first time.

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

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.

CALENDAR (continued)

S.B. 848, A BILL TO BE ENTITLED AN ACT INCORPORATING ADDITIONAL BASES FOR MAKING ASSESSMENTS UNDER THE CHARTER OF THE CITY OF DURHAM IN THE CASE OF BOTH PETITIONED AND NON-PETITIONED ASSESSMENTS, 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. 133 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ELIMINATE OBSOLETE PROVISIONS FROM, AND MAKE CLARIFYING CHANGES TO, THE LAWS GOVERNING PREPARATION AND STORAGE OF JURY LISTS, AND TO EXEMPT PERSONS WHO HAVE BEEN LAWFULLY SUMMONED FOR JURY SERVICE FROM PAYING FERRY TOLLS TO TRAVEL TO AND FROM THEIR HOMES AND THE SITE OF THAT SERVICE.

Representative Ross offers Amendment No. 2 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 for concurrence in the House committee substitute bill by Special Message.

S.B. 382 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE WATER AND SEWER SERVICE IN A DESIGNATED URBAN GROWTH AREA AND TO DELAY THE IMPLEMENTATION DEADLINE FOR LOCAL STORMWATER MANAGEMENT PROGRAMS UNDER THE JORDAN LAKE NEW DEVELOPMENT RULE.

Representative T. Moore calls the previous question on the passage of the bill and the call is sustained by electronic vote (64-50).

Representative Hamilton requests and is granted leave of the House to be recorded as voting "no". The adjusted vote total is (64-51).

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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 for concurrence in the House committee substitute bill by Special Message.

S.B. 803 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO ADMINISTRATION OF THE STATE RETIREMENT SYSTEMS.

Representative Moffitt offers Amendment No. 3 which is adopted by electronic vote (117-0).

The bill, as amended, passes its third reading, by electronic vote (116-1), and is ordered engrossed and sent to the Senate for concurrence in the House committee substitute bill by Special Message.

S.B. 951 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO TRANSFER THE CLEVELAND COUNTY CORRECTIONAL FACILITY TO CLEVELAND COMMUNITY COLLEGE AND TO TRANSFER THE HAYWOOD CORRECTIONAL CENTER TO THE HAYWOOD COUNTY BOARD OF COMMISSIONERS.

The bill, as amended, passes its third reading, by electronic vote (117-0), and is ordered engrossed and sent to the Senate for concurrence in the House committee substitute bill by Special Message.

H.B. 1179 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE STATE TO TERMINATE ITS LEASE OF THE INDIAN CULTURAL CENTER PROPERTY AND THE RIVERSIDE GOLF COURSE PROPERTY AND TO DIRECT THE PROGRAM EVALUATION DIVISION TO STUDY THE OPTIONS FOR THE DISPOSITION OF THE PROPERTIES.

Representative Howard offers Amendment No. 1.

On motion of the Speaker, the bill, with Amendment No. 1 pending, is temporarily displaced.

S.B. 755 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE EQUAL ACCESS ACT, passes its second reading by electronic vote (113-1).

Representative Adams requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (114-1).

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

SPECIAL MESSAGE FROM THE SENATE

**2011 GENERAL ASSEMBLY
SECOND SESSION 2012**

Senate Chamber
June 27, 2012

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. 105** (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTY FOR CERTAIN SECOND DEGREE MURDERS TO CLASS B1 FELONIES, AND CREATE A GRADUATED SCALE OF PENALTIES FOR DEATHS CAUSED BY DRIVING WHILE IMPAIRED.

When the appropriate action has been taken by both chambers, the bill will be ordered enrolled.

Respectfully,
S/ Sarah Clapp
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

The following Special Message is received from the Senate:

H.B. 1181 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE REVENUE LAWS STUDY COMMITTEE TO STUDY WHETHER MUNICIPALITIES SHOULD HAVE THE AUTHORITY TO LEVY A LOCAL OPTION SALES TAX FOR BEACH NOURISHMENT AND TO STUDY THE TAXATION AND VALUATION OF LEASEHOLD INTERESTS IN EXEMPT REAL PROPERTY, is returned for concurrence in one Senate amendment.

Pursuant to Rule 36(b) and without objection, the bill is placed on today's Supplemental Calendar.

Upon concurrence the Senate amendment changes the title.

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CALENDAR (continued)

H.B. 153 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT A PERSON WHO HAS BEEN CONVICTED OF A FELONY RELATED TO EMPLOYMENT OR HOLDING OFFICE FROM RECEIVING RETIREMENT BENEFITS FROM THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, THE CONSOLIDATED JUDICIAL RETIREMENT SYSTEM, THE LEGISLATIVE RETIREMENT SYSTEM, THE OPTIONAL RETIREMENT PROGRAM FOR THE UNIVERSITY OF NORTH CAROLINA, THE OPTIONAL RETIREMENT PROGRAM FOR STATE-FUNDED COMMUNITY COLLEGES, THE SUPPLEMENTAL RETIREMENT INCOME PLAN FOR STATE LAW-ENFORCEMENT OFFICERS, AND THE SUPPLEMENTAL RETIREMENT INCOME PLAN FOR LOCAL GOVERNMENTAL LAW-ENFORCEMENT OFFICERS.

On motion of the Chair and without objection, the bill is withdrawn from the Calendar and re-referred to the Committee on State Personnel.

WITHDRAWAL OF BILL FROM COMMITTEE

On motion of Representative T. Moore and without objection, **H.B. 737** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE LAWS REGARDING THE SAFETY OF CHILDREN IN CHILD CARE FACILITIES, is withdrawn from Judiciary Subcommittee C and pursuant to Rule 36(b) and without objection, is placed on today's Supplemental Calendar.

On motion of the Speaker, the House recesses at 4:35 p.m.

RECESS

The House reconvenes pursuant to recess and is called to order by Representative Burr.

CALENDAR (continued)

H.B. 737 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE LAWS REGARDING THE SAFETY OF CHILDREN IN CHILD CARE FACILITIES.

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On motion of Representative Samuelson, the House concurs in the Senate committee substitute bill, by electronic vote (102-0), and the bill is ordered enrolled and presented to the Governor by Special Message.

Representative Cook requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (103-0).

H.B. 1021 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY CERTAIN PROVISIONS OF THE JUSTICE REINVESTMENT ACT.

On motion of Representative Stam, the House concurs in Senate Amendment No. 1, by electronic vote (69-43), and the bill is ordered enrolled and presented to the Governor by Special Message.

Representative Brandon requests and is granted leave of the House to change his vote from "aye" to "no". The adjusted vote total is (68-44).

H.B. 1181 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE REVENUE LAWS STUDY COMMITTEE TO STUDY WHETHER MUNICIPALITIES SHOULD HAVE THE AUTHORITY TO LEVY A LOCAL OPTION SALES TAX FOR BEACH NOURISHMENT.

On motion of Representative McElraft, the House concurs in Senate Amendment No. 1, which changes the title, by electronic vote (109-5), and the bill is ordered enrolled and presented to the Governor by Special Message.

CONFERENCE REPORTS

Representative Stevens moves the adoption of the following Conference Report.

House Committee Substitute for S.B. 42

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 42, A BILL TO BE ENTITLED AN ACT TO REQUIRE PERSONS FURNISHING LABOR OR MATERIALS IN CONNECTION WITH CERTAIN IMPROVEMENTS TO REAL PROPERTY TO GIVE WRITTEN NOTICE TO THE DESIGNATED LIEN AGENT OF THE OWNER OF THE IMPROVED

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REAL PROPERTY TO PRESERVE THEIR LIEN RIGHTS, House Committee Substitute Favorable 6/20/12, Fourth Edition Engrossed 6/21/12, submit the following report:

The Senate and the House agree to the following amendments and the Senate concurs in House Committee Substitute Favorable 6/20/12, Fourth Edition Engrossed 6/21/12, as amended:

On page 1, line 26, by rewriting the line to read:

"time the owner first contracts with any person to improve the real property. Provided, however, that the owner is not required to designate a lien agent for improvements to an existing single-family residential dwelling unit as defined in G.S. 87-15.5(7) that is used by the owner as a residence. The owner shall"; and

on page 2, line 14, by rewriting the line to read:

"requested information from the owner relating to the predecessor lien agent."; and

on page 2, lines 47-50, by rewriting the lines to read:

"designated by the owner. This notice shall be given pursuant to subsection (f) of this section or may be given by including the lien agent contact information in a written subcontract entered into by, or a written purchase order issued to, the lower-tier subcontractor entitled to the notice required by this subsection. Any contractor or subcontractor who has previously received notice of the lien agent contact information, whether from the building permit, the inspections office, a notice from the owner, contractor or subcontractor, or by any other means, and who fails to provide the lien agent contact information to the lower-tier subcontractor in the time required under this subsection, shall be liable to the lower tier subcontractor for any actual damages incurred by the lower-tier subcontractor as a result of the failure to give notice."; and

on page 3, line 29, by deleting the words "subsections (1) through (4)" and substituting the words "subsections (1) through (3)"; and

on page 3, lines 32-33, by inserting the following new subsection between the lines:

"(g1) When a lien agent is not identified in a contract for improvements to real property subject to G.S. 44A-11.1 entered into between an owner and a design professional, the design professional will be deemed to have met the requirement of notice under subsections (k) and (l) of this section on the date of the lien agent's receipt of the owner's designation of the lien agent. The owner shall provide written notice to the lien agent containing the information pertaining to the design professional required in a notice to lien agent pursuant to subdivisions (1) through (3) of

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subsection (h) of this section, by any method of delivery authorized in subsection (f) of this section. The lien agent shall include the design professional in its response to any persons requesting information relating to persons who have given notice to the lien agent pursuant to this section. For purposes of this subsection, the term "design professional" shall mean any architects, engineers, land surveyors and landscape architects registered under Chapter 83A, 89A or 89C of the General Statutes."; and

on page 5, line 9, by rewriting the line to read:

"State that consents to serve as a lien agent upon designation by any owner pursuant to G.S. 44A-11.1 shall register with the "; and

on page 5, line 23, by rewriting the line to read:

"(2) Receive notices to lien agent delivered by potential lien claimants pursuant to G.S. 44A-11.2 and copies of notices of claim of lien upon funds delivered by potential lien claimants pursuant to G.S. 44A-23(a1)(3) or G.S. 44A-23(b)(5)c."; and

on page 5, line 31, by rewriting the line to read:

"lien agent. If the notice is received by email, the acknowledgment sent by the lien agent must include the email received, including the header showing the date and time of receipt."; and

On page 6, line 10, by rewriting the line to read:

"G.S. 44A-11.1(d)."; and

On page 6, line 36, by rewriting the line to read:

"other than improvements to an existing single-family residential dwelling unit as defined in G.S. 87-15.5(7) that the applicant uses as a residence, shall be required to provide to the building inspector or other authority the";
and

on page 6, line 50, by rewriting the line to read:

"section where the cost of the work is thirty thousand dollars (\$30,000) or more, other than for improvements to an existing single-family residential dwelling unit as defined in G.S. 87-15.5(7) that the applicant uses as a residence, unless the name."; and

On page 7, line 16, by rewriting the line to read:

"section where the cost of the work is thirty thousand dollars (\$30,000) or more, other than for improvements to an existing single-family residential dwelling unit as defined in G.S. 87-15.5(7) that the applicant uses as a residence, unless the name."; and

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On page 7, lines 22-23, by inserting the following new section between those lines:

"SECTION 6.1. G.S. 44A-23 is amended to read as follows:

"§ 44A-23. Contractor's claim of lien on real property; perfection of subrogation rights of subcontractor.

(a) First tier subcontractor. – A first tier subcontractor, who gives notice of claim of lien upon funds as provided in this Article, may, to the extent of this claim, enforce the claim of lien on real property of the contractor created by Part 1 of this Article. The manner of such enforcement shall be as provided by G.S. 44A-7 through 44A-16. The claim of lien on real property is perfected as of the time set forth in G.S. 44A-10 upon filing of the claim of lien on real property pursuant to G.S. 44A-12. ~~Upon the filing of the claim of lien on real property, with the notice of claim of lien upon funds attached, and the commencement of the action, no~~

(a1) No action of the contractor shall be effective to prejudice the rights of the subcontractor without his written consent, upon the occurrence of all of the following:

- (1) The subcontractor has given notice to the lien agent, if any, designated by the owner, pursuant to G.S. 44A-11.2.
- (2) The subcontractor has served a notice of claim of lien upon funds upon the owner pursuant to G.S. 44A-19(d).
- (3) The subcontractor has delivered a copy of the notice of claim of lien upon funds served upon the owner to the lien agent, if any, designated by the owner, by any method authorized in G.S. 44A-11.2(f).

(b) Second or third subcontractor. –

- (1) A second or third tier subcontractor, who gives notice of claim of lien upon funds as provided in this Article, may, to the extent of his claim, enforce the claim of lien on real property of the contractor created by Part 1 of Article 2 of the Chapter except when:
 - a. The contractor, within 30 days following the date the building permit is issued for the improvement of the real property involved, posts on the property in a visible location adjacent to the posted building permit and files in the office of the clerk of superior court in each county wherein the real property to be improved is located, a completed and signed notice of contract form and the second or third tier subcontractor fails to serve upon the contractor a completed and signed notice of subcontract form by the same means of service as described in G.S. 44A-19(d); or

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b. After the posting and filing of a signed notice of contract and the service upon the contractor of a signed notice of subcontract, the contractor serves upon the second or third tier subcontractor, within five days following each subsequent payment, by the same means of service as described in G.S. 44A-19(d), the written notice of payment setting forth the date of payment and the period for which payment is made as requested in the notice of subcontract form set forth herein.

(2) The form of the notice of contract to be so utilized under this section shall be substantially as follows and the fee for filing the same with the clerk of superior court shall be the same as charged for filing a claim of lien on real property:

"NOTICE OF CONTRACT

"(1) Name and address of the Contractor:

"(2) Name and address of the owner of the real property at the time this Notice of Contract is recorded:

"(3) General description of the real property to be improved (street address, tax map lot and block number, reference to recorded instrument, or any other description that reasonably identifies the real property):

"(4) Name and address of the person, firm or corporation filing this Notice of Contract:

"Dated: _____

"Contractor

"Filed this the ____ day of _____, ____.

Clerk of Superior Court"

(3) The form of the notice of subcontract to be so utilized under this section shall be substantially as follows:

"NOTICE OF SUBCONTRACT

"(1) Name and address of the subcontractor:

"(2) General description of the real property where the labor was performed or the material was furnished (street address, tax map lot and block number, reference to recorded instrument, or any description that reasonably identifies the real property):

"(3)

"(i) General description of the subcontractor's contract, including the names of the parties thereto:

"(ii) General description of the labor and material performed and furnished thereunder:

"(4) Request is hereby made by the undersigned subcontractor that he be notified in writing by the contractor of, and within five days following, each subsequent payment by the contractor to the first tier subcontractor for labor performed or material furnished at the improved real property within the above descriptions of such in paragraph (2) and subparagraph (3)(ii), respectively, the date payment was made and the period for which payment is made.

"Dated: _____

Subcontractor"

- (4) The manner of such enforcement shall be as provided by G.S. 44A-7 through G.S. 44A-16. The lien is perfected as of the time set forth in G.S. 44A-10 upon the filing of a claim of lien on real property pursuant to G.S. 44A-12. ~~Upon the filing of the claim of lien on real property, with the notice of claim of lien upon funds attached, and the commencement of the action,~~
no
- (5) No action of the contractor shall be effective to prejudice the rights of the second or third tier subcontractor without his written consent, upon the occurrence of all of the following:
- a. The second or third tier subcontractor has given notice to the lien agent, if any, designated by the owner, pursuant to G.S. 44A-11.2.
 - b. The second or third tier subcontractor has served a notice of claim of lien upon funds upon the owner pursuant to G.S. 44A-19(d).
 - c. The second or third tier subcontractor has delivered a copy of the notice of claim of lien upon funds served upon the owner to the lien agent, if any, designated by the owner, by any method authorized in G.S. 44A-11.2(f)."

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

June 27, 2012

Date conferees approved report: June 27, 2012.

*Conferees for the
Senate*

S/ Peter S. Brunstetter, Chair
S/ Thom Goolsby
S/ Daniel G. Clodfelter
S/ Josh Stein
S/ Eric Mansfield
S/ Tom Apodaca

*Conferees for the
House of Representatives*

S/ Sarah Stevens, Chair
S/ Jonathan C. Jordan
S/ Hugh A. Blackwell
S/ Rick Glazier

The Conference Report is adopted, by electronic vote (111-3), and the Senate is so notified by Special Message.

SPEAKER TILLIS PRESIDING.

Representative Dockham moves the adoption of the following Conference Report.

House Committee Substitute for S.B. 647

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 647, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CREATION OF MUTUAL INSURANCE HOLDING COMPANIES AND TO CHANGE THE TIME PERIOD FOR FIRE CODE INSPECTIONS OF PUBLIC BUILDINGS, House Committee Substitute Favorable 6/19/12, submit the following report:

The House and Senate agree to the following amendment to the House Committee Substitute Favorable 6/19/12, and the Senate concurs in the House Committee Substitute as amended:

On page 7, line 21, by rewriting the line to read:

"provided in this Part. Mutual insurance holding companies' investments in subsidiaries, including intermediate holding companies, shall not be subject to any of the restrictions on investment activities set forth in G.S. 58-19-10."

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

Date conferees approved report: June 27, 2012.

*Conferees for the
Senate*

S/ Bob Rucho, Chair
S/ Apodaca
S/ Harry Brown

*Conferees for the
House of Representatives*

S/ Julia Howard, Chair
S/ Edgar V. Starnes
S/ Jerry Dockham
S/ William Brisson

The Conference Report is adopted, by electronic vote (114-0), and the Senate is so notified by Special Message.

CALENDAR (continued)

H.B. 1077 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PILOT PROJECT FOR TOLLING THE I-77 HIGH OCCUPANCY TOLL PROJECT, 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, Bell, Blackwell, Blust, Bordsen, Bradley, 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, Glazier, Goodman, Graham, Hackney, Hager, Haire, Hall, Hamilton, Hill, Hollo, Horn, Howard, Hurley, Iler, Ingle, Insko, 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, Parmon, Pierce, Pridgen, Randleman, Rapp, Ross, Sager, Saine, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Tolson, Torbett, Wainwright, Walend, E. Warren, H. Warren, Weiss, West, Wilkins, and Wray - 106.

Voting in the negative: Representatives Brandon, Cleveland, Harrison, Hastings, Holloway, Jackson, Luebke, and Pittman - 8.

Excused absences: Representatives Boles, Gillespie, Hilton, Stone, and Womble - 5.

H.B. 959, A BILL TO BE ENTITLED AN ACT TO FACILITATE THE TRANSFER OF UNUSED DEPARTMENT OF TRANSPORTATION LAND

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TO THE PRIVATE SECTOR BY STREAMLINING THE PROCESS OF SELLING THAT LAND, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON STATE-OWNED ASSETS, 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 by Special Message.

H.B. 1073 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE COMPOSITION AND APPOINTMENT PROCESS FOR MEMBERS OF THE BOARD OF DIRECTORS OF THE UNIVERSITY OF NORTH CAROLINA HEALTH CARE SYSTEM, passes its second reading, by electronic vote (111-2), and there being no objection is read a third time.

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

WITHDRAWAL OF OBJECTION TO THIRD READING

Representative Holloway withdraws his objection to the third reading of **S.B. 755** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE EQUAL ACCESS ACT, and the bill is before the Body.

The bill passes its third reading, by electronic vote (113-1), and is ordered sent to the Senate for concurrence in the House committee substitute bill by Special Message.

CALENDAR (continued)

S.B. 141 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO CREATE NEW FIRST DEGREE TRESPASS OFFENSES, TO MAKE VARIOUS CHANGES REGARDING THE PROCEDURES FOR A MOTION FOR APPROPRIATE RELIEF, TO AMEND THE PROCEDURE FOR IMMEDIATE LICENSE REVOCATIONS FOR PROVISIONAL LICENSEES CHARGED WITH CERTAIN CRIMINAL MOVING VIOLATIONS, TO CLARIFY THAT CERTAIN CHANGES TO PAYABLE ON DEATH CONTRACTS DID NOT CHANGE THE PROCEDURES FOR CREATING THOSE CONTRACTS, TO ESTABLISH A RESEARCH AND PLANNING SECTION WITHIN THE DEPARTMENT OF PUBLIC SAFETY, TO REQUIRE THE DEPARTMENT OF PUBLIC SAFETY TO DESIGNATE ITS RESEARCH AND PLANNING SECTION AS THE SINGLE STATE AGENCY RESPONSIBLE FOR THE COORDINATION AND IMPLEMENTATION OF REENTRY POLICY

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INITIATIVES, TO DIRECT THE DEPARTMENT OF PUBLIC SAFETY TO CONTINUE ITS EFFORTS TO ASSIST OFFENDERS IN SUCCESSFULLY REENTERING SOCIETY, AND TO EXTEND THE TIME FOR LOCAL FORENSIC SCIENCE LABS TO OBTAIN ACCREDITATION.

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

The bill passes its second reading by electronic vote (111-1).

Representatives Blackwell and Rapp request and are granted leave of the House to be recorded as voting "aye". The adjusted vote total is (113-1).

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

S.B. 187 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL, CLARIFYING, AND OTHER MODIFICATIONS TO THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACTS.

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

Representative Dollar offers Amendment No. 2.

On motion of Representative Dollar, the amendment is temporarily displaced.

Representative Ross offers Amendment No. 3.

Representative Lewis objects to the consideration of Amendment No. 3 sent forth by Representative Ross. The consideration of Amendment No. 3 is rejected by electronic vote (64-48).

Representative Hastings requests and is granted leave of the House to be recorded as voting "aye". Representative Haire requests and is granted leave of the House to be recorded as voting "no". The adjusted vote total is (65-49).

Amendment No. 2, which was temporarily displaced, is before the Body. Amendment No. 2 is adopted by electronic vote (99-15).

The bill, as amended, passes its second reading by electronic vote (106-8).

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Representative Hackney objects to the third reading. The bill is ordered engrossed and remains on the Calendar.

S.B. 231 (House Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE HOUSE SELECT STUDY COMMITTEE ON MUNICIPAL INCORPORATIONS, EXTRATERRITORIAL JURISDICTION, AND MUNICIPAL SERVICES, 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 for concurrence in House Committee Substitute Bill No. 3 by Special Message.

S.B. 399 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STUDY CERTAIN ISSUES PERTAINING TO THE ECOSYSTEM ENHANCEMENT PROGRAM, passes its second reading, by electronic vote (112-2), and there being no objection is read a third time.

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

S.B. 655 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT DENTIST AGREEMENTS WITH MANAGEMENT COMPANIES CONFORM WITH THE DENTAL PRACTICE ACT AND TO ESTABLISH A TASK FORCE ON DENTAL MANAGEMENT ARRANGEMENT RULES.

Representative Samuelson offers Amendment No. 1 which is adopted by electronic vote (112-0).

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 for concurrence in the House committee substitute bill by Special Message.

S.B. 738 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE PRE-LICENSING AND CONTINUING EDUCATION OF BAIL BONDSMEN AND RUNNERS.

Pursuant to Rule 24.1A, Representative Burr requests that he be excused from voting on this bill because he is a member of the North Carolina Bail Agents Association. Representative T. Moore requests that he be excused from voting on this bill because he is a former attorney for the North Carolina Bail Agents Association. These requests are granted.

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The bill 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 by Special Message.

S.B. 910 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE CRIMINAL OFFENSE OF UNLAWFUL SALE, SURRENDER, OR PURCHASE OF A MINOR; TO REQUIRE THE NORTH CAROLINA CONFERENCE OF DISTRICT ATTORNEYS TO CONDUCT A STUDY TO DETERMINE WHAT OTHER MEASURES MAY BE NEEDED TO STOP THIS TYPE OF CRIMINAL ACTIVITY; TO CLARIFY WHEN, TO WHOM, AND UNDER WHAT CIRCUMSTANCES THE IDENTITY OF A PERSON REPORTING CHILD ABUSE OR NEGLECT MAY BE RELEASED; TO CLARIFY 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; AND TO EXPAND THE LIST OF FELONIES FOR WHICH A DNA SAMPLE SHALL BE TAKEN UPON ARREST.

Representative Stam offers Amendment No. 1 which is adopted by electronic vote (109-2).

The bill, as amended, passes its second reading by electronic vote (108-2).

Representatives Earle and Farmer-Butterfield request and are granted leave of the House to change their votes from "no" to "aye". Representative Insko requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (111-0).

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

H.B. 1179 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE STATE TO TERMINATE ITS LEASE OF THE INDIAN CULTURAL CENTER PROPERTY AND THE RIVERSIDE GOLF COURSE PROPERTY AND TO DIRECT THE PROGRAM EVALUATION DIVISION TO STUDY THE OPTIONS FOR THE DISPOSITION OF THE PROPERTIES, which was temporarily displaced, with Amendment No. 1 pending, is before the Body.

Amendment No. 1 is adopted by electronic vote (104-7).

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Representative McGrady requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (105-7).

The bill, as amended, passes its second reading by electronic vote (111-1).

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

SPECIAL MESSAGE FROM THE SENATE

2011 GENERAL ASSEMBLY SECOND SESSION 2012

Senate Chamber
June 27, 2012

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. 525** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STREAMLINE DUPLICATE OVERSIGHT OF CERTAIN DHHS SERVICE PROVIDERS, and requests conferees. The President *Pro Tempore* appoints:

Senator Tucker, Chair
Senator Pate
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 Dollar, Chair; Representatives Steen, Hurley, and Brisson as conferees on the part of the House and the Senate is so notified by Special Message.

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SPECIAL MESSAGE FROM THE SENATE**2011 GENERAL ASSEMBLY
SECOND SESSION 2012**

Senate Chamber
June 27, 2012

Mr. Speaker:

Pursuant to your message received on June 26, 2012, that the House of Representatives fails to concur in the Senate Committee Substitute to **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, and requests conferees, the President *Pro Tempore* appoints:

Senator Daniel, Chair
Senator Allran
Senator Newton
Senator Brown

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

MESSAGES FROM THE SENATE

The following are received from the Senate:

H.B. 203 (Senate Committee Substitute), 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; TO MAKE IT A CLASS I FELONY TO SIMULATE COURT PROCESS IN CONNECTION WITH THE COLLECTION OF A CLAIM, DEMAND,

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OR ACCOUNT, TO KNOWINGLY FILE A FALSE LIEN OR ENCUMBRANCE AGAINST THE REAL OR PERSONAL PROPERTY OF A PUBLIC OFFICER OR PUBLIC EMPLOYEE, OR TO FILE A FALSE SECURITY INSTRUMENT; AND TO PROVIDE THAT IT IS A VIOLATION OF THE RESIDENTIAL MORTGAGE FRAUD ACT FOR A PERSON TO KNOWINGLY FILE A DOCUMENT FALSELY CLAIMING THAT A MORTGAGE LOAN HAS BEEN SATISFIED OR DISCHARGED, 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 28.

Upon concurrence the Senate committee substitute bill changes the title.

H.B. 956 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT RELATING TO THE USE OF OPEN SPACE FUNDS FOR JOHNSTON COUNTY, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of June 28.

H.B. 1074 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE STATUTES GOVERNING THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, AND THE DISABILITY INCOME PLAN OF NORTH CAROLINA TO PROVIDE PROTECTION AND REMEDIES FOR REPORTING VIOLATIONS OF RETIREMENT LAW; TO ESTABLISH GUIDELINES FOR FRAUD INVESTIGATIONS THAT WILL ENHANCE THE DEPARTMENT OF STATE TREASURER'S CAPABILITY TO PREVENT AND DETECT FRAUD, WASTE, AND ABUSE; TO MAKE IT A CLASS 1 MISDEMEANOR TO FRAUDULENTLY RECEIVE A DECEDENT'S MONTHLY DISABILITY BENEFIT; AND TO CLARIFY THE APPOINTMENT OF THE MEDICAL BOARD, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of June 28.

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H.B. 1200 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE PROVISIONS OF THE WINSTON-SALEM FIREMEN'S RETIREMENT FUND AND TO REPEAL THE PROVISIONS ESTABLISHING THE NEW BERN FIREMEN'S SUPPLEMENTAL RETIREMENT FUND, 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 28.

Upon concurrence the Senate committee substitute bill changes the title.

SPECIAL MESSAGE FROM THE SENATE

**2011 GENERAL ASSEMBLY
SECOND SESSION 2012**

Senate Chamber
June 27, 2012

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. 42** (Conference Report), A BILL TO BE ENTITLED AN ACT TO REQUIRE PERSONS FURNISHING LABOR OR MATERIALS IN CONNECTION WITH CERTAIN IMPROVEMENTS TO REAL PROPERTY TO GIVE WRITTEN NOTICE TO THE DESIGNATED LIEN AGENT OF THE OWNER OF THE IMPROVED REAL PROPERTY TO PRESERVE THEIR LIEN RIGHTS.

When the appropriate action has been taken by both chambers, the bill will be ordered enrolled.

Respectfully,
S/ Sarah Clapp
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

**2011 GENERAL ASSEMBLY
SECOND SESSION 2012**

Senate Chamber
June 27, 2012

June 27, 2012

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. 647** (Conference Report), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CREATION OF MUTUAL INSURANCE HOLDING COMPANIES AND TO CHANGE THE TIME PERIOD FOR FIRE CODE INSPECTIONS OF PUBLIC BUILDINGS.

When the appropriate action has been taken by both chambers, the bill will be ordered enrolled.

Respectfully,
S/ Sarah Clapp
Principal Clerk

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following report from standing committee is presented:

By Representative McGee, Chair, for the Committee on State Personnel:

H.B. 153 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT A PERSON WHO HAS BEEN CONVICTED OF A FELONY RELATED TO EMPLOYMENT OR HOLDING OFFICE FROM RECEIVING RETIREMENT BENEFITS FROM THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, THE CONSOLIDATED JUDICIAL RETIREMENT SYSTEM, THE LEGISLATIVE RETIREMENT SYSTEM, THE OPTIONAL RETIREMENT PROGRAM FOR THE UNIVERSITY OF NORTH CAROLINA, THE OPTIONAL RETIREMENT PROGRAM FOR STATE-FUNDED COMMUNITY COLLEGES, THE SUPPLEMENTAL RETIREMENT INCOME PLAN FOR STATE LAW-ENFORCEMENT OFFICERS, AND THE SUPPLEMENTAL RETIREMENT INCOME PLAN FOR LOCAL GOVERNMENTAL LAW-ENFORCEMENT OFFICERS, with recommendation that the House concur.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 28.

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Representative LaRoque moves, seconded by Representative Samuelson, that the House adjourn, subject to the appointment of conferees, the ratification of bills, the receipt of Committee Reports, the receipt of Conference Reports, the receipt of Messages from the Senate, and the referral of bills to committees, to reconvene June 28 at 10:30 a.m.

The motion carries.

WITHDRAWAL OF BILLS FROM COMMITTEE

On motion of Representative T. Moore and without objection, **H.B. 180** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO VOLUNTARILY ANNEX CERTAIN DESCRIBED AREAS TO THE CORPORATE LIMITS OF THE CITY OF WILMINGTON, 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 28.

On motion of Representative T. Moore and without objection, **H.R. 1191**, A HOUSE RESOLUTION SPECIFICALLY DISAPPROVING EXECUTIVE ORDER NO. 85, ISSUED MARCH 25, 2011, UNDER PROVISIONS OF THE NORTH CAROLINA CONSTITUTION GRANTING EITHER HOUSE OF THE GENERAL ASSEMBLY TO DO SO, AS THE GENERAL ASSEMBLY HAS ACCOMPLISHED ADMINISTRATIVE REORGANIZATIONS BY LEGISLATION, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and pursuant to Rule 36(b), is placed on the Calendar of July 2.

On motion of Representative T. Moore and without objection, **H.R. 1219** (Committee Substitute), A HOUSE RESOLUTION EXPRESSING APPRECIATION TO THE MEMBERS WHO WILL BE LEAVING THE HOUSE OF REPRESENTATIVES AT THE END OF THEIR CURRENT TERMS, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and pursuant to Rule 36(b), is placed on the Calendar of July 2.

On motion of Representative T. Moore and without objection, **S.B. 905**, A BILL TO BE ENTITLED AN ACT TO PROTECT THE PROPERTY RIGHTS OF HOMEOWNERS BY REQUIRING THAT DEVELOPMENT PERMITS ISSUED TO REPAIR OR RECONSTRUCT SINGLE-FAMILY AND DUPLEX RESIDENTIAL DWELLINGS IN CURRITUCK COUNTY GREATER THAN FIVE THOUSAND SQUARE FEET AND CONSTRUCTED PRIOR TO AUGUST 11, 2009, SHALL INCLUDE A MINIMUM SETBACK OF SIXTY FEET OR THIRTY TIMES THE SHORELINE EROSION RATE, WHICHEVER IS GREATER, 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 28.

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**REPORTS OF STANDING COMMITTEES AND PERMANENT
SUBCOMMITTEES**

The following report from standing committee is presented:

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 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. 1234**, and placed on the Calendar for its first reading.

The House stands adjourned at 8:04 p.m.

ONE HUNDRED THIRTY-FIFTH DAY

HOUSE OF REPRESENTATIVES
Thursday, June 28, 2012

The House meets at 10:30 a.m. pursuant to adjournment and is called to order by Representative Hager.

Prayer is offered by Representative Ruth Samuelson.

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

Leaves of absence are granted Representatives Hilton, Spear, Wainwright, and Womble for today. Representatives Hill and McComas are excused for a portion of the Session.

On motion of Representative T. Moore, the House recesses, subject to the appointment of conferees, the introduction of bills and resolutions, the ratification of bills, the receipt of Committee Reports, the receipt of Conference Reports, the receipt of Messages from the Senate, and the referral of bills to committees, at 10:33 a.m.

June 28, 2012

RECESS**SPECIAL MESSAGE FROM THE SENATE**

The following Special Message is received from the Senate:

H.B. 1052 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS AMENDMENTS TO NORTH CAROLINA'S MECHANICS LIEN AND PAYMENT BOND LAWS, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S MECHANICS LIENS ON REAL PROPERTY COMMITTEE, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b) and without objection, the Senate committee substitute bill is placed on today's Calendar.

Upon concurrence the Senate committee substitute bill changes the title.

ENROLLED BILLS

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

S.B. 105, AN ACT TO INCREASE THE PENALTY FOR CERTAIN SECOND DEGREE MURDERS TO CLASS B1 FELONIES, AND CREATE A GRADUATED SCALE OF PENALTIES FOR DEATHS CAUSED BY DRIVING WHILE IMPAIRED.

S.B. 444, AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS.

S.B. 521, AN ACT ABOLISHING THE RULE IN DUMPOR'S CASE AND CONCERNING BROKER PRICE OPINIONS.

S.B. 810, AN ACT TO (1) REESTABLISH THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE; (1A) MODIFY APPOINTMENTS TO THE MINING AND ENERGY COMMISSION; (2A) MAKE VARIOUS TECHNICAL AND CLARIFYING CHANGES TO THE ADMINISTRATIVE PROCEDURES ACT; (2B) MAKE CONFORMING CHANGES TO THE STATE PERSONNEL ACT; (3) EXTEND THE EFFECTIVE DATE FOR CHANGES TO FINAL DECISION-MAKING AUTHORITY IN CERTAIN CONTESTED CASES; (4) LIMIT THE PERIOD DURING WHICH RECORDS OF UNCLAIMED

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PROPERTY MUST BE MAINTAINED; (5A) DIRECT AGENCIES TO SUBMIT A REPORT ON NOTICE GIVEN BEFORE AUDITING OR EXAMINING A BUSINESS TO THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE; (5B) LIMIT STATE AGENCY IDENTITY THEFT REPORTING REQUIREMENTS; (5C) REQUIRE THE DEPARTMENT OF LABOR TO PROVIDE NOTICE PRIOR TO INSPECTIONS; (6) CLARIFY THAT THE DISCHARGE OF WASTE INTO WATERS OF THE STATE DOES NOT INCLUDE THE RELEASE OF AIR CONTAMINANTS INTO THE OUTDOOR ATMOSPHERE; (7) AUTHORIZE RATHER THAN REQUIRE THE COMMISSION FOR PUBLIC HEALTH TO ADOPT RULES FOR THE TESTING OF WATER FROM NEW DRINKING WATER WELLS FOR CERTAIN VOLATILE ORGANIC COMPOUNDS; (7A) CLARIFY APPLICATION OF CERTAIN NUTRIENT RULES TO SMALL WASTEWATER DISCHARGES; (8) DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO TRACK AND REPORT ON PERMIT PROCESSING TIMES; (9) DELAY THE EFFECTIVE DATE FOR COMPLIANCE WITH WADING POOL FENCING REQUIREMENTS FROM JULY 1, 2012, TO JANUARY 1, 2013; (10) DIRECT THE COMMISSION FOR PUBLIC HEALTH TO AMEND THE RULES GOVERNING THE DURATION OF PERMITS FOR SANITARY LANDFILLS AND THE PERIOD IN WHICH THOSE PERMITS ARE REVIEWED; (11) AMEND THE CRITERIA FOR DESIGNATION AS A PORT ENHANCEMENT ZONE; (12) EXEMPT CERTIFIED ROADSIDE FARM MARKETS FROM CERTAIN BUILDING CODE REQUIREMENTS; AND (13) ALLOW THE PERMITTING OF MOBILE FOOD UNITS THAT MEET THE SANITATION REQUIREMENTS OF A COMMISSARY.

S.B. 836, AN ACT TO IMPROVE THE RATE-MAKING PROCESS BY REQUIRING THE DEPARTMENT OF INSURANCE TO ACCEPT PUBLIC COMMENT ON ALL PROPERTY INSURANCE RATE FILINGS, BY PROVIDING THE COMMISSIONER WITH THE POWER TO SPECIFY THE APPROPRIATE RATE LEVEL OR LEVELS BETWEEN THE CURRENT RATE AND THE FILED RATE UPON A FINDING THAT A RATE FILING DOES NOT COMPLY WITH APPLICABLE LAW, BY PROVIDING THAT THE COST OF REINSURANCE BE INCLUDED AS A FACTOR IN RATE MAKING AND REQUIRING CERTAIN SUPPORTING INFORMATION ON REINSURANCE COSTS IN A FILING, BY REQUIRING THAT THE RATE BUREAU CREATE A RATING PLAN FOR A PROPERTY INSURANCE POLICY THAT EXCLUDES COVERAGE FOR THE PERILS OF WINDSTORM AND HAIL, AND BY REQUIRING THAT THE RATE BUREAU AND THE

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DEPARTMENT OF INSURANCE STUDY THE FAIRNESS AND EFFICACY OF THE CURRENT PROPERTY INSURANCE GEOGRAPHIC RATE TERRITORIES, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON PROPERTY INSURANCE RATE MAKING.

H.B. 177, AN ACT TO: (1) CREATE AN INTERAGENCY TASK FORCE TO STUDY THE FEASIBILITY AND DESIRABILITY OF ADVANCING THE USE OF ALTERNATIVE FUELS BY STATE AGENCIES AND THE DEVELOPMENT OF ASSOCIATED FUELING INFRASTRUCTURE; (2) ESTABLISH CRITERIA FOR THE OPERATION OF ELECTRIC VEHICLE CHARGING STATIONS LOCATED AT STATE-OWNED REST STOPS ALONG THE HIGHWAYS AND; (3) AMEND THE ENERGY JOBS ACT OF 2011 IF THE ENERGY JOBS ACT OF 2011 BECOMES LAW.

S.B. 647, AN ACT TO PROVIDE FOR THE CREATION OF MUTUAL INSURANCE HOLDING COMPANIES AND TO CHANGE THE TIME PERIOD FOR FIRE CODE INSPECTIONS OF PUBLIC BUILDINGS.

H.B. 737, AN ACT TO STRENGTHEN THE LAWS REGARDING THE SAFETY OF CHILDREN IN CHILD CARE FACILITIES.

H.B. 989, AN ACT TO LIMIT ELIGIBILITY FOR PERMANENT REGISTRATION PLATES TO GOVERNMENTAL ENTITIES, AND TO REFORM THE PROCESS BY WHICH ELIGIBLE ENTITIES APPLY FOR AND ARE ISSUED PERMANENT REGISTRATION PLATES, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE BASED ON RECOMMENDATIONS FROM THE PROGRAM EVALUATION DIVISION, BUT TO CONTINUE TO ALLOW CIVIL AIR PATROLS, INCORPORATED EMERGENCY RESCUE SQUADS, RURAL FIRE DEPARTMENTS, AND LOCAL CHAPTERS OF THE AMERICAN NATIONAL RED CROSS TO BE ELIGIBLE FOR PERMANENT REGISTRATION PLATES.

H.B. 1009, AN ACT TO AMEND THE NORTH CAROLINA METROPOLITAN SEWERAGE DISTRICTS ACT TO MODIFY REPRESENTATION ON THE DISTRICT BOARD UPON EXPANSION, AND TO ALLOW METROPOLITAN SEWERAGE DISTRICTS TO ALSO EXERCISE THE SAME POWERS AS METROPOLITAN WATER DISTRICTS, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S METROPOLITAN SEWERAGE/WATER SYSTEM COMMITTEE.

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H.B. 1021, AN ACT TO CLARIFY CERTAIN PROVISIONS OF THE JUSTICE REINVESTMENT ACT.

H.B. 1181, AN ACT TO AUTHORIZE THE REVENUE LAWS STUDY COMMITTEE TO STUDY WHETHER MUNICIPALITIES SHOULD HAVE THE AUTHORITY TO LEVY A LOCAL OPTION SALES TAX FOR BEACH NOURISHMENT AND TO STUDY THE TAXATION AND VALUATION OF LEASEHOLD INTERESTS IN EXEMPT REAL PROPERTY.

S.B. 42, AN ACT TO REQUIRE PERSONS FURNISHING LABOR OR MATERIALS IN CONNECTION WITH CERTAIN IMPROVEMENTS TO REAL PROPERTY TO GIVE WRITTEN NOTICE TO THE DESIGNATED LIEN AGENT OF THE OWNER OF THE IMPROVED REAL PROPERTY TO PRESERVE THEIR LIEN RIGHTS.

S.B. 94, AN ACT DELAYING THE EFFECTIVE DATE OF OPERATING STANDARDS SET BY THE 911 BOARD FOR PSAPS.

S.B. 661, AN ACT TO DIRECT THE STATE AUDITOR TO AUDIT THE ROANOKE ISLAND COMMISSION, INCLUDING FUNDS RECEIVED BY FRIENDS OF ELIZABETH II, INC.

S.B. 828, AN ACT TO MAKE CHANGES TO THE UNEMPLOYMENT INSURANCE LAWS.

H.B. 605, AN ACT TO EXPAND THE DEFINITION OF LOCAL AGENCY FOR PURPOSES OF THE DEBT SETOFF COLLECTION ACT.

H.B. 964, AN ACT TO CREATE THE NORTH CAROLINA LONGITUDINAL DATA SYSTEM AND GOVERNING BOARD; AND TO PROVIDE THAT PRIVATE COLLEGES AND UNIVERSITIES, NONPUBLIC SCHOOLS, AND THE NORTH CAROLINA INDEPENDENT COLLEGES AND UNIVERSITIES ARE NOT LIABLE FOR A BREACH OF CONFIDENTIALITY CAUSED BY THE ACT OR OMISSION OF A STATE AGENCY, LOCAL SCHOOL ADMINISTRATIVE UNIT, COMMUNITY COLLEGE, OR CONSTITUENT INSTITUTION OF THE UNIVERSITY OF NORTH CAROLINA.

H.B. 1096, AN ACT TO SAVE MONEY BY REPEALING A STATUTE REQUIRING LOCAL SCHOOL ADMINISTRATIVE UNITS, COMMUNITY COLLEGES, AND THE UNIVERSITY OF NORTH CAROLINA TO HAVE SEPARATE BIDS FOR JUICE AND WATER.

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H.B. 1105, AN ACT TO SIMPLIFY THE COLLECTION OF PROPERTY TAXES THAT ARE DUE ON PROPERTY OWNED BY CERTAIN NONPROFIT HOMEOWNERS ASSOCIATIONS.

S.B. 426, 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 AUTHORIZE A RESOLUTION ESTABLISHING A MUNICIPAL SERVICE DISTRICT TO BECOME EFFECTIVE UPON A DATE SPECIFIED IN THE RESOLUTION IF SPECIAL OBLIGATION BONDS ARE ANTICIPATED TO BE AUTHORIZED FOR A PROJECT.

S.B. 699, AN ACT TO CLARIFY THE NAME OF THE DIVISION OF CRIMINAL INFORMATION; TO ALLOW THE DIVISION OF CRIMINAL INFORMATION TO PROMULGATE RULES FOR USAGE OF THE CRIMINAL INFORMATION NETWORK; TO ALLOW THE DIVISION OF CRIMINAL INFORMATION TO ASSESS FEES FOR SETUP, ACCESS TO, AND USE OF THE CRIMINAL INFORMATION NETWORK; TO RECODIFY THE EXISTING SUPERIOR COURT DISTRICTS USING 2010 GEOGRAPHY; AND TO ALLOW SHARING OF CONFIDENTIAL INVESTIGATORY INFORMATION BETWEEN THE STATE ETHICS COMMISSION AND THE LEGISLATIVE ETHICS COMMITTEE.

S.B. 821, AN ACT TO (1) DIRECT THE DIRECTOR OF THE DIVISION OF MARINE FISHERIES OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES, THE EXECUTIVE DIRECTOR OF THE WILDLIFE RESOURCES COMMISSION, AND THE DEPUTY SECRETARY FOR TRANSIT OF THE DEPARTMENT OF TRANSPORTATION TO JOINTLY STUDY FEES ASSOCIATED WITH THE ISSUANCE OF COASTAL FISHING LICENSES AND THE NUMBERING AND TITLING OF VESSELS; (2) DIRECT THE EXECUTIVE DIRECTOR OF THE WILDLIFE RESOURCES COMMISSION, THE DIRECTOR OF THE DIVISION OF MARINE FISHERIES OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES, AND THE COMMISSIONER OF AGRICULTURE TO JOINTLY STUDY THE REORGANIZATION OF FISHERIES MANAGEMENT IN THE STATE; (3) MAKE IT UNLAWFUL TO TAKE MENHADEN OR ATLANTIC THREAD HERRING WITH A PURSE SEINE NET DEPLOYED BY A MOTHER SHIP AND ONE OR MORE RUNNER BOATS IN COASTAL FISHING WATERS; (4) AMEND THE MARINE FISHERIES COMMISSION ADVISORY COMMITTEES; AND (5) PROVIDE THAT A SUPERMAJORITY OF THE MARINE

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FISHERIES COMMISSION IS REQUIRED TO OVERRIDE A RECOMMENDATION OF THE DIVISION OF MARINE FISHERIES REGARDING OVERFISHING OR REBUILDING OF FISH STOCKS.

H.B. 1114, AN ACT PROVIDING THAT THE CITIES AND TOWNS THAT ARE MEMBERS OF THE NORTH CAROLINA EASTERN MUNICIPAL POWER AGENCY SHALL USE REVENUE DERIVED FROM RATES FOR ELECTRIC SERVICE FOR PAYING THE DIRECT AND INDIRECT COSTS OF OPERATING THE ELECTRIC SYSTEM, TRANSFERRING AMOUNTS THAT REPRESENT A RATE OF RETURN ON THE INVESTMENT IN THE ELECTRIC SYSTEM, AND MAKING DEBT SERVICE PAYMENTS, AND TO MAKE CLARIFYING CHANGES TO THE AMOUNT OF THE RETURN ON INVESTMENT TRANSFER.

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

S.B. 848, AN ACT INCORPORATING ADDITIONAL BASES FOR MAKING ASSESSMENTS UNDER THE CHARTER OF THE CITY OF DURHAM IN THE CASE OF BOTH PETITIONED AND NON-PETITIONED ASSESSMENTS.

S.B. 900, AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF SURF CITY.

S.B. 901, AN ACT TO REMOVE THE CAP ON SATELLITE ANNEXATIONS FOR THE TOWN OF OCEAN ISLE BEACH.

H.B. 987, AN ACT TO ALLOW PERSONS WHO WORK IN WAKE COUNTY TO BE ELIGIBLE FOR MEMBERSHIP ON THE BOARD OF TRUSTEES OF WAKE TECHNICAL COMMUNITY COLLEGE.

H.B. 1029, AN ACT TO REMOVE THE REQUIREMENT THAT THE TOWN MANAGER OF MAYODAN BE A RESIDENT OF THAT TOWN.

H.B. 1059, AN ACT TO ALLOW THE CITY OF ASHEBORO TO TOW MOTOR VEHICLES IMPEDING THE OPERATION OF THE DOWNTOWN FARMERS' MARKET.

H.B. 1071, AN ACT TO PROVIDE FOR THE DATE FOR THE ORGANIZATIONAL MEETING OF THE WAKE COUNTY BOARD OF EDUCATION TO BE GOVERNED BY GENERAL LAW.

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H.B. 1123, AN ACT AMENDING THE ACT AUTHORIZING THE APPOINTMENT OF AN AUTHORITY TO CONTROL THE MANAGEMENT OF A MEMORIAL STADIUM TO BE ERECTED BY DURHAM COUNTY, TO INCREASE ITS MEMBERSHIP, AND TO AMEND ITS TERM LIMITS.

H.B. 1199, AN ACT AUTHORIZING THE TOWN OF LAKE LURE TO CONVEY CERTAIN DESCRIBED PROPERTY BY GIFT, PRIVATE SALE, OR LONG-TERM LEASE.

H.B. 991, AN ACT TO POSTPONE THE EFFECTIVE DATE OF CHANGES MADE TO THE JACKSON COUNTY OCCUPANCY TAX DURING THE 2011 REGULAR SESSION OF THE GENERAL ASSEMBLY.

H.B. 1196, AN ACT TO PROVIDE A PROCESS FOR CONVEYING AN INTEREST IN REAL PROPERTY OWNED BY ALBEMARLE MENTAL HEALTH CENTER TO EAST CAROLINA BEHAVIORAL HEALTH.

H.B. 1197, AN ACT TO AUTHORIZE STOKES COUNTY TO REQUIRE THE PAYMENT OF DELINQUENT PROPERTY TAXES BEFORE RECORDING DEEDS CONVEYING PROPERTY.

H.B. 945, AN ACT TO ANNEX TO THE CITY OF MARION A SECTION OF RIGHT-OF-WAY OF US HIGHWAY 70 WEST WHERE A SIDEWALK TO BE MAINTAINED BY THE CITY IS TO BE CONSTRUCTED.

H.B. 963, AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF COLUMBIA.

H.B. 1041, AN ACT TO EXCHANGE CERTAIN DESCRIBED TRACTS OF LAND BETWEEN THE CITY OF ARCHDALE AND THE CITY OF HIGH POINT.

H.B. 1050, 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 REPEALING SPECIFIED INVOLUNTARY ANNEXATION ORDINANCES OF THE TOWN OF ELIZABETHTOWN RELATING TO THE INDUSTRIAL PARK AREA, AND BY PROHIBITING MUNICIPAL INITIATION OF ANY PROCEDURE TO INVOLUNTARILY ANNEX THOSE AREAS FOR TWELVE YEARS.

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H.B. 1051, 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 REPEALING SPECIFIED INVOLUNTARY ANNEXATION ORDINANCES OF THE TOWN OF ELIZABETHTOWN RELATING TO THE HAYFIELDS AREA, AND BY PROHIBITING MUNICIPAL INITIATION OF ANY PROCEDURE TO INVOLUNTARILY ANNEX THOSE AREAS FOR TWELVE YEARS.

H.B. 1087, AN ACT TO AUTHORIZE THE TOWN OF FONTANA DAM TO LEVY AN OCCUPANCY TAX.

H.B. 1090, AN ACT TO ESTABLISH THE REMAINING NINE PERCENT OF THE COMMON BOUNDARY BETWEEN ALAMANCE COUNTY AND ORANGE COUNTY NOT ADDRESSED BY SESSION LAW 2011-88 AND AS AUTHORIZED BY THE 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.

H.B. 1106, AN ACT TO ANNEX CERTAIN DESCRIBED TERRITORY TO THE CORPORATE LIMITS OF THE TOWN OF APEX.

H.B. 1110, AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTIES FROM THE CORPORATE LIMITS OF THE TOWN OF MATTHEWS AND ANNEX IT TO THE TOWN OF STALLINGS, BOTH AT THE REQUEST OF THE RESPECTIVE TOWN GOVERNING BOARDS.

H.B. 1122, AN ACT TO VALIDATE CERTAIN LEVIES AND COLLECTION OF FIRE DISTRICT TAXES IN MARTIN COUNTY AND TO ALLOW MARTIN COUNTY TO ABOLISH BY RESOLUTION ITS CHAPTER 69 FIRE PROTECTION DISTRICTS UPON ESTABLISHMENT OF FIRE PROTECTION SERVICE DISTRICTS UNDER CHAPTER 153A OF THE GENERAL STATUTES.

H.B. 1202, AN ACT TO DEANNEX FROM THE CITY OF ROANOKE RAPIDS A PARCEL PREVIOUSLY ANNEXED BY A LEGISLATIVE ANNEXATION AND AMENDING THE AUTHORIZING LEGISLATION FOR THE HALIFAX-NORTHAMPTON REGIONAL AIRPORT AUTHORITY.

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H.B. 1206, AN ACT TO MORE ACCURATELY DESCRIBE THE CORPORATE LIMITS OF THE TOWN OF BUTNER.

H.B. 1216, AN ACT REMOVING CERTAIN RESTRICTIONS ON SATELLITE ANNEXATIONS FOR THE TOWN OF WALLACE.

H.B. 1217, AN ACT TO ADJUST THE BOUNDARIES OF THE TOWN OF WOODFIN AND THE CITY OF ASHEVILLE, AS REQUESTED BY THE GOVERNING BOARDS OF THOSE MUNICIPALITIES, BY (1) ANNEXING INTO THE CITY OF ASHEVILLE CERTAIN STATE-OWNED PROPERTY, (2) REMOVING CERTAIN STATE-OWNED PROPERTY FROM THE TOWN OF WOODFIN AND ANNEXING IT INTO THE CITY OF ASHEVILLE, (3) REMOVING CERTAIN STATE-OWNED AND PRIVATE PROPERTY FROM THE CITY OF ASHEVILLE AND ANNEXING IT INTO THE TOWN OF WOODFIN, AND (4) UPON PETITION OF THE OWNER AND WITH THE CONCURRENCE OF THE TOWN OF WOODFIN, ALLOWING THE CITY OF ASHEVILLE TO ANNEX CERTAIN PROPERTY IN THE TOWN OF WOODFIN THAT, AS A RESULT OF THE OPERATION OF THIS ACT, IS SURROUNDED BY THE CITY OF ASHEVILLE OR A COMBINATION OF THE CITY OF ASHEVILLE AND UNINCORPORATED AREA, AND PROVIDING FOR THE CITY OF ASHEVILLE AND THE TOWN OF WOODFIN TO ENTER INTO AGREEMENTS REGARDING THE PROVISION OF MUNICIPAL SERVICES TO CERTAIN PROPERTIES IN EACH OTHER'S JURISDICTION.

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

S.J.R. 960, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF ROBERT G. "BOB" SHAW, FORMER MEMBER OF THE GENERAL ASSEMBLY. (RESOLUTION 2012-10)

CHAPTERED BILLS

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

H.B. 971, AN ACT TO AUTHORIZE LEASE TERMINATION FOR A SERVICE MEMBER WHO DIES WHILE ON ACTIVE DUTY, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON MILITARY AFFAIRS. (S.L. 2012-64)

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H.B. 1028, AN ACT TO REQUIRE THE NORTH CAROLINA APPRAISAL BOARD TO REPORT THE RECORDS OF APPRAISAL MANAGEMENT COMPANIES TO THE NORTH CAROLINA DEPARTMENT OF REVENUE. (S.L. 2012-65)

H.B. 1055, AN ACT RELATING TO PROVIDER ENDORSEMENT FUNCTIONS OF LOCAL MANAGEMENT ENTITIES, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON HEALTH AND HUMAN SERVICES. (S.L. 2012-66)

H.B. 1056, AN ACT TO LIMIT ACCESS TO IDENTIFYING INFORMATION OF MINOR PARTICIPANTS IN PROGRAMS FUNDED BY THE NORTH CAROLINA PARTNERSHIP FOR CHILDREN OR OTHER LOCAL PARTNERSHIPS, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON HEALTH AND HUMAN SERVICES. (S.L. 2012-67)

H.B. 1066, AN ACT TO CLARIFY, MODIFY, AND CONSOLIDATE THE LAW APPLICABLE TO THE PASSING OF TITLE TO INTERESTS IN REAL AND PERSONAL PROPERTY DEvised BY A WILL AND THE RIGHTS OF LIEN CREDITORS AND PURCHASERS FOR VALUE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION. (S.L. 2012-68)

H.B. 1067, AN ACT TO CONFORM THE LAW GOVERNING CO-OWNERS WITH RIGHT OF SURVIVORSHIP UNDER THE SIMULTANEOUS DEATH ACT TO THE LAW GOVERNING THE HOLDING OF UNEQUAL SHARES IN A JOINT TENANCY WITH RIGHT OF SURVIVORSHIP, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION. (S.L. 2012-69)

H.B. 1068, AN ACT TO AMEND ARTICLE 9 OF THE UNIFORM COMMERCIAL CODE RELATING TO SECURED TRANSACTIONS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION. (S.L. 2012-70)

H.B. 1069, AN ACT TO INCREASE THE MINIMUM AMOUNT OF INTESTATE PERSONAL PROPERTY PASSING TO THE SURVIVING SPOUSE AND THE AMOUNT OF THE YEAR'S ALLOWANCE FROM A DECEDENT'S ESTATE FOR A SURVIVING CHILD, TO REINSERT ERRONEOUSLY REMOVED REFERENCES TO A CHILD'S "NEXT FRIEND" IN THE STATUTES RELATING TO A CHILD'S YEAR'S

ALLOWANCE, AND TO SPECIFY THAT THE CHILD'S YEAR'S ALLOWANCE MAY BE PAID TO A WIDOWER ON THE CHILD'S BEHALF AS WELL AS TO A WIDOW, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION. (S.L. 2012-71)

H.B. 1081, AN ACT RELATING TO CHANGES PERTAINING TO LICENSED CLINICAL SOCIAL WORKERS, CLINICAL ADDICTION SPECIALISTS, AND PSYCHOLOGISTS, AS RECOMMENDED BY THE JOINT OVERSIGHT COMMITTEE ON HEALTH AND HUMAN SERVICES. (S.L. 2012-72)

H.B. 391, AN ACT TO REVISE THE LAWS RELATING TO COUNTY RESEARCH AND PRODUCTION SERVICE DISTRICTS TO REFLECT CHANGED CIRCUMSTANCES, TO ALLOW FLEXIBILITY IN PROVISION OF SERVICES IN URBAN AREAS OF SUCH DISTRICTS, AND TO AMEND THE COUNTY SERVICE DISTRICT ACT OF 1973 RELATING TO APPROVAL OF PROPERTY TAXES IN MULTIJURISDICTIONAL INDUSTRIAL PARK DISTRICTS. (S.L. 2012-73)

H.B. 1015, AN ACT TO SET THE REGULATORY FEES, TO CONTINUE THE INDIVIDUAL INCOME TAX DEDUCTION FOR EDUCATOR EXPENSES, AND TO ENHANCE ECONOMIC DEVELOPMENT. (S.L. 2012-74)

S.B. 491, AN ACT TO EXTEND THE SUNSET ON THE LAW ESTABLISHING THE NORTH CAROLINA SUSTAINABLE LOCAL FOOD ADVISORY COUNCIL. (S.L. 2012-75)

S.B. 518, AN ACT TO REQUIRE 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. (S.L. 2012-76)

S.B. 724, AN ACT TO IMPLEMENT VARIOUS EDUCATION REFORMS. (S.L. 2012-77)

S.B. 749, AN ACT TO AMEND THE STATE'S LAWS PERTAINING TO TRANSPORTATION. (S.L. 2012-78)

S.B. 826, AN ACT TO MAKE TECHNICAL, CLARIFYING, AND ADMINISTRATIVE CHANGES TO THE TAX AND RELATED LAWS. (S.L. 2012-79)

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S.B. 841, AN ACT TO ENSURE THAT THE RESOURCES OF THE PROGRAM EVALUATION DIVISION ARE UTILIZED EFFECTIVELY BY THE GENERAL ASSEMBLY, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE. (S.L. 2012-80)

S.B. 868, AN ACT ADJUSTING THE DATES OF VALIDITY FOR LICENSES ISSUED BY THE WILDLIFE RESOURCES COMMISSION TO ELIMINATE THE PENALTY FOR EARLY RENEWAL. (S.L. 2012-81)

S.B. 869, AN ACT TO REMOVE THE REQUIREMENT THAT FIREFIGHTERS AND RESCUE SQUAD WORKERS 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. (S.L. 2012-82)

S.B. 881, AN ACT TO MAKE TECHNICAL AND OTHER CHANGES TO THE GENERAL STATUTES REGARDING THE DEPARTMENT OF PUBLIC SAFETY; AND TO TRANSFER THE WAREHOUSE FORMERLY OPERATED BY THE LAW ENFORCEMENT SUPPORT SERVICES DIVISION AND ITS CONTENTS FROM THE DEPARTMENT OF JUSTICE TO THE DEPARTMENT OF PUBLIC SAFETY AND TO ASSIGN THE RESPONSIBILITIES FOR THE STORAGE AND MANAGEMENT OF EVIDENCE HOUSED IN THE WAREHOUSE TO THE DEPARTMENT OF PUBLIC SAFETY, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON JUSTICE AND PUBLIC SAFETY. (S.L. 2012-83)

S.B. 890, AN ACT TO CODIFY THE PROVISIONS OF EXECUTIVE ORDER NO. 2 THAT DELEGATE TO THE SECRETARY OF TRANSPORTATION THE AUTHORITY TO APPROVE HIGHWAY CONSTRUCTION PROJECTS AND CONSTRUCTION PLANS AND TO AWARD HIGHWAY CONSTRUCTION CONTRACTS, REQUIRE THE DEPARTMENT OF TRANSPORTATION TO DEVELOP AND UTILIZE A STRATEGIC PRIORITIZATION PROCESS FOR SELECTION OF TRANSPORTATION PROJECTS, AND STRENGTHEN THE BOARD OF TRANSPORTATION ETHICS POLICY, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE. (S.L. 2012-84)

S.B. 895, AN ACT TO AMEND STATUTES RELATED TO MOTORCYCLE LICENSES, TO DELAY THE IMPLEMENTATION OF TWO CHANGES TO DRIVERS LICENSES PENDING AN INFORMATION TECHNOLOGY SYSTEM UPGRADE, TO UPDATE CHAPTER 136 OF

THE GENERAL STATUTES WITH THE TERM "CHIEF ENGINEER," WHICH REPLACES THE TERM "STATE HIGHWAY ADMINISTRATOR," AND TO AUTHORIZE RECIPROCITY AGREEMENTS FOR TOLL PAYMENTS BETWEEN THE NORTH CAROLINA TURNPIKE AUTHORITY AND OTHER TOLL AGENCIES, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE. (S.L. 2012-85)

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

SPECIAL MESSAGES FROM THE SENATE

The following Special Messages are received from the Senate:

H.B. 1169, A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF BURGAW, is returned for concurrence in one Senate amendment.

Pursuant to Rule 36(b) and without objection, the bill is placed on today's Calendar.

Upon concurrence the Senate amendment changes the title.

H.B. 1215 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE HENDERSON COUNTY BOARD OF COMMISSIONERS TO LEVY AN ADDITIONAL ONE PERCENT ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX AND TO MAKE OTHER ADMINISTRATIVE CHANGES, is returned for concurrence in the Senate committee substitute bill and one unengrossed Senate amendment.

Pursuant to Rule 36(b) and without objection, the bill is placed on today's Calendar.

S.B. 866 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE ESSENTIAL ADJUSTMENTS TO THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2011, with one unengrossed Senate amendment, is read the first time and referred to the Committee on Appropriations.

June 28, 2012

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced and read the first time:

By Representatives Bradley and Bryant (Primary Sponsors); Collins, Glazier, and Weiss:

H.R. 1232, A HOUSE RESOLUTION HONORING THE FOUNDERS OF LOUISBURG COLLEGE ON THE OCCASION OF THE COLLEGE'S TWO HUNDRED TWENTY-FIFTH ANNIVERSARY.

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

By Representatives LaRoque and Wainwright (Primary Sponsors); and Weiss:

H.J.R. 1233, A JOINT RESOLUTION HONORING THE FOUNDERS OF THE CITY OF KINSTON.

Pursuant to Rule 32(a), the resolution is placed on the Calendar of July 2.

By the Committee on Rules, Calendar, and Operations of the House:

H.B. 1234, 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 32(a), the bill is placed on today's Calendar.

CALENDAR

Action is taken on the following:

H.B. 1077 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PILOT PROJECT FOR TOLLING THE I-77 HIGH OCCUPANCY TOLL PROJECT, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Speaker Tillis; Representatives Adams, K. Alexander, M. Alexander, Avila, 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, Floyd, Frye, Gill, Gillespie, Glazier, Goodman,

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Graham, Hackney, Hager, Haire, Hall, Hamilton, Hastings, Hill, Hollo, Horn, Howard, Hurley, Iler, Ingle, Insko, Jeffus, Johnson, Jones, Jordan, Justice, Keever, Killian, Langdon, LaRoque, Lewis, Lucas, Martin, McComas, McCormick, McElraft, McGee, McGrady, McGuirt, McLawhorn, Michaux, Mills, Mobley, Moffitt, T. Moore, Murry, Owens, Parfitt, Parmon, Pierce, Pridgen, Randleman, Rapp, Ross, Sager, Saine, Samuelson, Sanderson, Setzer, Stam, Starnes, Steen, Stevens, Tolson, Torbett, Walend, E. Warren, H. Warren, Weiss, West, Wilkins, and Wray - 106.

Voting in the negative: Representatives Folwell, Harrison, Holloway, Jackson, Luebke, Pittman, Shepard, and Stone - 8.

Excused absences: Representatives Hilton, Spear, Wainwright, and Womble - 4.

Representatives Cleveland and Hastings request and are granted leave of the House to change their votes from "aye" to "no". The adjusted vote total is (104-10).

**REPORT OF HOUSE SELECT COMMITTEE ON UNIVERSITY
BOARD OF GOVERNORS NOMINATIONS**

The following report from select committee is presented:

North Carolina General Assembly
House of Representatives

Representative Tim Moore
Serving Cleveland County
Room 1326 Legislative Building
16 West Jones Street
Raleigh, NC 27601-1096

June 28, 2012

MEMORANDUM TO: The Honorable Thom Tillis
Speaker of the House of Representatives

FROM: Tim Moore, Chair
House Select Committee on University
Board of Governors Nominations

SUBJECT: Committee Report of Nominee to Fill a
Vacancy on the Board of Governors of
the University of North Carolina

June 28, 2012

The House Select Committee of the North Carolina University Board of Governors Nominations met Thursday, June 28, 2012. The Committee approved the nomination of Aldona Vos to fill the vacancy on the Board of Governors of the University of North Carolina.

The Speaker reviews the instructions for voting as specified in **H.R. 1229**, A HOUSE RESOLUTION TO ESTABLISH THE PROCEDURE FOR NOMINATING AND ELECTING A PERSON TO FILL A VACANCY ON THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA, with the membership.

Pursuant to Rule 24.1A, Representative Glazier requests that he be excused from voting on this bill because he is employed at Fayetteville State University, causing a conflict of interest. Representative Luebke requests that he 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.

On motion of the Speaker, the House recesses at 2:22 p.m.

RECESS

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

The Speaker appoints Representatives T. Moore, Dollar, Bryant, and Faison to canvass the ballots.

The Committee retires from the Chamber to canvass the ballots.

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. 876, A BILL TO BE ENTITLED AN ACT TO REMOVE A CERTAIN DESCRIBED TRACT FROM THE CORPORATE LIMITS OF THE TOWN OF MOORESVILLE AT THE REQUEST OF THE TOWN BOARD OF COMMISSIONERS, with a favorable report.

June 28, 2012

Pursuant to Rule 36(b) and without objection, the bill is placed on today's Calendar.

**RESULTS OF ELECTION ON
UNIVERSITY BOARD OF GOVERNORS**

Representative T. Moore, Chair of the House Select Committee on University Board of Governors Nominations, reports that Aldona Was received 106 votes.

In compliance with Article VI, Section 5 of the North Carolina Constitution, and pursuant to **H.R. 1229**, A HOUSE RESOLUTION TO ESTABLISH THE PROCEDURE FOR NOMINATING AND ELECTING A PERSON TO FILL A VACANCY ON THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA, Aldona Was is duly elected to fill the vacancy on the University of North Carolina Board of Governors. The Senate is so notified by Special Message.

CALENDAR (continued)

H.R. 1232, A HOUSE RESOLUTION HONORING THE FOUNDERS OF LOUISBURG COLLEGE ON THE OCCASION OF THE COLLEGE'S TWO HUNDRED TWENTY-FIFTH ANNIVERSARY.

The resolution is adopted, by electronic vote (112-0), and ordered printed.

Representative Gill requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (113-0).

H.B. 1234, 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 (111-2), 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 (112-2).

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

H.B. 552 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE GREATER ASHEVILLE REGIONAL AIRPORT AUTHORITY, TO REMOVE THE ASHEVILLE REGIONAL

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AIRPORT AND THE WESTERN NORTH CAROLINA AGRICULTURAL CENTER FROM THE ZONING JURISDICTION OF THE CITY OF ASHEVILLE, TO REQUIRE THE CITY OF ASHEVILLE TO CONVEY TO THE STATE OF NORTH CAROLINA ANY OF ITS RIGHT, TITLE, AND INTEREST TO THE WESTERN NORTH CAROLINA AGRICULTURAL CENTER, AND TO REMOVE THE WESTERN NORTH CAROLINA AGRICULTURAL CENTER FROM THE CORPORATE LIMITS OF THE CITY OF ASHEVILLE.

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

Those voting in the affirmative are: Representatives Avila, Blackwell, Blust, Boles, Bradley, Brandon, Brawley, Brisson, L. Brown, R. Brown, Brubaker, Burr, Cleveland, Collins, Cook, Crawford, Current, Daughtry, Dixon, Dockham, Dollar, Faircloth, Folwell, Frye, Gillespie, Hager, Hastings, Hill, 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, Parmon, Pittman, Pridgen, Randleman, Sager, Saine, Samuelson, Sanderson, Setzer, Shepard, Stam, Starnes, Steen, Stevens, Stone, Torbett, Walend, H. Warren, and West - 72.

Voting in the negative: Representatives Adams, K. Alexander, M. Alexander, Bell, Bordsen, 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, E. Warren, Weiss, Wilkins, and Wray - 43.

Excused absences: Representatives Hilton, Spear, Wainwright, and Womble - 4.

Representative Parmon requests and is granted leave of the House to change her vote from "aye" to "no". The adjusted vote total is (71-44).

H.B. 180 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO VOLUNTARILY ANNEX CERTAIN DESCRIBED AREAS TO THE CORPORATE LIMITS OF THE CITY OF WILMINGTON.

On motion of Representative McComas, the House concurs in the material Senate committee substitute bill, which changes the title, on its second roll call reading, by the following vote, and the bill remains on the Calendar.

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Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, 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, Dockham, Dollar, Earle, Faircloth, Faison, Farmer-Butterfield, Fisher, Floyd, Folwell, Frye, Gill, Gillespie, Glazier, Goodman, Graham, Hackney, Hager, Haire, Hall, Hamilton, Harrison, Hastings, Hill, Hollo, Holloway, Horn, 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, Pittman, Pridgen, Randleman, Rapp, Ross, Sager, Saine, Samuelson, Sanderson, Setzer, Shepard, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Walend, E. Warren, H. Warren, Weiss, West, Wilkins, and Wray - 114.

Voting in the negative: None.

Excused absences: Representatives Hilton, Spear, Wainwright, and Womble - 4.

H.B. 956 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT RELATING TO THE USE OF OPEN SPACE FUNDS FOR JOHNSTON COUNTY.

On motion of Representative Daughtry, the House concurs in the Senate committee substitute bill and the bill is ordered enrolled.

H.B. 1200 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE PROVISIONS OF THE WINSTON-SALEM PROVISIONS ESTABLISHING THE NEW BERN FIREMEN'S SUPPLEMENTAL RETIREMENT FUND.

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

H.B. 153 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT A PERSON WHO HAS BEEN CONVICTED OF A FELONY RELATED TO EMPLOYMENT OR HOLDING OFFICE FROM RECEIVING RETIREMENT BENEFITS FROM THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, THE CONSOLIDATED JUDICIAL RETIREMENT SYSTEM, THE LEGISLATIVE

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RETIREMENT SYSTEM, THE OPTIONAL RETIREMENT PROGRAM FOR THE UNIVERSITY OF NORTH CAROLINA, THE OPTIONAL RETIREMENT PROGRAM FOR STATE-FUNDED COMMUNITY COLLEGES, THE SUPPLEMENTAL RETIREMENT INCOME PLAN FOR STATE LAW-ENFORCEMENT OFFICERS, AND THE SUPPLEMENTAL RETIREMENT INCOME PLAN FOR LOCAL GOVERNMENTAL LAW-ENFORCEMENT OFFICERS.

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

H.B. 203 (Senate Committee Substitute), 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; TO MAKE IT A CLASS I FELONY TO SIMULATE COURT PROCESS IN CONNECTION WITH THE COLLECTION OF A CLAIM, DEMAND, OR ACCOUNT, TO KNOWINGLY FILE A FALSE LIEN OR ENCUMBRANCE AGAINST THE REAL OR PERSONAL PROPERTY OF A PUBLIC OFFICER OR PUBLIC EMPLOYEE, OR TO FILE A FALSE SECURITY INSTRUMENT; AND TO PROVIDE THAT IT IS A VIOLATION OF THE RESIDENTIAL MORTGAGE FRAUD ACT FOR A PERSON TO KNOWINGLY FILE A DOCUMENT FALSELY CLAIMING THAT A MORTGAGE LOAN HAS BEEN SATISFIED OR DISCHARGED.

On motion of Representative Crawford, the House does not concur in the Senate committee substitute bill by electronic vote (113-1), and conferees are requested.

The Speaker appoints Representative Crawford, Chair; Representatives Randleman, Stam, and McElraft as conferees on the part of the House and the Senate is so notified by Special Message.

S.B. 905, A BILL TO BE ENTITLED AN ACT TO PROTECT THE PROPERTY RIGHTS OF HOMEOWNERS BY REQUIRING THAT DEVELOPMENT PERMITS ISSUED TO REPAIR OR RECONSTRUCT SINGLE-FAMILY AND DUPLEX RESIDENTIAL DWELLINGS IN CURRITUCK COUNTY GREATER THAN FIVE THOUSAND SQUARE FEET AND CONSTRUCTED PRIOR TO AUGUST 11, 2009, SHALL INCLUDE A MINIMUM SETBACK OF SIXTY FEET OR THIRTY TIMES THE SHORELINE EROSION RATE, WHICHEVER IS GREATER, passes its second reading.

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

H.B. 1179 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE STATE TO TERMINATE ITS LEASE OF THE INDIAN CULTURAL CENTER PROPERTY AND THE RIVERSIDE GOLF COURSE PROPERTY AND TO DIRECT THE PROGRAM EVALUATION DIVISION TO STUDY THE OPTIONS FOR THE DISPOSITION OF THE PROPERTIES.

The bill, as amended, passes its third reading, by electronic vote (113-0), and is ordered sent to the Senate, without engrossment, by Special Message.

S.B. 141 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE NEW FELONY FIRST-DEGREE TRESPASS OFFENSES, TO MAKE VARIOUS CHANGES REGARDING THE PROCEDURES FOR A MOTION FOR APPROPRIATE RELIEF, TO AMEND THE PROCEDURE FOR IMMEDIATE LICENSE REVOCATIONS FOR PROVISIONAL LICENSEES CHARGED WITH CERTAIN CRIMINAL MOVING VIOLATIONS, TO INCREASE THE BENCHMARK FOR PUBLICLY BIDDING LOTTERY COMMISSION CONTRACTS, TO MODIFY THE LOTTERY COMMISSION CONFLICT OF INTEREST PROVISIONS, AND TO CLARIFY THAT CERTAIN CHANGES TO PAYABLE ON DEATH CONTRACTS DID NOT CHANGE THE PROCEDURES FOR CREATING THOSE CONTRACTS, is temporarily displaced.

S.B. 187 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL, CLARIFYING, AND OTHER MODIFICATIONS TO THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACTS.

Representative Dollar offers Amendment No. 4 which is adopted by electronic vote (108-2).

Representative Gillespie offers Amendment No. 5 which is adopted by electronic vote (109-0).

Representative Michaux offers Amendment No. 6 which is adopted by electronic vote (90-21).

The bill, as amended, passes its third reading, by electronic vote (107-4), and is ordered sent to the Senate for concurrence in the House committee substitute bill, without engrossment, by Special Message.

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Representative Dixon requests and is granted leave of the House to change his vote from "no" to "aye". The adjusted vote total is (108-3).

H.B. 1074 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE STATUTES GOVERNING THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, AND THE DISABILITY INCOME PLAN OF NORTH CAROLINA TO PROVIDE PROTECTION AND REMEDIES FOR REPORTING VIOLATIONS OF RETIREMENT LAW; TO ESTABLISH GUIDELINES FOR FRAUD INVESTIGATIONS THAT WILL ENHANCE THE DEPARTMENT OF STATE TREASURER'S CAPABILITY TO PREVENT AND DETECT FRAUD, WASTE, AND ABUSE; TO MAKE IT A CLASS 1 MISDEMEANOR TO FRAUDULENTLY RECEIVE A DECEDENT'S MONTHLY DISABILITY BENEFIT; AND TO CLARIFY THE APPOINTMENT OF THE MEDICAL BOARD, which was temporarily displaced, is before the Body.

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

S.B. 910 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE CRIMINAL OFFENSE OF UNLAWFUL SALE, SURRENDER, OR PURCHASE OF A MINOR; TO REQUIRE THE NORTH CAROLINA CONFERENCE OF DISTRICT ATTORNEYS TO CONDUCT A STUDY TO DETERMINE WHAT OTHER MEASURES MAY BE NEEDED TO STOP THIS TYPE OF CRIMINAL ACTIVITY; TO CLARIFY WHEN, TO WHOM, AND UNDER WHAT CIRCUMSTANCES THE IDENTITY OF A PERSON REPORTING CHILD ABUSE OR NEGLECT MAY BE RELEASED; TO CLARIFY 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; AND TO EXPAND THE LIST OF FELONIES FOR WHICH A DNA SAMPLE SHALL BE TAKEN UPON ARREST.

Representative Floyd offers Amendment No. 2 which is adopted by electronic vote (81-30).

Representative Pittman requests and is granted leave of the House to be recorded as voting "aye". Representatives Folwell, Gillespie, Hastings, Holloway, Iler, Ingle, Jones, LaRoque, Lewis, McGrady, T. Moore, Saine, and H. Warren request and are granted leave of the House to change their votes from "no" to "aye". The adjusted vote total is (95-17).

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The bill, as amended, passes its third reading, by electronic vote (111-1), and is ordered sent to the Senate, without engrossment, by Special Message.

Representative Pittman requests and is granted leave of the House to change his vote from "no" to "aye". The adjusted vote total is (112-0).

S.B. 141 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO CREATE NEW FIRST DEGREE TRESPASS OFFENSES, TO MAKE VARIOUS CHANGES REGARDING THE PROCEDURES FOR A MOTION FOR APPROPRIATE RELIEF, TO AMEND THE PROCEDURE FOR IMMEDIATE LICENSE REVOCATIONS FOR PROVISIONAL LICENSEES CHARGED WITH CERTAIN CRIMINAL MOVING VIOLATIONS, TO CLARIFY THAT CERTAIN CHANGES TO PAYABLE ON DEATH CONTRACTS DID NOT CHANGE THE PROCEDURES FOR CREATING THOSE CONTRACTS, TO ESTABLISH A RESEARCH AND PLANNING SECTION WITHIN THE DEPARTMENT OF PUBLIC SAFETY, TO REQUIRE THE DEPARTMENT OF PUBLIC SAFETY TO DESIGNATE ITS RESEARCH AND PLANNING SECTION AS THE SINGLE STATE AGENCY RESPONSIBLE FOR THE COORDINATION AND IMPLEMENTATION OF REENTRY POLICY INITIATIVES, TO DIRECT THE DEPARTMENT OF PUBLIC SAFETY TO CONTINUE ITS EFFORTS TO ASSIST OFFENDERS IN SUCCESSFULLY REENTERING SOCIETY, AND TO EXTEND THE TIME FOR LOCAL FORENSIC SCIENCE LABS TO OBTAIN ACCREDITATION, which was temporarily displaced, is before the Body.

Representative Stam offers Amendment No. 2 which is adopted by electronic vote (111-0).

Representative Glazier offers Amendment No. 3 which is adopted by electronic vote (112-0). This amendment changes the title.

Representative Stam moves that the Rules be suspended in order for the bill to have its third reading today. The motion carries by electronic vote (112-1).

Representative Owens requests and is granted leave of the House to change his vote from "no" to "aye". The adjusted vote total is (113-0).

The bill, as amended, passes its third reading, by electronic vote (113-0), and is ordered sent to the Senate for concurrence in House Committee Substitute Bill No. 2, without engrossment, by Special Message.

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On motion of the Speaker, the House recesses at 3:55 p.m.

RECESS

The House reconvenes pursuant to recess and is called to order by Representative T. Moore.

H.B. 1169, AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF BURGAW, AND CONCERNING COUNTY ZONING OF LOCAL DEANNEXED AREAS.

On motion of Representative Justice, the House concurs in Senate Amendment No. 1, which changes the title, by electronic vote (101-4) and the bill is ordered enrolled.

Representative Haire requests and is granted leave of the House to change his vote from "no" to "aye". Representative K. Alexander requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (103-3).

H.B. 1215 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE HENDERSON COUNTY BOARD OF COMMISSIONERS TO LEVY AN ADDITIONAL ONE PERCENT ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX AND TO MAKE OTHER ADMINISTRATIVE CHANGES.

On motion of Representative McGrady, the House does not concur in the Senate committee substitute bill, by electronic vote (105-2), and conferees are requested.

Representative Hastings requests and is granted leave of the House to change his vote from "no" to "aye". The adjusted vote total is (106-1).

SPEAKER TILLIS PRESIDING.

CONFERENCE REPORT

Representative Gillespie sends forth the Conference Report on **S.B. 229** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN ENVIRONMENTAL AND NATURAL RESOURCES LAWS TO (1) DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO REPORT ON THE INTEGRATION OF STORMWATER CAPTURE AND REUSE INTO STORMWATER REGULATORY PROGRAMS; (2) DIRECT THE DEPARTMENT OF

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ENVIRONMENT AND NATURAL RESOURCES TO STUDY THE ADVISABILITY AND FEASIBILITY OF REALLOCATING WATER SUPPLY IN JOHN H. KERR RESERVOIR FROM HYDROPOWER STORAGE TO WATER SUPPLY STORAGE; (2A) AMEND EXEMPTION OF CERTAIN TRANSFERS OF WATER IN THE CENTRAL COASTAL PLAIN CAPACITY USE AREA FROM INTERBASIN TRANSFER CERTIFICATION REQUIREMENTS; (3) DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO STUDY AND EVALUATE DEGRADABLE PLASTIC PRODUCTS AND THEIR POTENTIAL TO CONTAMINATE RECYCLED PLASTIC FEEDSTOCKS; (4) DIRECT THE DIVISION OF PUBLIC HEALTH IN THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO REPORT ON THE ADMINISTRATION AND IMPLEMENTATION OF THE LEAD-BASED PAINT HAZARD MANAGEMENT PROGRAM FOR RENOVATION, REPAIR, AND PAINTING; (5) CLARIFY THAT THE DIVISION OF WATER QUALITY OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES SHALL NOT REQUIRE A WATER QUALITY PERMIT FOR A TYPE I SOLID WASTE COMPOST FACILITY; (6) DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ACCEPT ALTERNATIVE MEASURES FOR STORM-WATER CONTROL OTHER THAN PONDS THAT MEET CERTAIN CRITERIA AT AIRPORTS; (7) PROVIDE CONDITIONS TO ALLOW FOR TWO NONCONTIGUOUS PROPERTIES TO BE TREATED AS A SINGLE CONTIGUOUS PROPERTY FOR PURPOSES OF COMPLIANCE WITH LOCAL WATER SUPPLY WATERSHED PROGRAMS; (8) AMEND THE NEUSE AND TAR-PAMLICO RIVER BASIN BUFFER RULES TO PROVIDE THAT IT IS PERMISSIBLE TO DEVELOP AN EXISTING LOT LOCATED ADJACENT TO SURFACE WATERS UNDER CERTAIN CONDITIONS; (8A) PROHIBIT TREATMENT OF LAND WITHIN RIPARIAN BUFFERS AS LAND OF THE STATE OR ITS SUBDIVISIONS; (9) PROVIDE FLEXIBILITY FOR THE DEVELOPMENT OF BASINWIDE WATER QUALITY MANAGEMENT PLANS FOR RIVER BASINS THAT HAVE WATERS DESIGNATED AS NUTRIENT SENSITIVE; (10) AMEND THE DEFINITION OF COMMUNITY WATER SYSTEM; (11) ESTABLISH A VARIANCE PROCESS FOR CERTAIN SETBACK REQUIREMENTS FOR EXISTING PRIVATE DRINKING WATER WELLS; (12) REPEAL THE AUTHORITY OF THE ENVIRONMENTAL MANAGEMENT COMMISSION TO ADD COUNTIES TO THE MOTOR VEHICLE EMISSIONS INSPECTION PROGRAM; (13) ALLOW THE COMMERCIAL LEAKING PETROLEUM UNDERGROUND STORAGE TANK CLEANUP FUND TO BE USED FOR THE REMOVAL OF ABANDONED UNDERGROUND STORAGE TANKS THAT HAVE NOT LEAKED BUT POSE AN IMMINENT HAZARD; (14) ESTABLISH A MINIMUM OCEAN HAZARD SETBACK OF SIXTY FEET OR THIRTY TIMES THE SHORELINE EROSION RATE,

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WHICHEVER IS GREATER, FOR DEVELOPMENT PERMITS TO REPLACE CERTAIN RESIDENTIAL DWELLINGS; (15) REQUIRE SCRAP TIRE COLLECTORS TO VERIFY ACCESS TO A PERMITTED SCRAP TIRE DISPOSAL SITE BEFORE CONTRACTING WITH ANY SCRAP TIRE PROCESSOR; (16) REQUIRE SEPTAGE MANAGEMENT FIRMS TO PROVIDE IDENTIFICATION OF AND NOTICE TO THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES BEFORE PLACING A PUMPER TRUCK NOT PREVIOUSLY INCLUDED IN A PERMIT INTO SERVICE; (17) AMEND OR REPEAL VARIOUS ENVIRONMENTAL AND NATURAL RESOURCES REPORTING REQUIREMENTS; (18) EXTEND THE DURATION OF PERMITS FOR SANITARY LANDFILLS AND TRANSFER STATIONS; (19) AMEND THE MARINE FISHERIES COMMISSION ADVISORY COMMITTEES; (20) PROVIDE THAT A SUPERMAJORITY OF THE MARINE FISHERIES COMMISSION IS REQUIRED TO OVERRIDE A RECOMMENDATION OF THE DIVISION OF MARINE FISHERIES REGARDING OVERFISHING OR REBUILDING OF FISH STOCKS; (21) PROVIDE CERTAIN PROTECTIONS TO GALAX AND VENUS FLYTRAP UNDER THE PLANT PROTECTION AND CONSERVATION ACT; (22) INCREASE THE CIVIL PENALTY FOR VIOLATIONS OF CERTAIN RULES OF THE WILDLIFE RESOURCES COMMISSION; (23) PROVIDE THAT FUNDS RECEIVED IN SETTLEMENT OF THE LAWSUIT FILED BY THE STATE AGAINST THE TENNESSEE VALLEY AUTHORITY BE USED EXCLUSIVELY IN CERTAIN COUNTIES; AND (24) MAKE TECHNICAL AND CONFORMING CHANGES TO ENVIRONMENTAL AND NATURAL RESOURCES LAWS. Without objection, the Conference Report is placed on today's Calendar for immediate consideration.

On motion of the Speaker, the bill is temporarily displaced.

CONFERENCE REPORT

Representative Mobley sends forth the Conference Report on **H.B. 853** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND LOCAL INTAKE PROCEDURES FOR RECEIVING DELINQUENCY AND UNDISCIPLINED COMPLAINTS UNDER THE LAWS PERTAINING TO UNDISCIPLINED AND DELINQUENT JUVENILES, TO AUTHORIZE MONITORING OF COUNTY DETENTION CENTERS BY THE DEPARTMENT OF PUBLIC SAFETY, TO AMEND LAWS ON STATE STANDARDS FOR JUVENILE DETENTION AND LOCAL JAILS, TO CORRECT REFERENCES TO THE AGENCY RESPONSIBLE FOR JUVENILE DETENTION, AND TO PROVIDE PROCEDURES FOR REVIEW OF JUVENILES ON PROTECTIVE SUPERVISION. Without objection, the Conference Report is placed on today's Calendar.

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CALENDAR (continued)

H.B. 1052 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS AMENDMENTS TO NORTH CAROLINA'S MECHANICS LIEN AND PAYMENT BOND LAWS, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S MECHANICS LIENS ON REAL PROPERTY COMMITTEE.

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

S.B. 876, A BILL TO BE ENTITLED AN ACT TO REMOVE A CERTAIN DESCRIBED TRACT FROM THE CORPORATE LIMITS OF THE TOWN OF MOORESVILLE AT THE REQUEST OF THE TOWN BOARD OF COMMISSIONERS, 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, Dockham, Dollar, Earle, Faircloth, Faison, Farmer-Butterfield, Fisher, Floyd, Folwell, Frye, Gill, Gillespie, Glazier, Goodman, Graham, Hackney, Hager, Haire, Hall, Hamilton, Harrison, Hastings, 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, Parmon, Pierce, Pittman, Pridgen, Randleman, Rapp, Ross, Sager, Saine, Samuelson, Sanderson, Setzer, Shepard, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Walend, E. Warren, H. Warren, Weiss, West, Wilkins, and Wray - 113.

Voting in the negative: None.

Excused absences: Representatives Hill, Hilton, McComas, Spear, Wainwright, and Womble - 6.

CONFERENCE REPORTS

Representative Mobley moves the adoption of the following Conference Report.

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Senate Committee Substitute for H.B. 853

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 853, A BILL TO BE ENTITLED AN ACT TO AMEND LOCAL INTAKE PROCEDURES FOR RECEIVING DELINQUENCY AND UNDISCIPLINED COMPLAINTS UNDER THE LAWS PERTAINING TO UNDISCIPLINED AND DELINQUENT JUVENILES, TO AUTHORIZE MONITORING OF COUNTY DETENTION CENTERS BY THE DEPARTMENT OF PUBLIC SAFETY, TO AMEND LAWS ON STATE STANDARDS FOR JUVENILE DETENTION AND LOCAL JAILS, TO CORRECT REFERENCES TO THE AGENCY RESPONSIBLE FOR JUVENILE DETENTION, AND TO PROVIDE PROCEDURES FOR REVIEW OF JUVENILES ON PROTECTIVE SUPERVISION, Senate Judiciary II Committee Substitute Adopted 6/20/12, submit the following report:

The House and Senate agree to the following amendment to the Senate Judiciary II Committee Substitute Adopted 6/20/12, and the House concurs in the Senate Committee Substitute as amended:

On page 3, lines 4 and 5, by rewriting the lines to read:

"protective supervision for up to three months."

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

Date conferees approved report: June 28, 2012.

*Conferees for the
Senate*

S/ Warren Daniel, Chair
S/ Austin M. Allran
S/ Buck Newton
S/ Harry Brown

*Conferees for the
House of Representatives*

S/ A. W. Mobley, Chair
S/ Pat B. Hurley
S/ Shirley B. Randleman
S/ Rick Glazier
S/ Alice L. Bordsen

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

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Representative Gillespie moves the adoption of the following Conference Report, which was temporarily displaced.

House Committee Substitute for S.B. 229

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 229, A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN ENVIRONMENTAL AND NATURAL RESOURCES LAWS TO (1) DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO REPORT ON THE INTEGRATION OF STORMWATER CAPTURE AND REUSE INTO STORMWATER REGULATORY PROGRAMS; (2) DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO STUDY THE ADVISABILITY AND FEASIBILITY OF REALLOCATING WATER SUPPLY IN JOHN H. KERR RESERVOIR FROM HYDRO-POWER STORAGE TO WATER SUPPLY STORAGE; (2A) AMEND EXEMPTION OF CERTAIN TRANSFERS OF WATER IN THE CENTRAL COASTAL PLAIN CAPACITY USE AREA FROM INTERBASIN TRANSFER CERTIFICATION REQUIREMENTS; (3) DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO STUDY AND EVALUATE DEGRADABLE PLASTIC PRODUCTS AND THEIR POTENTIAL TO CONTAMINATE RECYCLED PLASTIC FEEDSTOCKS; (4) DIRECT THE DIVISION OF PUBLIC HEALTH IN THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO REPORT ON THE ADMINISTRATION AND IMPLEMENTATION OF THE LEAD-BASED PAINT HAZARD MANAGEMENT PROGRAM FOR RENOVATION, REPAIR, AND PAINTING; (5) CLARIFY THAT THE DIVISION OF WATER QUALITY OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES SHALL NOT REQUIRE A WATER QUALITY PERMIT FOR A TYPE I SOLID WASTE COMPOST FACILITY; (6) DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ACCEPT ALTERNATIVE MEASURES FOR STORMWATER CONTROL OTHER THAN PONDS THAT MEET CERTAIN CRITERIA AT AIRPORTS; (7) PROVIDE CONDITIONS TO ALLOW FOR TWO NONCONTIGUOUS PROPERTIES TO BE TREATED AS A SINGLE CONTIGUOUS PROPERTY FOR PURPOSES OF COMPLIANCE WITH LOCAL WATER SUPPLY WATERSHED PROGRAMS; (8) AMEND THE NEUSE AND TAR-PAMLICO RIVER BASIN BUFFER RULES TO PROVIDE THAT IT IS PERMISSIBLE TO DEVELOP AN EXISTING LOT LOCATED ADJACENT TO SURFACE WATERS UNDER CERTAIN CONDITIONS; (8A) PROHIBIT TREAT-

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MENT OF LAND WITHIN RIPARIAN BUFFERS AS LAND OF THE STATE OR ITS SUBDIVISIONS; (9) PROVIDE FLEXIBILITY FOR THE DEVELOPMENT OF BASINWIDE WATER QUALITY MANAGEMENT PLANS FOR RIVER BASINS THAT HAVE WATERS DESIGNATED AS NUTRIENT SENSITIVE; (10) AMEND THE DEFINITION OF COMMUNITY WATER SYSTEM; (11) ESTABLISH A VARIANCE PROCESS FOR CERTAIN SETBACK REQUIREMENTS FOR EXISTING PRIVATE DRINKING WATER WELLS; (12) REPEAL THE AUTHORITY OF THE ENVIRONMENTAL MANAGEMENT COMMISSION TO ADD COUNTIES TO THE MOTOR VEHICLE EMISSIONS INSPECTION PROGRAM; (13) ALLOW THE COMMERCIAL LEAKING PETROLEUM UNDERGROUND STORAGE TANK CLEANUP FUND TO BE USED FOR THE REMOVAL OF ABANDONED UNDERGROUND STORAGE TANKS THAT HAVE NOT LEAKED BUT POSE AN IMMINENT HAZARD; (14) ESTABLISH A MINIMUM OCEAN HAZARD SETBACK OF SIXTY FEET OR THIRTY TIMES THE SHORELINE EROSION RATE, WHICHEVER IS GREATER, FOR DEVELOPMENT PERMITS TO REPLACE CERTAIN RESIDENTIAL DWELLINGS; (15) REQUIRE SCRAP TIRE COLLECTORS TO VERIFY ACCESS TO A PERMITTED SCRAP TIRE DISPOSAL SITE BEFORE CONTRACTING WITH ANY SCRAP TIRE PROCESSOR; (16) REQUIRE SEPTAGE MANAGEMENT FIRMS TO PROVIDE IDENTIFICATION OF AND NOTICE TO THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES BEFORE PLACING A PUMPER TRUCK NOT PREVIOUSLY INCLUDED IN A PERMIT INTO SERVICE; (17) AMEND OR REPEAL VARIOUS ENVIRONMENTAL AND NATURAL RESOURCES REPORTING REQUIREMENTS; (18) EXTEND THE DURATION OF PERMITS FOR SANITARY LANDFILLS AND TRANSFER STATIONS; (19) AMEND THE MARINE FISHERIES COMMISSION ADVISORY COMMITTEES; (20) PROVIDE THAT A SUPERMAJORITY OF THE MARINE FISHERIES COMMISSION IS REQUIRED TO OVERRIDE A RECOMMENDATION OF THE DIVISION OF MARINE FISHERIES REGARDING OVERFISHING OR REBUILDING OF FISH STOCKS; (21) PROVIDE CERTAIN PROTECTIONS TO GALAX AND VENUS FLYTRAP UNDER THE PLANT PROTECTION AND CONSERVATION ACT; (22) INCREASE THE CIVIL PENALTY FOR VIOLATIONS OF CERTAIN RULES OF THE WILDLIFE RESOURCES COMMISSION; (23) PROVIDE THAT FUNDS RECEIVED IN SETTLEMENT OF THE LAWSUIT FILED BY THE STATE AGAINST THE TENNESSEE VALLEY AUTHORITY BE USED EXCLUSIVELY IN CERTAIN COUNTIES; AND (24) MAKE TECHNICAL AND CONFORMING CHANGES TO ENVIRONMENTAL AND NATURAL RESOURCES LAWS, House Committee Substitute Favorable 6/11/12, Fourth Edition Engrossed 6/18/12, submit the following report:

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The Senate and the House agree to the following amendment to the House Committee Substitute Favorable 6/11/12, Fourth Edition Engrossed 6/18/12, and the Senate concurs in the House Committee Substitute as amended:

Delete the entire House Committee Substitute Favorable 6/11/12, Fourth Edition Engrossed 6/18/12, and substitute the attached Proposed Conference Committee Substitute S229-PCCS15260-TA-1.

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

Date conferees approved report: June 28, 2012.

*Conferees for the
Senate*

S/ Don East, Chair
S/ Brent Jackson
S/ David Rouzer
S/ Harry Brown
S/ Michael P. Walters
S/ Fletcher L. Hartsell, Jr.

*Conferees for the
House of Representatives*

S/ Mitch Gillespie, Chair
S/ Roger West
S/ Ruth Samuelson
S/ Pat McElraft
S/ Rodney Moore

The Conference Report, which changes the title, is adopted, by electronic vote (65-46), and the Senate is so notified by Special Message. (The text of the Conference Committee Substitute may be found in its entirety in the 2012 Session Laws, Chapter 200.)

**REPORTS OF STANDING COMMITTEES AND PERMANENT
SUBCOMMITTEES**

The following report from standing committee is presented:

By Representatives McElraft, Samuelson, and West, Chairs, for the Committee on Environment:

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

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

On motion of Representative T. Moore and without objection, the bill is withdrawn from the Calendar, pursuant to Rule 36(b), and re-referred to the Committee on Rules, Calendar, and Operations of the House.

CONFEREES APPOINTED

The Speaker appoints the following conferees on **H.B. 1215** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE HENDERSON COUNTY BOARD OF COMMISSIONERS TO LEVY AN ADDITIONAL ONE PERCENT ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX AND TO MAKE OTHER ADMINISTRATIVE CHANGES: Representative Starnes, Chair; Representatives McGee and Cotham.

The Senate is so notified by Special Message.

On motion of the Speaker, the House recesses at 4:50 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 report from standing committee is presented:

By Representative McComas, Chair, for the Committee on Commerce and Job Development:

H.B. 462 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO LIMIT USE OF CONTINGENT-BASED CONTRACTS FOR AUDIT OR ASSESSMENT PURPOSES, with recommendation that the House concur.

Pursuant to Rule 36(b) and without objection, the bill is placed on today's Calendar.

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BILLS PLACED ON CALENDAR

On motion of Representative T. Moore and without objection, **H.B. 889** (Committee Substitute), 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 withdrawn from the Calendar, pursuant to Rule 36(b), and placed on today's Calendar.

On motion of Representative T. Moore and without objection, **H.R. 1191**, A HOUSE RESOLUTION SPECIFICALLY DISAPPROVING EXECUTIVE ORDER NO. 85, ISSUED MARCH 25, 2011, UNDER PROVISIONS OF THE NORTH CAROLINA CONSTITUTION GRANTING EITHER HOUSE OF THE GENERAL ASSEMBLY TO DO SO, AS THE GENERAL ASSEMBLY HAS ACCOMPLISHED ADMINISTRATIVE REORGANIZATIONS BY LEGISLATION, is withdrawn from the Calendar of July 2 and placed on today's Calendar.

CALENDAR (continued)

H.B. 889 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE LOCKSMITH LICENSING ACT AND AUTHORIZING THE NORTH CAROLINA LOCKSMITH LICENSING BOARD TO INCREASE CERTAIN FEES.

Representative Collins offers Amendment No. 1 which is adopted by electronic vote (104-3). This amendment changes the title.

The bill, as amended, passes its second reading by electronic vote (107-1).

Without objection, the Rules are suspended in order for the bill to have its third reading today.

The bill, as amended, passes its third reading, by electronic vote (107-1), and is ordered sent to the Senate, without engrossment, by Special Message.

H.B. 462 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO LIMIT USE OF CONTINGENT-BASED CONTRACTS FOR AUDIT OR ASSESSMENT PURPOSES.

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

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H.R. 1191, A HOUSE RESOLUTION SPECIFICALLY DIS-APPROVING EXECUTIVE ORDER NO. 85, ISSUED MARCH 25, 2011, UNDER PROVISIONS OF THE NORTH CAROLINA CONSTITUTION GRANTING EITHER HOUSE OF THE GENERAL ASSEMBLY TO DO SO, AS THE GENERAL ASSEMBLY HAS ACCOMPLISHED ADMINISTRATIVE REORGANIZATIONS BY LEGISLATION.

The resolution is adopted, by electronic vote (66-46), and ordered printed.

SPECIAL MESSAGES FROM THE SENATE

The following Special Messages are received from the Senate:

H.B. 953 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL AMENDMENTS TO VARIOUS LAWS RELATED TO ENVIRONMENT AND NATURAL RESOURCES, DELAY THE IMPLEMENTATION DEADLINE FOR LOCAL STORMWATER MANAGEMENT PROGRAMS UNDER THE JORDAN LAKE NEW DEVELOPMENT RULE, AND TO MAKE CHANGES TO THE CLEAN ENERGY AND ECONOMIC SECURITY ACT, is returned for concurrence in the Senate committee substitute bill and one Senate amendment.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of July 2.

Upon concurrence the Senate committee substitute bill changes the title.

S.B. 847 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE GENERAL STATUTES, INCLUDING SPECIFICALLY AUTHORIZING THE REVISOR OF STATUTES TO PRINT DRAFTERS' COMMENTS TO THREE ACTS ENACTED IN 2011 IN WHICH THIS AUTHORIZATION WAS INADVERTENTLY OMITTED, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, AND TO MAKE OTHER AMENDMENTS, with unengrossed Amendments No. 5, No. 6, No. 7, No. 8, and No. 11, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

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ENROLLED BILLS

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

H.B. 153, AN ACT TO PROHIBIT A PERSON WHO HAS BEEN CONVICTED OF A FELONY RELATED TO EMPLOYMENT OR HOLDING OFFICE FROM RECEIVING RETIREMENT BENEFITS FROM THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, THE CONSOLIDATED JUDICIAL RETIREMENT SYSTEM, THE LEGISLATIVE RETIREMENT SYSTEM, THE OPTIONAL RETIREMENT PROGRAM FOR THE UNIVERSITY OF NORTH CAROLINA, THE OPTIONAL RETIREMENT PROGRAM FOR STATE-FUNDED COMMUNITY COLLEGES, THE SUPPLEMENTAL RETIREMENT INCOME PLAN FOR STATE LAW-ENFORCEMENT OFFICERS, AND THE SUPPLEMENTAL RETIREMENT INCOME PLAN FOR LOCAL GOVERNMENTAL LAW-ENFORCEMENT OFFICERS.

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

H.B. 552, AN ACT TO CREATE THE GREATER ASHEVILLE REGIONAL AIRPORT AUTHORITY, TO REMOVE THE ASHEVILLE REGIONAL AIRPORT AND THE WESTERN NORTH CAROLINA AGRICULTURAL CENTER FROM THE ZONING JURISDICTION OF THE CITY OF ASHEVILLE, TO REQUIRE THE CITY OF ASHEVILLE TO CONVEY TO THE STATE OF NORTH CAROLINA ANY OF ITS RIGHT, TITLE, AND INTEREST TO THE WESTERN NORTH CAROLINA AGRICULTURAL CENTER, AND TO REMOVE THE WESTERN NORTH CAROLINA AGRICULTURAL CENTER FROM THE CORPORATE LIMITS OF THE CITY OF ASHEVILLE.

H.B. 956, AN ACT RELATING TO THE USE OF OPEN SPACE FUNDS FOR JOHNSTON COUNTY.

H.B. 1200, AN ACT TO AMEND THE PROVISIONS OF THE WINSTON-SALEM FIREMEN'S RETIREMENT FUND AND TO REPEAL THE PROVISIONS ESTABLISHING THE NEW BERN FIREMEN'S SUPPLEMENTAL RETIREMENT FUND.

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SPECIAL MESSAGE FROM THE SENATE**2011 GENERAL ASSEMBLY
SECOND SESSION 2012**

Senate Chamber
June 28, 2012

Mr. Speaker:

Pursuant to your message received on June 27, 2012, that the House of Representatives fails to concur in the Senate Committee Substitute to **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, and requests conferees, the President *Pro Tempore* appoints:

Senator Hise, Chair
Senator Apodaca
Senator Gunn

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
SECOND SESSION 2012**

Senate Chamber
June 28, 2012

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. 707** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE SCHOOL VIOLENCE PREVENTION ACT, and requests conferees. The President *Pro Tempore* appoints:

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Senator Tucker, Chair
Senator Newton
Senator Hise
Senator Tillman

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

Respectfully,
S/ Sarah Clapp
Principal Clerk

The Speaker appoints Representative Stevens, Chair; Representatives Glazier, Ingle, and Martin as conferees on the part of the House and the Senate is so notified by Special Message.

Representative LaRoque moves, seconded by Representative Torbett, that the House adjourn, subject to the appointment of conferees, the ratification of bills, the receipt of Committee Reports, the receipt of Conference Reports, the receipt of Messages from the Senate, and the referral of bills to committees, to reconvene June 29 at 10:00 a.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:

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

The House committee substitute changes the bill from local to public.

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Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of July 2. The Senate committee substitute bill is placed on the Unfavorable Calendar.

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

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of July 2. The Senate committee substitute bill is placed on the Unfavorable Calendar.

The House stands adjourned at 8:25 p.m.

ONE HUNDRED THIRTY-SIXTH DAY

HOUSE OF REPRESENTATIVES
Friday, June 29, 2012

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

Prayer is offered by Representative Nelson Dollar.

Representative Dollar reports the Journal of June 28 has been examined and found correct. Upon his motion, the Journal is approved as written.

There are no excused absences for today.

ENROLLED BILLS

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

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S.B. 133, AN ACT TO ELIMINATE OBSOLETE PROVISIONS FROM, AND MAKE CLARIFYING CHANGES TO, THE LAWS GOVERNING PREPARATION AND STORAGE OF JURY LISTS, AND TO EXEMPT PERSONS WHO HAVE BEEN LAWFULLY SUMMONED FOR JURY SERVICE FROM PAYING FERRY TOLLS TO TRAVEL TO AND FROM THEIR HOMES AND THE SITE OF THAT SERVICE.

S.B. 655, AN ACT TO REQUIRE THAT DENTIST AGREEMENTS WITH MANAGEMENT COMPANIES CONFORM WITH THE DENTAL PRACTICE ACT AND TO ESTABLISH A TASK FORCE ON DENTAL MANAGEMENT ARRANGEMENT RULES.

S.B. 738, AN ACT TO PROVIDE FOR THE PRE-LICENSING AND CONTINUING EDUCATION OF BAIL BONDSMEN AND RUNNERS.

S.B. 755, AN ACT TO ENACT THE EQUAL ACCESS ACT.

S.B. 803, AN ACT TO MAKE CHANGES TO ADMINISTRATION OF THE STATE RETIREMENT SYSTEMS.

S.B. 951, AN ACT TO TRANSFER THE CLEVELAND COUNTY CORRECTIONAL FACILITY TO CLEVELAND COUNTY COMMUNITY COLLEGE AND TO TRANSFER THE HAYWOOD CORRECTIONAL CENTER TO THE HAYWOOD COUNTY BOARD OF COMMISSIONERS.

H.B. 1044, AN ACT TO ALLOW MEMBERS OF THE MILITARY WHO HAVE TAKEN A COMPARABLE MOTORCYCLE SAFETY PROGRAM PROVIDED BY FEDERALLY CERTIFIED INSTRUCTORS TO RECEIVE THE SAME MOTORCYCLE INSURANCE DISCOUNT AS CITIZENS WHO COMPLETE THE MOTORCYCLE SAFETY INSTRUCTION PROGRAM, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON MILITARY AFFAIRS.

H.B. 1052, AN ACT TO MAKE VARIOUS AMENDMENTS TO NORTH CAROLINA'S MECHANICS LIEN AND PAYMENT BOND LAWS, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S MECHANICS LIENS ON REAL PROPERTY COMMITTEE.

H.B. 1073, AN ACT TO MODIFY THE COMPOSITION AND APPOINTMENT PROCESS FOR MEMBERS OF THE BOARD OF DIRECTORS OF THE UNIVERSITY OF NORTH CAROLINA HEALTH CARE SYSTEM.

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H.B. 1074, AN ACT TO MAKE CHANGES TO THE STATUTES GOVERNING THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, AND THE DISABILITY INCOME PLAN OF NORTH CAROLINA TO PROVIDE PROTECTION AND REMEDIES FOR REPORTING VIOLATIONS OF RETIREMENT LAW; TO ESTABLISH GUIDELINES FOR FRAUD INVESTIGATIONS THAT WILL ENHANCE THE DEPARTMENT OF STATE TREASURER'S CAPABILITY TO PREVENT AND DETECT FRAUD, WASTE, AND ABUSE; TO MAKE IT A CLASS 1 MISDEMEANOR TO FRAUDULENTLY RECEIVE A DECEDENT'S MONTHLY DISABILITY BENEFIT; AND TO CLARIFY THE APPOINTMENT OF THE MEDICAL BOARD.

H.B. 1085, AN ACT TO, FOR THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES, WHICH COVERS RETIREES WITHIN THE RETIREMENT SYSTEM, (1) AMEND THE DEFINITION OF "DEPENDENT CHILD" IN ORDER TO COMPLY WITH THE AFFORDABLE CARE ACT, (2) LIMIT ENROLLMENT WITHOUT A QUALIFYING EVENT TO THE ANNUAL ENROLLMENT PERIOD, (3) REPEAL THE OPTIONAL PROGRAM OF LONG-TERM CARE BENEFITS, AND (4) MAKE A CLARIFYING CHANGE RELATED TO COINSURANCE.

H.B. 853, AN ACT TO AMEND LOCAL INTAKE PROCEDURES FOR RECEIVING DELINQUENCY AND UNDISCIPLINED COMPLAINTS UNDER THE LAWS PERTAINING TO UNDISCIPLINED AND DELINQUENT JUVENILES, TO AUTHORIZE MONITORING OF COUNTY DETENTION CENTERS BY THE DEPARTMENT OF PUBLIC SAFETY, TO AMEND LAWS ON STATE STANDARDS FOR JUVENILE DETENTION AND LOCAL JAILS, TO CORRECT REFERENCES TO THE AGENCY RESPONSIBLE FOR JUVENILE DETENTION, AND TO PROVIDE PROCEDURES FOR REVIEW OF JUVENILES ON PROTECTIVE SUPERVISION.

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

H.B. 1169, AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF BURGAW, AND CONCERNING COUNTY ZONING OF LOCAL DEANNEXED AREAS.

H.B. 1170, AN ACT TO AMEND THE PROCESS BY WHICH MEMBERS OF THE PENDER COUNTY BOARD OF ALCOHOLIC CONTROL ARE SELECTED; TO REMOVE THE REQUIREMENT THAT THE PENDER COUNTY BOARD OF ALCOHOLIC CONTROL

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LOCATE ONE OR MORE STORES IN THE TOWNS OF BURGAW AND ATKINSON; AND TO AMEND THE DISTRIBUTION OF CERTAIN NET PROFITS FROM THE PENDER COUNTY BOARD OF ALCOHOLIC CONTROL.

CHAPTERED BILLS

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

S.B. 572, AN ACT TO MAKE STATEWIDE THE AUTHORITY PREVIOUSLY GRANTED TO NASH COUNTY SO AS TO ALLOW COUNTIES TO PROVIDE GRANTS TO PROMOTE HIGH-SPEED INTERNET ACCESS SERVICE IN UNSERVED AREAS FOR ECONOMIC DEVELOPMENT AND TO MAKE OTHER CLARIFYING CHANGES. (S.L. 2012-86)

S.B. 661, AN ACT TO DIRECT THE STATE AUDITOR TO AUDIT THE ROANOKE ISLAND COMMISSION, INCLUDING FUNDS RECEIVED BY FRIENDS OF ELIZABETH II, INC. (S.L. 2012-87)

H.B. 605, AN ACT TO EXPAND THE DEFINITION OF LOCAL AGENCY FOR PURPOSES OF THE DEBT SETOFF COLLECTION ACT. (S.L. 2012-88)

H.B. 1096, AN ACT TO SAVE MONEY BY REPEALING A STATUTE REQUIRING LOCAL SCHOOL ADMINISTRATIVE UNITS, COMMUNITY COLLEGES, AND THE UNIVERSITY OF NORTH CAROLINA TO HAVE SEPARATE BIDS FOR JUICE AND WATER. (S.L. 2012-89)

S.B. 798, AN ACT TO MAKE VARIOUS CHANGES TO THE EMERGENCY MANAGEMENT STATUTES; AND TO ESTABLISH THE JOINT LEGISLATIVE EMERGENCY MANAGEMENT OVERSIGHT COMMITTEE, AS RECOMMENDED BY THE SENATE SELECT COMMITTEE ON EMERGENCY PREPAREDNESS AND RESPONSE. (S.L. 2012-90)

H.B. 952, AN ACT TO EXEMPT FROM STATE AIR TOXICS EMISSIONS CONTROLS THOSE SOURCES OF EMISSIONS THAT ARE SUBJECT TO CERTAIN FEDERAL EMISSIONS REQUIREMENTS, TO DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO REQUIRE PERMIT CONDITIONS THAT ELIMINATE UNACCEPTABLE RISKS TO HUMAN HEALTH, TO

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DIRECT THE DIVISION OF AIR QUALITY TO REVIEW THE STATE AIR TOXICS PROGRAM, AND TO REQUIRE REPORTS ON THE IMPLEMENTATION OF THIS ACT, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION. (S.L. 2012-91)

S.B. 77, AN ACT PROVIDING THAT AFTER DECEMBER 31, 2012, 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. (S.L. 2012-92)

S.B. 813, AN ACT TO REQUIRE THE DEPARTMENT OF CULTURAL RESOURCES AND THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO STUDY VARIOUS REVENUE ENHANCEMENTS AND POTENTIAL SAVINGS AT STATE HISTORIC SITES AND MUSEUMS, THE STATE ZOO, STATE PARKS, AND STATE AQUARIUMS, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE. (S.L. 2012-93)

S.B. 848, AN ACT INCORPORATING ADDITIONAL BASES FOR MAKING ASSESSMENTS UNDER THE CHARTER OF THE CITY OF DURHAM IN THE CASE OF BOTH PETITIONED AND NON-PETITIONED ASSESSMENTS. (S.L. 2012-94)

S.B. 900, AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF SURF CITY. (S.L. 2012-95)

S.B. 901, AN ACT TO REMOVE THE CAP ON SATELLITE ANNEXATIONS FOR THE TOWN OF OCEAN ISLE BEACH. (S.L. 2012-96)

H.B. 945, AN ACT TO ANNEX TO THE CITY OF MARION A SECTION OF RIGHT-OF-WAY OF US HIGHWAY 70 WEST WHERE A SIDEWALK TO BE MAINTAINED BY THE CITY IS TO BE CONSTRUCTED. (S.L. 2012-97)

H.B. 963, AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF COLUMBIA. (S.L. 2012-98)

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H.B. 987, AN ACT TO ALLOW PERSONS WHO WORK IN WAKE COUNTY TO BE ELIGIBLE FOR MEMBERSHIP ON THE BOARD OF TRUSTEES OF WAKE TECHNICAL COMMUNITY COLLEGE. (S.L. 2012-99)

H.B. 991, AN ACT TO POSTPONE THE EFFECTIVE DATE OF CHANGES MADE TO THE JACKSON COUNTY OCCUPANCY TAX DURING THE 2011 REGULAR SESSION OF THE GENERAL ASSEMBLY. (S.L. 2012-100)

H.B. 1029, AN ACT TO REMOVE THE REQUIREMENT THAT THE TOWN MANAGER OF MAYODAN BE A RESIDENT OF THAT TOWN. (S.L. 2012-101)

H.B. 1041, AN ACT TO EXCHANGE CERTAIN DESCRIBED TRACTS OF LAND BETWEEN THE CITY OF ARCHDALE AND THE CITY OF HIGH POINT. (S.L. 2012-102)

H.B. 1050, 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 REPEALING SPECIFIED INVOLUNTARY ANNEXATION ORDINANCES OF THE TOWN OF ELIZABETHTOWN RELATING TO THE INDUSTRIAL PARK AREA, AND BY PROHIBITING MUNICIPAL INITIATION OF ANY PROCEDURE TO INVOLUNTARILY ANNEX THOSE AREAS FOR TWELVE YEARS. (S.L. 2012-103)

H.B. 1051, 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 REPEALING SPECIFIED INVOLUNTARY ANNEXATION ORDINANCES OF THE TOWN OF ELIZABETHTOWN RELATING TO THE HAYFIELDS AREA, AND BY PROHIBITING MUNICIPAL INITIATION OF ANY PROCEDURE TO INVOLUNTARILY ANNEX THOSE AREAS FOR TWELVE YEARS. (S.L. 2012-104)

H.B. 1059, AN ACT TO ALLOW THE CITY OF ASHEBORO TO TOW MOTOR VEHICLES IMPEDING THE OPERATION OF THE DOWNTOWN FARMERS' MARKET. (S.L. 2012-105)

June 29, 2012

H.B. 1071, AN ACT TO PROVIDE FOR THE DATE FOR THE ORGANIZATIONAL MEETING OF THE WAKE COUNTY BOARD OF EDUCATION TO BE GOVERNED BY GENERAL LAW. (S.L. 2012-106)

H.B. 1087, AN ACT TO AUTHORIZE THE TOWN OF FONTANA DAM TO LEVY AN OCCUPANCY TAX. (S.L. 2012-107)

H.B. 1090, AN ACT TO ESTABLISH THE REMAINING NINE PERCENT OF THE COMMON BOUNDARY BETWEEN ALAMANCE COUNTY AND ORANGE COUNTY NOT ADDRESSED BY SESSION LAW 2011-88 AND AS AUTHORIZED BY THE 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. (S.L. 2012-108)

H.B. 1106, AN ACT TO ANNEX CERTAIN DESCRIBED TERRITORY TO THE CORPORATE LIMITS OF THE TOWN OF APEX. (S.L. 2012-109)

H.B. 1110, AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTIES FROM THE CORPORATE LIMITS OF THE TOWN OF MATTHEWS AND ANNEX IT TO THE TOWN OF STALLINGS, BOTH AT THE REQUEST OF THE RESPECTIVE TOWN GOVERNING BOARDS. (S.L. 2012-110)

H.B. 1122, AN ACT TO VALIDATE CERTAIN LEVIES AND COLLECTION OF FIRE DISTRICT TAXES IN MARTIN COUNTY AND TO ALLOW MARTIN COUNTY TO ABOLISH BY RESOLUTION ITS CHAPTER 69 FIRE PROTECTION DISTRICTS UPON ESTABLISHMENT OF FIRE PROTECTION SERVICE DISTRICTS UNDER CHAPTER 153A OF THE GENERAL STATUTES. (S.L. 2012-111)

H.B. 1123, AN ACT AMENDING THE ACT AUTHORIZING THE APPOINTMENT OF AN AUTHORITY TO CONTROL THE MANAGEMENT OF A MEMORIAL STADIUM TO BE ERECTED BY DURHAM COUNTY, TO INCREASE ITS MEMBERSHIP, AND TO AMEND ITS TERM LIMITS. (S.L. 2012-112)

H.B. 1196, AN ACT TO PROVIDE A PROCESS FOR CONVEYING AN INTEREST IN REAL PROPERTY OWNED BY ALBEMARLE MENTAL HEALTH CENTER TO EAST CAROLINA BEHAVIORAL HEALTH. (S.L. 2012-113)

June 29, 2012

H.B. 1197, AN ACT TO AUTHORIZE STOKES COUNTY TO REQUIRE THE PAYMENT OF DELINQUENT PROPERTY TAXES BEFORE RECORDING DEEDS CONVEYING PROPERTY. (S.L. 2012-114)

H.B. 1199, AN ACT AUTHORIZING THE TOWN OF LAKE LURE TO CONVEY CERTAIN DESCRIBED PROPERTY BY GIFT, PRIVATE SALE, OR LONG-TERM LEASE. (S.L. 2012-115)

H.B. 1202, AN ACT TO DEANNEX FROM THE CITY OF ROANOKE RAPIDS A PARCEL PREVIOUSLY ANNEXED BY A LEGISLATIVE ANNEXATION AND AMENDING THE AUTHORIZING LEGISLATION FOR THE HALIFAX-NORTHAMPTON REGIONAL AIRPORT AUTHORITY. (S.L. 2012-116)

H.B. 1206, AN ACT TO MORE ACCURATELY DESCRIBE THE CORPORATE LIMITS OF THE TOWN OF BUTNER. (S.L. 2012-117)

H.B. 1216, AN ACT REMOVING CERTAIN RESTRICTIONS ON SATELLITE ANNEXATIONS FOR THE TOWN OF WALLACE. (S.L. 2012-118)

H.B. 1217, AN ACT TO ADJUST THE BOUNDARIES OF THE TOWN OF WOODFIN AND THE CITY OF ASHEVILLE, AS REQUESTED BY THE GOVERNING BOARDS OF THOSE MUNICIPALITIES, BY (1) ANNEXING INTO THE CITY OF ASHEVILLE CERTAIN STATE-OWNED PROPERTY, (2) REMOVING CERTAIN STATE-OWNED PROPERTY FROM THE TOWN OF WOODFIN AND ANNEXING IT INTO THE CITY OF ASHEVILLE, (3) REMOVING CERTAIN STATE-OWNED AND PRIVATE PROPERTY FROM THE CITY OF ASHEVILLE AND ANNEXING IT INTO THE TOWN OF WOODFIN, AND (4) UPON PETITION OF THE OWNER AND WITH THE CONCURRENCE OF THE TOWN OF WOODFIN, ALLOWING THE CITY OF ASHEVILLE TO ANNEX CERTAIN PROPERTY IN THE TOWN OF WOODFIN THAT, AS A RESULT OF THE OPERATION OF THIS ACT, IS SURROUNDED BY THE CITY OF ASHEVILLE OR A COMBINATION OF THE CITY OF ASHEVILLE AND UNINCORPORATED AREA, AND PROVIDING FOR THE CITY OF ASHEVILLE AND THE TOWN OF WOODFIN TO ENTER INTO AGREEMENTS REGARDING THE PROVISION OF MUNICIPAL SERVICES TO CERTAIN PROPERTIES IN EACH OTHER'S JURISDICTION. (S.L. 2012-119)

June 29, 2012

S.B. 443, AN ACT TO ELIMINATE THE NORTH CAROLINA STATE ART SOCIETY, INC., TO CREATE A DIRECTOR'S COMMITTEE TO HIRE AND SUPERVISE THE DIRECTOR OF THE NORTH CAROLINA MUSEUM OF ART, TO REMOVE THE NORTH CAROLINA CEMETERY COMMISSION FROM THE NORTH CAROLINA DEPARTMENT OF COMMERCE, TO ENDOW THE CEMETERY COMMISSION WITH POWERS SIMILAR TO OCCUPATIONAL LICENSING BOARDS, TO MODIFY THE TERM OF THE VETERINARY TECHNICIAN APPOINTEE TO THE VETERINARY MEDICAL BOARD, AND TO INCREASE THE LENGTH OF THE TERM OF THE GENERAL ASSEMBLY'S APPOINTEES TO THE GEOGRAPHIC INFORMATION COORDINATING COUNCIL. (S.L. 2012-120)

SPECIAL MESSAGE FROM THE SENATE

**2011 GENERAL ASSEMBLY
SECOND SESSION 2012**

Senate Chamber
June 28, 2012

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees for **H.B. 853** (Conference Report), A BILL TO BE ENTITLED AN ACT TO AMEND LOCAL INTAKE PROCEDURES FOR RECEIVING DELINQUENCY AND UNDISCIPLINED COMPLAINTS UNDER THE LAWS PERTAINING TO UNDISCIPLINED AND DELINQUENT JUVENILES, TO AUTHORIZE MONITORING OF COUNTY DETENTION CENTERS BY THE DEPARTMENT OF PUBLIC SAFETY, TO AMEND LAWS ON STATE STANDARDS FOR JUVENILE DETENTION AND LOCAL JAILS, TO CORRECT REFERENCES TO THE AGENCY RESPONSIBLE FOR JUVENILE DETENTION, AND TO PROVIDE PROCEDURES FOR REVIEW OF JUVENILES ON PROTECTIVE SUPERVISION.

When the appropriate action has been taken by both chambers, the bill will be ordered enrolled.

Respectfully,
S/ Sarah Clapp
Principal Clerk

June 29, 2012

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

SPECIAL MESSAGE FROM THE SENATE

**2011 GENERAL ASSEMBLY
SECOND SESSION 2012**

Senate Chamber
June 28, 2012

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. 187** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE THE USE OF PHOTOGRAPHIC CAMERA SYSTEMS TO REGULATE TRAFFIC UNLAWFUL, and requests conferees. The President *Pro Tempore* appoints:

Senator Stevens, Chair
Senator Brunstetter
Senator Hunt
Senator Rucho
Senator Brown

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 Chair appoints Representative Brubaker, Chair; Representatives Dollar, Crawford, Gillespie, Johnson, and Lewis 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
SECOND SESSION 2012**

Senate Chamber
June 28, 2012

June 29, 2012

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. 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, and requests conferees. The President *Pro Tempore* appoints:

Senator Hartsell, Chair
Senator Tucker
Senator Stevens
Senator Mansfield
Senator Pate

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 Chair appoints Representative Dollar, Chair; Representatives Burr, Brisson, and Steen 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 SECOND SESSION 2012

Senate Chamber
June 28, 2012

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. 231** (Committee Substitute), A BILL TO BE ENTITLED AN ACT REQUIRING THE INTERCONNECTION OF PUBLIC WATER SYSTEMS OR WASTEWATER SYSTEMS TO REGIONAL SYSTEMS

June 29, 2012

LOCATED IN THE SAME SUBBASIN WHEN NECESSARY TO PROMOTE PUBLIC HEALTH, PROTECT THE ENVIRONMENT, AND ENSURE COMPLIANCE WITH APPLICABLE RULES AND TO REQUIRE THAT AN ANALYSIS OF REASONABLE ALTERNATIVES BE DONE BEFORE CONSTRUCTING OR ALTERING A PUBLIC WATER SYSTEM OR WASTEWATER SYSTEM.

Respectfully,
S/ Sarah Clapp
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

**2011 GENERAL ASSEMBLY
SECOND SESSION 2012**

Senate Chamber
June 28, 2012

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. 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.

Respectfully,
S/ Sarah Clapp
Principal Clerk

SPECIAL MESSAGES FROM THE SENATE

The following Special Messages are received from the Senate:

H.B. 278 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO BROADEN THE EXCEPTION TO THE PUBLIC RECORDS ACT FOR IDENTIFYING INFORMATION OF MINORS PARTICIPATING IN LOCAL GOVERNMENT PARKS AND RECREATION PROGRAMS TO INCLUDE ALL LOCAL GOVERNMENT PROGRAMS AND ALSO TO PROTECT E-MAIL ADDRESSES OF MINORS IN SUCH PROGRAMS IN THE TOWNS OF APEX, CARY, FUQUAY-VARINA, GARNER, HOLLY SPRINGS, KNIGHTDALE, MORRISVILLE, ROLESVILLE,

June 29, 2012

WAKE FOREST, WENDELL, AND ZEBULON, AND THE CITY OF RALEIGH, AND TO AUTHORIZE THE CITY OF KINSTON TO DELEGATE TO THE CITY MANAGER OR AN APPOINTED BOARD THE POWER TO GRANT, RENEW, EXTEND, AMEND, REVOKE, OR SUSPEND A TAXICAB FRANCHISE, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of July 2.

Upon concurrence the Senate committee substitute bill changes the title.

H.B. 320 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FLEXIBILITY FOR CERTAIN WATER RESOURCES 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 July 2.

Upon concurrence the Senate committee substitute bill changes the title.

H.B. 334 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE UNIFORM ATHLETE AGENTS ACT, TO AMEND THE LAWS DEALING WITH LICENSURE OF PERSONS ENGAGING IN THE PRACTICE OF NATURAL HAIR CARE, AND TO AMEND THE SUPPLEMENTAL LAW ENFORCEMENT AUTHORITY OF DIVISION OF MOTOR VEHICLE OFFICERS, is returned for concurrence in the Senate committee substitute bill, with one unengrossed amendment, and referred to the Committee on Commerce and Job Development.

Upon concurrence the Senate committee substitute bill changes the title.

H.B. 457 (Senate 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, is returned for concurrence in the Senate committee substitute bill and one unengrossed amendment.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of July 2.

June 29, 2012

Upon concurrence the Senate committee substitute bill changes the title.

H.B. 572 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE GREATER ACCOUNTABILITY FOR NONPROFIT ENTITIES THAT RECEIVE PUBLIC FUNDING, is returned for concurrence in the Senate committee substitute bill, with unengrossed Amendments No. 1 and No. 2.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of July 2.

H.B. 585 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT (1) TO MODIFY PROVISIONS RELATED TO THE SALES OF ALCOHOLIC BEVERAGES, (2) TO EXEMPT VEHICLES OF THE THREE NEWEST MODEL YEARS AND WITH LESS THAN EIGHTY THOUSAND MILES FROM EMISSIONS INSPECTIONS, (3) TO PROVIDE FOR CONFORMING CHANGES TO WHO MAY SUPERVISE THE STATE HIGHWAY PATROL PURSUANT TO THE CONSOLIDATION OF THE DEPARTMENT OF PUBLIC SAFETY, AND (4) TO EXEMPT LAW ENFORCEMENT, FIRE, EMERGENCY SERVICE, AND INMATE AND JUVENILE TRANSPORTATION VEHICLES OWNED BY THE DEPARTMENT OF PUBLIC SAFETY FROM DEPARTMENT OF ADMINISTRATION MOTOR FLEET MANAGEMENT, is returned for concurrence in Senate Committee Substitute Bill No. 2, with unengrossed Amendments No. 1 and No. 2.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of July 2.

Upon concurrence Senate Committee Substitute Bill No. 2 changes the title.

H.B. 799 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ALLOW LICENSURE BY ENDORSEMENT FOR MILITARY PERSONNEL AND MILITARY SPOUSES, is returned for concurrence in Senate Committee Substitute Bill No. 2.

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

H.B. 837 (Senate 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

June 29, 2012

GRADUATION REQUIREMENT BY 2015, is returned for concurrence in the Senate committee substitute bill and referred to the Committee on Rules, Calendar, and Operations of the House.

Upon concurrence the Senate committee substitute bill changes the title.

H.B. 914 (Senate Committee Substitute), 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 returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of July 2.

H.B. 1173 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PROBATION VIOLATOR WHO ABSCONDS OR OTHERWISE WILLFULLY AVOIDS ARREST AFTER THE ISSUANCE OF A WARRANT SHALL FORFEIT ANY PUBLIC ASSISTANCE BENEFITS UNTIL SURRENDERING TO THE COURT, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of July 2.

Representative Dollar moves, seconded by Representative Rapp, that the House adjourn, subject to the appointment of conferees, the ratification of bills, the receipt of Committee Reports, the receipt of Conference Reports, the receipt of Messages from the Senate, and the referral of bills to committees, to reconvene Monday, July 2, 2012, at 12:00 Noon.

The motion carries.

MESSAGE FROM THE GOVERNOR

STATE OF NORTH CAROLINA OFFICE OF THE GOVERNOR

20301 Mail Service Center • Raleigh, NC 27699-0301

Beverly Eaves Perdue
Governor

June 29, 2012

June 29, 2012

GOVERNOR'S OBJECTIONS AND VETO MESSAGE

House Bill 950, "An Act to Modify the Current Operations and Capital Improvements Appropriations Act of 2011 and for Other Purposes."

North Carolina needs a budget that moves our state forward and that is focused on investing in our future. Budgets are about values, priorities, and choices. Last week, the General Assembly delivered to me a budget that left too many of North Carolina's needs unmet -- too many priorities unaddressed.

First and foremost, their budget does not invest enough resources in education. Investing in schools is among the most important things a state must do in order to prepare our children for the future, and to send a powerful economic message that we have a well-educated, well-trained workforce and this is a state where 21st century companies should invest.

Last year, the Republican-controlled General Assembly forced deep and unnecessary cuts to education. After those cuts, schools across North Carolina cut 915 teachers, more than 2,000 teacher assistants, and nearly 5,000 total education positions.

It should have been clear to everyone that we needed to do better this year -- that we needed to reverse those harmful cuts. Not only are we failing to do better, but under this budget, things would actually get worse. If the budget they passed becomes law, schools across North Carolina would get about \$190 million less next year than they got this year.

In addition, their budget fails to provide additional funding to increase access for Smart Start or NC Pre-K, our nationally recognized early childhood education programs that help assure that young children come to school prepared to succeed.

This isn't good enough. It fails to do an adequate job in what is now -- and what has always been -- North Carolina's top priority: preparing our children so they can have more opportunity than we had.

While schools would get \$190 million less next year than they got this year, the General Assembly did include small raises for teachers and state employees.

I know that teachers and state employees are long overdue for a pay increase, and I support a pay increase. In fact, I included raises in my budget proposal that were 50% larger than the ones in this budget.

June 29, 2012

But under this budget, while some teachers and other employees will get raises, there is no question that some educators and other state employees will lose their jobs because of the choices the General Assembly made in this budget. Raises for some and layoffs for others is not the right direction for North Carolina.

The flaws in this budget extend beyond the legislature's failure to invest sufficient resources in schools:

- They failed to invest in job proposals, like (i) the initiative to provide a credit to encourage small businesses to hire post-9/11 veterans and unemployed North Carolinians, and (ii) plans to boost our surging film and biotech industries.
- They failed to invest in proposals to support our servicemen and women and military families, like the plan to provide tuition assistance to military veterans and their dependents.
- They failed to invest in public safety, like proposals to fund more probation officers to oversee known criminals.
- And they failed to invest in other priorities, like mental health, and efforts to effectively continue the state's successful efforts to curb teen smoking.

Finally, they ignored the bipartisan attempt to compensate verified living victims of the state's forced sterilization program that happened just a generation ago.

At the same time that they left all those needs unmet, their budget also gives tax breaks to millionaires. I am not against giving tax relief to small businesses. On the contrary, I'm strongly for it. Last year, I recommended cutting the corporate income tax, which would have given tax relief to businesses across North Carolina.

But budgets are about North Carolina's priorities and our view of the future. And I simply don't believe that the General Assembly should give tax breaks to lawyers, lobbyists, and other millionaires while leaving so many critical needs unmet.

Despite all of the flaws in the budget, and all of the priorities it fails to address, I understand that we have a divided government. I was willing and determined to reach a bipartisan compromise. After I reviewed the budget I reached out to Speaker Tillis and President Pro Tem Berger and tried repeatedly to forge a consensus.

June 29, 2012

I told them clearly that I would allow the budget to become law if they would just improve the investment in our children's future and in other critical priorities. I didn't ask them to meet me halfway, I didn't ask them to "split the difference." I just asked them to do a little better and invest a little more in our children's future and in some other key priorities. Unfortunately, they rejected my efforts and essentially told me to "take it or leave it."

With all of the budget's unmet needs, with all of its misplaced priorities, and with the Republican legislative leaders' unwillingness to make even the slightest move toward compromise, I feel as though I have no choice but to veto this budget.

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 29th day of June 2012, at 2:17 p.m. for reconsideration by that body.

Pursuant to Rule 44.2, the bill is placed on the Calendar of July 2.

The House stands adjourned at 2:45 p.m.

ONE HUNDRED THIRTY-SEVENTH DAY

HOUSE OF REPRESENTATIVES
Monday, July 2, 2012

The House meets at 12:00 Noon pursuant to adjournment and is called to order by the Speaker.

The following remarks and prayer are offered by Representative Shirley Randleman:

"Life's Book

No matter what else you are doing
From cradle days through to the end,
You are writing your life's secret story -
Each day sees another page penned.

July 2, 2012

Each month ends a thirty-page chapter,
Each year means the end of a part -
And never an act is misstated
Or even one wish of the heart.

Each day when you wake, the book opens,
Revealing a page clean and white -
What thoughts and what words and what doings
Will cover its pages by night?

God leaves that to you -you're the writer -
And never a word shall grow dim,
Till the day you write the word *Finish*,
And give your Life's Book back to him."
(Author Unknown)

"Oh God, when we come before You, we seldom thank You for the challenges You place in our lives. We ask that You grant us the ability to recognize these challenges as opportunities to do those things which are pleasing to You.

"And as we write our Life's Book may the pages be filled with positive rather than negative entries.

"We ask this in the name of Your Son. 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 June 29 has been examined and found correct. Upon his motion, the Journal is approved as written.

Representatives Wainwright and Womble are excused for a portion of the Session.

Serving as Honorary Pages for the day are Marc Killian and Jackson Saine.

SPECIAL MESSAGE FROM THE SENATE

2011 GENERAL ASSEMBLY SECOND SESSION 2012

July 2, 2012

Senate Chamber
July 2, 2012

Mr. Speaker:

Pursuant to your message received on June 28, 2012, that the House of Representatives fails to concur in the Senate Committee Substitute to **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, and requests conferees, the President *Pro Tempore* appoints:

Senator Tucker, Chair
Senator Apodaca
Senator Newton
Senator McKissick

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
SECOND SESSION 2012**

Senate Chamber
June 29, 2012

Mr. Speaker:

Pursuant to your message received on June 28, 2012, that the House of Representatives fails to concur in the Senate Committee Substitute to **H.B. 1215** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE HENDERSON COUNTY BOARD OF COMMISSIONERS TO LEVY AN ADDITIONAL ONE PERCENT ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX AND TO MAKE OTHER ADMINISTRATIVE CHANGES, and requests conferees, the President *Pro Tempore* appoints:

July 2, 2012

Senator Apodaca, Chair
Senator Brown
Senator Brunstetter

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
SECOND SESSION 2012**

Senate Chamber
July 2, 2012

Mr. Speaker:

It is ordered that a message be sent your Honorable Body that **S.B. 416**, AN ACT TO AMEND DEATH PENALTY PROCEDURES, was vetoed by Governor Beverly E. Perdue on June 29, 2012 and was returned to the Senate with the attached veto message.

Respectfully,
S/ Sarah Clapp
Principal Clerk

**STATE OF NORTH CAROLINA
OFFICE OF THE GOVERNOR**

20301 Mail Service Center • Raleigh, NC 27699-0301

Beverly Eaves Perdue
Governor

June 29, 2012

GOVERNOR'S OBJECTIONS AND VETO MESSAGE

Senate Bill 416, "An Act To Amend Death Penalty Procedures"

As long as I am Governor, I will fight to make sure the death penalty stays on the books in North Carolina. But it has to be carried out fairly - free of prejudice.

July 2, 2012

Three years ago, North Carolina took steps to achieve this result by passing the Racial Justice Act. In response to the enactment of this historic law, our State has rightfully received national acclaim for taking a positive and long overdue step to make sure racism does not infect the way the death penalty is administered.

Last year, Republicans in the General Assembly tried - and failed - to take North Carolina backwards by passing a bill that would have undone the Racial Justice Act. This year's Senate Bill 416 is not a "compromise bill"; it guts the Racial Justice Act and renders it meaningless.

Several months ago, a North Carolina superior court judge ruling on a claim brought under the Racial Justice Act determined that racial discrimination occurred in death penalty trials across the State over a multi-year period. The judge's findings should trouble everyone who is committed to a justice system based on fairness, integrity, and equal protection under the law. Faced with these findings, the Republican majority in the General Assembly could have tried to strengthen our efforts to fix the flaws in our system. Instead, they chose to turn a blind eye to the problem and eviscerate the Racial Justice Act. Willfully ignoring the pernicious effects of discrimination will not make those problems go away.

It is simply unacceptable for racial prejudice to play a role in the imposition of the death penalty in North Carolina.

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 29th day of June 2012, at 2:18 p.m. for reconsideration by that body.

SPECIAL MESSAGE FROM THE SENATE

2011 GENERAL ASSEMBLY SECOND SESSION 2012

Senate Chamber
July 2, 2012

Mr. Speaker:

It is ordered that a message be sent your Honorable Body that **S.B. 820**, AN ACT TO (1) RECONSTITUTE THE MINING COMMISSION AS THE MINING AND ENERGY COMMISSION, (2) REQUIRE THE MINING

July 2, 2012

AND ENERGY COMMISSION AND OTHER REGULATORY AGENCIES TO DEVELOP A MODERN REGULATORY PROGRAM FOR THE MANAGEMENT OF OIL AND GAS EXPLORATION AND DEVELOPMENT ACTIVITIES IN THE STATE, INCLUDING THE USE OF HORIZONTAL DRILLING AND HYDRAULIC FRACTURING FOR THAT PURPOSE, (3) AUTHORIZE HORIZONTAL DRILLING AND HYDRAULIC FRACTURING, BUT PROHIBIT THE ISSUANCE OF PERMITS FOR THESE ACTIVITIES PENDING SUBSEQUENT LEGISLATIVE ACTION, (4) ENHANCE LANDOWNER AND PUBLIC PROTECTIONS RELATED TO HORIZONTAL DRILLING AND HYDRAULIC FRACTURING, AND (5) ESTABLISH THE JOINT LEGISLATIVE COMMISSION ON ENERGY POLICY, was vetoed by Governor Beverly E. Perdue on July 1, 2012 and was returned to the Senate with the attached veto message.

Respectfully,
S/ Sarah Clapp
Principal Clerk

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

Beverly Eaves Perdue
Governor

July 1, 2012

GOVERNOR'S OBJECTIONS AND VETO MESSAGE

Senate Bill 820, "Clean Energy and Economic Security Act"

I support hydraulic fracturing, or "fracking" for natural gas, because I believe it can and should be part of a comprehensive mix of energy sources that will create jobs, reduce costs for businesses and families, and keep our economy growing. Before we "frack," however, we need strong safeguards in place that are specifically adapted to conditions in North Carolina.

This bill does not do enough to ensure that adequate protections for our drinking water, landowners, county and municipal governments, and the health and safety of our families will be in place before fracking begins. I urged the sponsors of the bill to adopt a few changes to ensure that strong protections would be in place before any fracking would occur.

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The General Assembly was unwilling to adopt the changes I suggested. Therefore, I must veto the bill. Our drinking water and the health and safety of North Carolina's families are too important; we can't put them in jeopardy by rushing to allow fracking without proper safeguards.

I urged the General Assembly to continue working on this important issue. If they improve the bill to strengthen the protections for North Carolina families, I will sign it into law.

Therefore, I veto this bill.

S/ Bev Perdue

This bill having been vetoed is returned to the Clerk of North Carolina Senate on this 1st day of July 2012, at 3:11 p.m. for reconsideration by that body.

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:

S.B. 635 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE FINES FOR LITTERING OFFENSES, 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) and without objection, the House committee substitute bill is placed on today's Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

CONFERENCE REPORT

Representative Stevens sends forth the Conference Report on **S.B. 707** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE SCHOOL VIOLENCE PREVENTION ACT OF 2012; LIMIT PRAYERS FOR JUDGMENT CONTINUED; AND END SUNSET FOR A PROVISION REGARDING AN LEA'S BASIS OF KNOWLEDGE ABOUT A CHILD WITH A DISABILITY. Without objection, the Conference Report is placed on today's Calendar.

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SPECIAL MESSAGE FROM THE SENATE

The following Special Message is received from the Senate:

H.B. 494 (Senate Committee Substitute), 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, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b) and without objection, the Senate committee substitute bill is placed on today's Calendar.

Upon concurrence the Senate committee substitute bill changes the title.

On motion of the Speaker, the House recesses, subject to the appointment of conferees, the ratification of bills, the receipt of Committee Reports, the receipt of Conference Reports, the receipt of Messages from the Senate, and the referral of bills to committees, at 12:14 p.m.

RECESS**CONFERENCE REPORTS**

Representative Dollar sends forth the Conference Report on **S.B. 191** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN GOVERNANCE OF LOCAL MANAGEMENT ENTITIES WITH RESPECT TO THE IMPLEMENTATION OF STATE-WIDE EXPANSION OF THE 1915(B)(C) MEDICAID WAIVER. Without objection, the Conference Report is placed on today's Calendar.

Representative Murry sends forth the Conference Report on **H.B. 244** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE STERLING MONTESSORI ACADEMY AND CHARTER SCHOOL, THE CASA ESPERANZA MONTESSORI CHARTER SCHOOL, AND KESTREL HEIGHTS SCHOOL TO ELECT TO PARTICIPATE IN THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES AND TO PROVIDE PROTECTIONS FOR WHISTLE-BLOWERS ALLEGING FRAUD OR OTHER MISCONDUCT RELATED TO THE STATE HEALTH PLAN. Without objection, the Conference Report is placed on today's Calendar.

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The House reconvenes pursuant to recess and is called to order by Representative Folwell, Speaker Pro Tempore.

CALENDAR

Action is taken on the following:

H.B. 278 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO BROADEN THE EXCEPTION TO THE PUBLIC RECORDS ACT FOR IDENTIFYING INFORMATION OF MINORS PARTICIPATING IN LOCAL GOVERNMENT PARKS AND RECREATION PROGRAMS TO INCLUDE ALL LOCAL GOVERNMENT PROGRAMS AND ALSO TO PROTECT E-MAIL ADDRESSES OF MINORS IN SUCH PROGRAMS IN THE TOWNS OF APEX, CARY, FUQUAY-VARINA, GARNER, HOLLY SPRINGS, KNIGHTDALE, MORRISVILLE, ROLESVILLE, WAKE FOREST, WENDELL, AND ZEBULON, AND THE CITY OF RALEIGH, AND TO AUTHORIZE THE CITY OF KINSTON TO DELEGATE TO THE CITY MANAGER OR AN APPOINTED BOARD THE POWER TO GRANT, RENEW, EXTEND, AMEND, REVOKE, OR SUSPEND A TAXICAB FRANCHISE.

On motion of Representative Murry, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (113-0), and the bill is ordered enrolled.

H.B. 320 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FLEXIBILITY FOR CERTAIN WATER RESOURCES PROJECTS.

On motion of Representative McComas, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (115-1), and the bill is ordered enrolled and presented to the Governor by Special Message.

H.B. 585 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT (1) TO MODIFY PROVISIONS RELATED TO THE SALES OF ALCOHOLIC BEVERAGES, (2) TO EXEMPT VEHICLES OF THE THREE NEWEST MODEL YEARS AND WITH LESS THAN EIGHTY THOUSAND MILES FROM EMISSIONS INSPECTIONS, (3) TO PROVIDE FOR CONFORMING CHANGES TO WHO MAY SUPERVISE THE STATE HIGHWAY PATROL PURSUANT TO THE CONSOLIDATION OF THE DEPARTMENT OF PUBLIC SAFETY, AND (4) TO EXEMPT

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LAW ENFORCEMENT, FIRE, EMERGENCY SERVICE, AND INMATE AND JUVENILE TRANSPORTATION VEHICLES OWNED BY THE DEPARTMENT OF PUBLIC SAFETY FROM DEPARTMENT OF ADMINISTRATION MOTOR FLEET MANAGEMENT.

On motion of Representative Pridgen and without objection, the bill is withdrawn from the Calendar and re-referred to the Commerce and Job Development Subcommittee on Alcoholic Beverage Control.

SPEAKER TILLIS PRESIDING.

H.B. 457 (Senate 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.

On motion of Representative Farmer-Butterfield, the House concurs in Senate Amendment No. 1 by electronic vote (118-0).

On motion of Representative Farmer-Butterfield, the House concurs in the Senate committee substitute bill, as amended, by electronic vote (117-0), and the bill is ordered enrolled and presented to the Governor by Special Message.

SPECIAL MESSAGE FROM THE SENATE

2011 GENERAL ASSEMBLY SECOND SESSION 2012

Senate Chamber
July 2, 2012

Mr. Speaker:

It is ordered that a message be sent your Honorable Body that the Senate has passed **S.B. 416 (Ratified)**, AN ACT TO AMEND DEATH PENALTY PROCEDURES, notwithstanding the objections of the Governor.

Respectfully,
S/ Sarah Clapp
Principal Clerk

July 2, 2012

BILL PLACED ON CALENDAR

On motion of the Speaker and without objection, **S.B. 416**, AN ACT TO AMEND DEATH PENALTY PROCEDURES, is placed on the Calendar for immediate consideration.

Representative Stam moves that the House pass the bill, notwithstanding the objections of the Governor.

The motion carries by the following three-fifths majority roll call vote:

Those voting in the affirmative are: Speaker Tillis; Representatives Avila, Blackwell, Blust, Boles, Brawley, Brisson, L. Brown, R. Brown, Brubaker, Burr, Cleveland, Collins, Cook, Crawford, Current, Daughtry, Dixon, Dockham, Dollar, Faircloth, 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, McGrady, Mills, Moffitt, T. Moore, Murry, Owens, Pittman, Pridgen, Randleman, Sager, Saine, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Torbett, Walend, H. Warren, and West - 72.

Voting in the negative: Representatives Adams, K. Alexander, M. Alexander, Bell, Bordsen, Bradley, 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, Parmon, Pierce, Rapp, Ross, Tolson, Wainwright, E. Warren, Weiss, Wilkins, Womble, and Wray - 48.

Excused absences: None.

The veto of the Governor having been overridden, the bill becomes law and the Senate is so notified by Special Message.

CALENDAR (continued)

H.B. 572 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE GREATER ACCOUNTABILITY FOR NON-PROFIT ENTITIES THAT RECEIVE PUBLIC FUNDING.

On motion of Representative Justice, the House concurs in Senate Amendment No. 1 by electronic vote (117-1).

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On motion of Representative Justice, the House concurs in Senate Amendment No. 2 by electronic vote (114-4).

On motion of Representative Justice, the House concurs in the Senate committee substitute bill, as amended, by electronic vote (115-4), and the bill is ordered enrolled and presented to the Governor by Special Message.

H.B. 799 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ALLOW LICENSURE BY ENDORSEMENT FOR MILITARY PERSONNEL AND MILITARY SPOUSES.

On motion of Representative Martin, the House concurs in Senate Committee Substitute Bill No. 2, by electronic vote (119-0), and the bill is ordered enrolled and presented to the Governor by Special Message.

H.B. 914 (Senate Committee Substitute), 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.

On motion of Representative Carney, the House concurs in the Senate committee substitute bill, by electronic vote (119-0), and the bill is ordered enrolled and presented to the Governor by Special Message.

H.B. 953 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL AMENDMENTS TO VARIOUS LAWS RELATED TO ENVIRONMENT AND NATURAL RESOURCES, DELAY THE IMPLEMENTATION DEADLINE FOR LOCAL STORMWATER MANAGEMENT PROGRAMS UNDER THE JORDAN LAKE NEW DEVELOPMENT RULE, AND TO MAKE CHANGES TO THE CLEAN ENERGY AND ECONOMIC SECURITY ACT.

On motion of Representative Gillespie and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of July 3.

H.B. 1173 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PROBATION VIOLATOR WHO ABSCONDS OR OTHERWISE WILLFULLY AVOIDS ARREST AFTER THE ISSUANCE OF A WARRANT SHALL FORFEIT ANY PUBLIC ASSISTANCE BENEFITS UNTIL SURRENDERING TO THE COURT.

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On motion of Representative Saine, the House concurs in the Senate committee substitute bill, by electronic vote (115-3), and the bill is ordered enrolled and presented to the Governor by Special Message.

H.B. 180 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO VOLUNTARILY ANNEX CERTAIN DESCRIBED AREAS TO THE CORPORATE LIMITS OF THE CITY OF WILMINGTON.

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

Those voting in the affirmative are: Representatives Adams, K. Alexander, M. Alexander, 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, 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, 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, T. Moore, Murry, Owens, Parfitt, Parmon, Pierce, Pittman, Pridgen, Randleman, Rapp, Ross, Sager, Saine, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Wainwright, Walend, E. Warren, H. Warren, Weiss, West, Wilkins, Womble, and Wray - 118.

Voting in the negative: None.

Excused absences: None.

H.B. 462 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO LIMIT USE OF CONTINGENT-BASED CONTRACTS FOR AUDIT OR ASSESSMENT PURPOSES.

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

S.B. 876, A BILL TO BE ENTITLED AN ACT TO REMOVE A CERTAIN DESCRIBED TRACT FROM THE CORPORATE LIMITS OF THE TOWN OF MOORESVILLE AT THE REQUEST OF THE TOWN BOARD OF COMMISSIONERS, 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, 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, Dockham, 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, 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, Pittman, Pridgen, Randleman, Rapp, Ross, Sager, Saine, Samuelson, Sanderson, Setzer, Shepard, Spear, Stam, Starnes, Steen, Stevens, Stone, Tolson, Torbett, Wainwright, Walend, E. Warren, H. Warren, Weiss, West, Wilkins, Womble, and Wray - 118.

Voting in the negative: None.

Excused absences: None.

Representative Dollar requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (119-0).

S.B. 626 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT DIRECTING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY FERRY TOLLS AND JUVENILE JUSTICE REFORMS, 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.

S.B. 227 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE NAME AND ADDRESS OF A MINOR CHILD INVOLVED IN A SCHOOL BUS CRASH MAY BE DISCLOSED ONLY IN CERTAIN CIRCUMSTANCES.

Representative Folwell offers Amendment No. 1 which is adopted by electronic vote (119-0).

The bill, as amended, passes its second reading, by electronic vote (119-0), and there being no objection is read a third time.

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The bill, as amended, passes its third reading and is ordered sent to the Senate, without engrossment, for concurrence in the House committee substitute bill by Special Message.

H.J.R. 1233, A JOINT RESOLUTION HONORING THE FOUNDERS OF THE CITY OF KINSTON, passes its second reading, by electronic vote (120-0), 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.

SPECIAL MESSAGE FROM THE SENATE

2011 GENERAL ASSEMBLY SECOND SESSION 2012

Senate Chamber
July 2, 2012

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. 910**, A BILL TO BE ENTITLED AN ACT TO CREATE THE CRIMINAL OFFENSE OF UNLAWFUL SALE, SURRENDER, OR PURCHASE OF A CHILD; AND TO REQUIRE THE NORTH CAROLINA CONFERENCE OF DISTRICT ATTORNEYS TO CONDUCT A STUDY TO DETERMINE WHAT OTHER MEASURES MAY BE NEEDED TO STOP THIS TYPE OF CRIMINAL ACTIVITY, and requests conferees. The President *Pro Tempore* appoints:

Senator Brunstetter, Chair
Senator Stevens
Senator Hunt
Senator Nesbitt

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

July 2, 2012

The Speaker appoints Representative Stevens, Chair; Representatives Burr, Glazier, and Stam 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
SECOND SESSION 2012**

Senate Chamber
July 2, 2012

Mr. Speaker:

It is ordered that a message be sent your Honorable Body that the Senate has passed **S.B. 820 (Ratified)**, AN ACT TO (1) RECONSTITUTE THE MINING COMMISSION AS THE MINING AND ENERGY COMMISSION, (2) REQUIRE THE MINING AND ENERGY COMMISSION AND OTHER REGULATORY AGENCIES TO DEVELOP A MODERN REGULATORY PROGRAM FOR THE MANAGEMENT OF OIL AND GAS EXPLORATION AND DEVELOPMENT ACTIVITIES IN THE STATE, INCLUDING THE USE OF HORIZONTAL DRILLING AND HYDRAULIC FRACTURING FOR THAT PURPOSE, (3) AUTHORIZE HORIZONTAL DRILLING AND HYDRAULIC FRACTURING, BUT PROHIBIT THE ISSUANCE OF PERMITS FOR THESE ACTIVITIES PENDING SUBSEQUENT LEGISLATIVE ACTION, (4) ENHANCE LANDOWNER AND PUBLIC PROTECTIONS RELATED TO HORIZONTAL DRILLING AND HYDRAULIC FRACTURING, AND (5) ESTABLISH THE JOINT LEGISLATIVE COMMISSION ON ENERGY POLICY, notwithstanding the objections of the Governor.

Respectfully,
S/ Sarah Clapp
Principal Clerk

On motion of the Speaker and without objection, the bill is placed on today's Calendar.

SPECIAL MESSAGE FROM THE SENATE

**2011 GENERAL ASSEMBLY
SECOND SESSION 2012**

Senate Chamber
July 2, 2012

July 2, 2012

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. 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, and requests conferees. The President *Pro Tempore* appoints:

Senator Tillman, Chair
Senator Apodaca
Senator Hartsell

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

Respectfully,
S/ Sarah Clapp
Principal Clerk

The Speaker appoints Representative T. Moore, Chair; Representatives Stam, Brisson, R. Moore, Holloway, LaRoque, and Blust as conferees on the part of the House and the Senate is so notified by Special Message.

CONFERENCE REPORT

Representative Dollar sends forth the Conference Report on **S.B. 525** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT RELATING TO CRITICAL ACCESS BEHAVIORAL HEALTH AGENCIES. Without objection, the Conference Report is placed on today's Calendar.

On motion of the Speaker, the House recesses, subject to the appointment of conferees, the ratification of bills, the receipt of Committee Reports, the receipt of Conference Reports, the receipt of Messages from the Senate, and the referral of bills to committees, at 3:04 p.m.

RECESS

ENROLLED BILLS

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

H.B. 320, AN ACT TO PROVIDE FLEXIBILITY FOR CERTAIN WATER RESOURCES PROJECTS.

July 2, 2012

H.B. 457, 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.

H.B. 1023, AN ACT TO ALLOW FOR EXPUNCTION OF NON-VIOLENT FELONIES OR NONVIOLENT MISDEMEANORS AFTER FIFTEEN YEARS FOR PERSONS WHO HAVE HAD NO OTHER CONVICTIONS FOR FELONIES OR MISDEMEANORS OTHER THAN TRAFFIC VIOLATIONS UNDER THE LAWS OF THE UNITED STATES, THIS STATE, OR ANY OTHER JURISDICTION, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION.

S.B. 141, AN ACT TO CREATE NEW FIRST DEGREE TRESPASS OFFENSES, TO MAKE VARIOUS CHANGES REGARDING THE PROCEDURES FOR A MOTION FOR APPROPRIATE RELIEF, TO AMEND THE PROCEDURE FOR IMMEDIATE LICENSE REVOCATIONS FOR PROVISIONAL LICENSEES CHARGED WITH CERTAIN CRIMINAL MOVING VIOLATIONS, TO CLARIFY THAT CERTAIN CHANGES TO PAYABLE ON DEATH CONTRACTS DID NOT CHANGE THE PROCEDURES FOR CREATING THOSE CONTRACTS, TO ESTABLISH A RESEARCH AND PLANNING SECTION WITHIN THE DEPARTMENT OF PUBLIC SAFETY, TO REQUIRE THE DEPARTMENT OF PUBLIC SAFETY TO DESIGNATE ITS RESEARCH AND PLANNING SECTION AS THE SINGLE STATE AGENCY RESPONSIBLE FOR THE COORDINATION AND IMPLEMENTATION OF REENTRY POLICY INITIATIVES, TO DIRECT THE DEPARTMENT OF PUBLIC SAFETY TO CONTINUE ITS EFFORTS TO ASSIST OFFENDERS IN SUCCESSFULLY REENTERING SOCIETY, AND TO EXTEND THE TIME FOR LOCAL FORENSIC SCIENCE LABS TO OBTAIN ACCREDITATION AND FOR CERTAIN FORENSIC SCIENTISTS TO OBTAIN CERTIFICATION.

H.B. 572, AN ACT TO PROVIDE GREATER ACCOUNTABILITY FOR NONPROFIT ENTITIES THAT RECEIVE PUBLIC FUNDING.

H.B. 799, AN ACT TO ALLOW LICENSURE BY ENDORSEMENT FOR MILITARY PERSONNEL AND MILITARY SPOUSES.

July 2, 2012

H.B. 914, 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.

H.B. 1173, AN ACT TO PROVIDE THAT A PROBATION VIOLATOR WHO ABSCONDS OR OTHERWISE WILLFULLY AVOIDS ARREST AFTER THE ISSUANCE OF A WARRANT SHALL FORFEIT ANY PUBLIC ASSISTANCE BENEFITS UNTIL SURRENDERING TO THE COURT.

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

H.B. 278, AN ACT TO BROADEN THE EXCEPTION TO THE PUBLIC RECORDS ACT FOR IDENTIFYING INFORMATION OF MINORS PARTICIPATING IN LOCAL GOVERNMENT PARKS AND RECREATION PROGRAMS TO INCLUDE ALL LOCAL GOVERNMENT PROGRAMS AND ALSO TO PROTECT E-MAIL ADDRESSES OF MINORS IN SUCH PROGRAMS IN THE TOWNS OF APEX, CARY, FUQUAY-VARINA, GARNER, HOLLY SPRINGS, KNIGHTDALE, MORRISVILLE, ROLESVILLE, WAKE FOREST, WENDELL, AND ZEBULON, AND THE CITY OF RALEIGH, AND TO AUTHORIZE THE CITY OF KINSTON TO DELEGATE TO THE CITY MANAGER OR AN APPOINTED BOARD THE POWER TO GRANT, RENEW, EXTEND, AMEND, REVOKE, OR SUSPEND A TAXICAB FRANCHISE.

S.B. 876, AN ACT TO REMOVE A CERTAIN DESCRIBED TRACT FROM THE CORPORATE LIMITS OF THE TOWN OF MOORESVILLE AT THE REQUEST OF THE TOWN BOARD OF COMMISSIONERS.

H.B. 180, AN ACT TO VOLUNTARILY ANNEX CERTAIN DESCRIBED AREAS TO THE CORPORATE LIMITS OF THE CITY OF WILMINGTON.

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

CONFERENCE REPORT

Representative Crawford sends forth the Conference Report on **H.B. 203** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE AN ALTERNATIVE MORTGAGE SATISFACTION FORM THAT ALLOWS A SECURED CREDITOR TO INDICATE THAT THE

July 2, 2012

UNDERLYING OBLIGATION HAS BEEN EXTINGUISHED; TO MAKE IT A CLASS I FELONY TO SIMULATE COURT PROCESS IN CONNECTION WITH THE COLLECTION OF A CLAIM, DEMAND, OR ACCOUNT, TO KNOWINGLY FILE A FALSE LIEN OR ENCUMBRANCE AGAINST THE REAL OR PERSONAL PROPERTY OF A PUBLIC OFFICER OR PUBLIC EMPLOYEE, OR TO FILE A FALSE SECURITY INSTRUMENT; AND TO PROVIDE THAT IT IS A VIOLATION OF THE RESIDENTIAL MORTGAGE FRAUD ACT FOR A PERSON TO KNOWINGLY FILE A DOCUMENT FALSELY CLAIMING THAT A MORTGAGE LOAN HAS BEEN SATISFIED OR DISCHARGED. Without objection, the Conference Report is placed on today's Calendar.

CALENDAR (continued)

H.B. 494 (Senate Committee Substitute), 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.

REPRESENTATIVE FOLWELL, SPEAKER PRO TEMPORE PRESIDING.

On motion of Representative Walend, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (113-5), and the bill is ordered enrolled and presented to the Governor by Special Message.

CONFERENCE REPORTS

Representative Murry moves the adoption of the following Conference Report.

Senate Committee Substitute for H.B. 244

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 244, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE STERLING MONTESSORI ACADEMY AND CHARTER SCHOOL, THE CASA ESPERANZA MONTESSORI CHARTER SCHOOL, AND KESTREL HEIGHTS

July 2, 2012

SCHOOL TO ELECT TO PARTICIPATE IN THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES AND TO PROVIDE PROTECTIONS FOR WHISTLE-BLOWERS ALLEGING FRAUD OR OTHER MISCONDUCT RELATED TO THE STATE HEALTH PLAN, Senate Insurance Committee Substitute Adopted 6/6/12 Fourth Edition Engrossed 6/7/12, submit the following report:

The House concurs in Senate Insurance Committee Substitute Adopted 6/6/12, Fourth Edition Engrossed 6/7/12, and the House and the Senate agree to the following amendments:

on page 1, lines 3-4, by rewriting the lines to read:

"SCHOOL AND THE CASA ESPERANZA MONTESSORI CHARTER SCHOOL TO ELECT TO PARTICIPATE IN THE STATE";

on page 1, lines 11-12, by rewriting the lines to read:

"Morrisville, North Carolina, and (ii) the Casa Esperanza Montessori Charter School, located in Raleigh, North Carolina,".

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

Date conferees approved report: July 2, 2012.

*Conferees for the
Senate*

S/ Ralph Hise, Chair
S/ Apodaca
S/ Rick Gunn

*Conferees for the
House of Representatives*

S/ Tom Murry, Chair
S/ Jerry Dockham
S/ Michael H. Wray

The Conference Report, which changes the title, is adopted, by electronic vote (116-2), and the Senate is so notified by Special Message.

Representative Dollar moves the adoption of the following Conference Report.

House Committee Substitute for S.B. 191

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

July 2, 2012

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 191, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN GOVERNANCE OF LOCAL MANAGEMENT ENTITIES WITH RESPECT TO THE IMPLEMENTATION OF STATEWIDE EXPANSION OF THE 1915(B)/(C) MEDICAID WAIVER, House Committee Substitute Favorable 6/26/12 Fourth Edition Engrossed 6/26/12, submit the following report:

The Senate concurs in the House Committee Substitute Favorable 6/26/12 Fourth Edition Engrossed 6/26/12, and the Senate and the House agree to the following amendment:

on page 2, line 37, by adding the following at the end of the line:

"The boards of county commissioners within a multicounty area with a catchment population of at least 1,250,000 shall have the option to appoint members of the area board in a manner or with a composition other than as required by this section by each county unanimously adopting a resolution to that effect and receiving written approval from the Secretary by January 1, 2013."

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

Date conferees approved report: July 2, 2012.

*Conferees for the
Senate*

S/ Fletcher L. Hartsell, Jr., Chair
S/ Tommy Tucker
S/ Richard Stevens
S/ Louis Pate

*Conferees for the
House of Representatives*

S/ Nelson Dollar, Chair
S/ Justin P. Burr
S/ William Brisson
S/ Fred F. Steen, II

Pursuant to Rule 24.1A(c), the request that Representative Farmer-Butterfield be excused from voting on June 26 is continued.

The Conference Report is adopted, by electronic vote (115-1), and the Senate is so notified by Special Message.

WITHDRAWAL OF BILL FROM COMMITTEE

On motion of Representative T. Moore and without objection, **H.B. 837** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE SUCCESSFUL COMPLETION OF INSTRUCTION IN CPR

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AVAILABLE TO ALL STUDENTS WITH A PLAN TO PHASE IN COMPLETION OF CPR INSTRUCTION AS A HIGH SCHOOL GRADUATION REQUIREMENT BY 2015, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and pursuant to Rule 36(b) and without objection, is placed on today's Calendar.

CONFERENCE REPORTS

Representative Dollar moves the adoption of the following Conference Report.

House Committee Substitute for S.B. 525

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 525, A BILL TO BE ENTITLED AN ACT RELATING TO CRITICAL ACCESS BEHAVIORAL HEALTH AGENCIES, House Committee Substitute Favorable 6/13/12, submit the following report:

The Senate and House agree to the following amendment, and the Senate concurs in the House Committee Substitute Favorable 6/13/12, as amended:

On page 1, lines 18-19, by rewriting the lines to read:
"two of the following listed services within an age and disability-specific continuum:".

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

Date conferees approved report: July 2, 2012.

*Conferees for the
Senate*

S/ Tommy Tucker, Chair
S/ Louis Pate
S/ Ralph E. Hise, Jr.

*Conferees for the
House of Representatives*

S/ Nelson Dollar, Chair
S/ Fred F. Steen, II
S/ Pat B. Hurley
S/ William D. Brisson

The Conference Report is adopted, by electronic vote (117-1), and the Senate is so notified by Special Message.

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Representative Glazier moves the adoption of the following Conference Report.

House Committee Substitute for S.B. 707

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 707, A BILL TO BE ENTITLED AN ACT TO ENACT THE SCHOOL VIOLENCE PREVENTION ACT OF 2012; LIMIT PRAYERS FOR JUDGMENT CONTINUED; AND END SUNSET FOR A PROVISION REGARDING AN LEA'S BASIS OF KNOWLEDGE ABOUT A CHILD WITH A DISABILITY, House Committee Substitute Favorable 6/13/12 Fourth Edition Engrossed 6/19/12, submit the following report:

The Senate and House agree to the following amendments and the Senate concurs in House Committee Substitute Favorable 6/13/12, Fourth Edition Engrossed 6/19/12, as amended:

On page 3, line 39, by deleting the words "a new subsection" and substituting the words "new subsections", and

On page 3, between lines 39 and 40, by inserting the following:

"(b1) Approval by District Attorney; school personnel. – Notwithstanding any other provision of law, no warrant for arrest, order for arrest, criminal summons, or other criminal process shall be issued by a magistrate against a school employee, as defined in G.S. 14-33(c)(6), for an offense that occurred while the school employee was in the process of discharging his or her duties of employment, without the prior written approval of the district attorney or the district attorney's designee. For purposes of this subsection, the term "district attorney" means the person elected to the office of district attorney. This subsection does not apply if the offense is a traffic offense or if the offense occurred in the presence of a sworn law enforcement officer. The district attorney may decline to accept the authority set forth in this subsection; in such case, the procedure and review authority shall be as set forth in subsection (b2) of this section."

And on page 3, line 40, by rewriting the line to read:

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"(b2) Magistrate review; school personnel. – A district attorney may decline the authority provided under subsection (b1) of this section by transmitting a letter so indicating to the chief district court judge. Upon receipt of a letter from the district attorney declining the authority provided in subsection (b1) of this section, the chief district court judge shall appoint a magistrate or".

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

Date conferees approved report: July 2, 2012.

*Conferees for the
Senate*

S/ Tommy Tucker, Chair
S/ Buck Newton
S/ Ralph E. Hise, Jr.
S/ Jerry W. Tillman

*Conferees for the
House of Representatives*

S/ Sarah Stevens, Chair
S/ Rick Glazier
S/ Dan W. Ingle
S/ Grier Martin

The Conference Report is adopted, by electronic vote (117-1), and the Senate is so notified by Special Message.

CALENDAR (continued)

S.B. 635 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE STATE SENTENCING LAWS TO COMPLY WITH THE UNITED STATES SUPREME COURT DECISION IN MILLER V. ALABAMA, passes its second reading, by electronic vote (111-6), and there being no objection is read a third time.

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

WITHDRAWAL OF BILL FROM COMMITTEE

On motion of Representative T. Moore and without objection, **H.B. 585** (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT (1) TO MODIFY PROVISIONS RELATED TO THE SALES OF ALCOHOLIC BEVERAGES, (2) TO EXEMPT VEHICLES OF THE THREE NEWEST MODEL YEARS AND WITH LESS THAN EIGHTY THOUSAND MILES FROM EMISSIONS INSPECTIONS, (3) TO PROVIDE FOR CONFORMING CHANGES TO WHO MAY SUPERVISE THE STATE HIGHWAY PATROL PURSUANT TO THE CONSOLIDATION

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OF THE DEPARTMENT OF PUBLIC SAFETY, AND (4) TO EXEMPT LAW ENFORCEMENT, FIRE, EMERGENCY SERVICE, AND INMATE AND JUVENILE TRANSPORTATION VEHICLES OWNED BY THE DEPARTMENT OF PUBLIC SAFETY FROM DEPARTMENT OF ADMINISTRATION MOTOR FLEET MANAGEMENT, AND (5) TO CHANGE THE REPORTABLE CRASH INFORMATION REQUIRED ON FORMS SUBMITTED TO THE DIVISION OF MOTOR VEHICLES, is withdrawn from the Commerce and Job Development Subcommittee on Alcoholic Beverage Control and pursuant to Rule 36(b) and without objection, is placed on today's Calendar.

CALENDAR (continued)

H.B. 837 (Senate 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 2015.

On motion of Representative Carney, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (115-4), and the bill is ordered enrolled and presented to the Governor by Special Message.

SPECIAL MESSAGE FROM THE SENATE

The following Special Message is received from the Senate:

S.J.R. 961, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE 2011 REGULAR SESSION OF THE GENERAL ASSEMBLY, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

CALENDAR (continued)

H.B. 585 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT (1) TO MODIFY PROVISIONS RELATED TO THE SALES OF ALCOHOLIC BEVERAGES, (2) TO EXEMPT VEHICLES OF THE THREE NEWEST MODEL YEARS AND WITH LESS THAN EIGHTY THOUSAND MILES FROM EMISSIONS INSPECTIONS, (3) TO PROVIDE FOR CONFORMING CHANGES TO WHO MAY SUPERVISE THE STATE HIGHWAY PATROL PURSUANT TO THE CONSOLIDATION OF THE DEPARTMENT OF PUBLIC SAFETY, AND (4) TO EXEMPT LAW ENFORCEMENT, FIRE, EMERGENCY SERVICE, AND

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INMATE AND JUVENILE TRANSPORTATION VEHICLES OWNED BY THE DEPARTMENT OF PUBLIC SAFETY FROM DEPARTMENT OF ADMINISTRATION MOTOR FLEET MANAGEMENT.

On motion of Representative T. Moore, the House does not concur in Senate Committee Substitute Bill No. 2, by electronic vote (118-1), and conferees are requested.

Representative Goodman requests and is granted leave of the House to change his vote from "no" to "aye". The adjusted vote total is (119-0).

The Speaker appoints Representative Daughtry, Chair; Representatives Boles, Randleman, Starnes, and Spear as conferees on the part of the House and the Senate is so notified by Special Message.

SPECIAL MESSAGE FROM THE SENATE

The following Special Message is received from the Senate:

H.B. 1234 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE RECOMMENDATION OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT PRO TEMPORE OF THE SENATE AND TO MAKE TECHNICAL CORRECTIONS TO PREVIOUS APPOINTMENTS, is returned for concurrence in the Senate committee substitute bill, with unengrossed Senate Amendments No. 1 and No. 2.

Pursuant to Rule 36(b) and without objection, the Senate committee substitute bill is placed on today's Calendar.

Upon concurrence the Senate committee substitute bill changes the title.

CONFERENCE REPORT

Representative Crawford moves the adoption of the following Conference Report.

Senate Committee Substitute for H.B. 203

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

July 2, 2012

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 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; TO MAKE IT A CLASS I FELONY TO SIMULATE COURT PROCESS IN CONNECTION WITH THE COLLECTION OF A CLAIM, DEMAND, OR ACCOUNT, TO KNOWINGLY FILE A FALSE LIEN OR ENCUMBRANCE AGAINST THE REAL OR PERSONAL PROPERTY OF A PUBLIC OFFICER OR PUBLIC EMPLOYEE, OR TO FILE A FALSE SECURITY INSTRUMENT; AND TO PROVIDE THAT IT IS A VIOLATION OF THE RESIDENTIAL MORTGAGE FRAUD ACT FOR A PERSON TO KNOWINGLY FILE A DOCUMENT FALSELY CLAIMING THAT A MORTGAGE LOAN HAS BEEN SATISFIED OR DISCHARGED, Senate Rules and Operations of the Senate Committee Substitute Adopted 6/7/12 Third Edition Engrossed 6/27/12, submit the following report:

The House and Senate agree to the following amendments to the Senate Rules and Operations of the Senate Committee Substitute Adopted 6/7/12 Third Edition Engrossed 6/27/12, and the House concurs in the Senate Rules and Operations of the Senate Committee Substitute as amended:

On page 3, line 49 through page 4, line 39, by rewriting the lines to read:

"SECTION 4. Article 20 of Chapter 14 of the General Statutes is amended by adding a new section to read as follows:

"§ 14-118.6. Filing false lien or encumbrance.

(a) It shall be unlawful for any person to present for filing in a public record or a private record generally available to the public a false lien or encumbrance against the real or personal property of a public officer or public employee on account of the performance of the public officer or public employee's official duties, knowing or having reason to know that the lien or encumbrance is false or contains a materially false, fictitious, or fraudulent statement or representation. Any person who violates this subsection shall be guilty of a Class I felony.

(b) In the case of a lien or encumbrance presented to the register of deeds for filing, if the register of deeds has a reasonable suspicion that the lien or encumbrance is false, the register of deeds may refuse to file the lien or encumbrance. Neither the register of deeds nor any other entity shall be liable for filing or refusing to file a lien or encumbrance under this section. If the filing of the lien or encumbrance is denied, the register of deeds shall allow the filing of a Notice of Denied Lien or Encumbrance Filing on a form adopted by the Secretary of State. The Notice of Denied Lien or Encumbrance Filing shall not itself constitute a lien or

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encumbrance. If the filing of the lien or encumbrance is denied, any interested person may file a special proceeding in the county where the filing was denied within ten (10) business days of the filing of the Notice of Denied Lien or Encumbrance Filing asking the court to find that the proposed filing has a statutory or contractual basis and to order that the document be filed. If, after hearing, upon a minimum of five (5) days' notice and opportunity to be heard to all interested persons and all persons claiming an ownership interest in the property, the court finds that there is a statutory or contractual basis for the proposed filing, the court shall order the document filed. A lien or encumbrance filed upon order of the court under this subsection shall have a priority interest as of the time of the filing of the Notice of Denied Lien or Encumbrance Filing. If the court finds that there is no statutory or contractual basis for the proposed filing, the court shall order that the proposed filing is null and void and that it shall not be filed, indexed, or recorded and a copy of that order shall be filed by the register of deeds that originally denied the filing. The review by the judge under this subsection shall not be deemed a finding as to any underlying claim of the parties involved. If a special proceeding is not filed under this subsection within ten (10) business days of the filing of the Notice of Denied Lien or Encumbrance Filing, the lien or encumbrance is deemed null and void.

(c) Upon being presented with an order duly issued by a court of this State declaring that a filed lien or encumbrance is false, and therefore null and void, the register of deeds that received the filing, in addition to filing the order, shall conspicuously mark on the first page of the original record previously filed the following statement: "THE CLAIM ASSERTED IN THIS DOCUMENT IS FALSE AND IS NOT PROVIDED FOR BY THE GENERAL LAWS OF THIS STATE.

(d) In addition to any criminal penalties provided for in this section, a violation of this section shall constitute a violation of G.S. 75-1.1.

(e) Subsections (b) and (c) of this section shall not apply to filings under Article 9 of Chapter 25 of the General Statutes or under Chapter 44A of the General Statutes.""; and

on page 5, lines 17 and 18, by inserting the following new bill section between the lines to read:

"SECTION 6.1. G.S. 44A-12.1(c) reads as rewritten:

"(c) Any person who causes or attempts to cause a claim of lien on real property or other document to be filed, knowing that the filing is not authorized by statute, or with the intent that the filing is made for an improper purpose such as to hinder, harass, or otherwise wrongfully interfere with any person, shall be guilty of a ~~Class 1 misdemeanor.~~Class I felony.""

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

Date conferees approved report: July 2, 2012.

*Conferees for the
Senate*

S/ Tommy Tucker, Chair
S/ Apodaca
S/ Buck Newton
S/ Floyd B. McKissick, Jr.

*Conferees for the
House of Representatives*

S/ James W. Crawford, Jr., Chair
S/ Shirley B. Randleman
S/ Paul Stam
S/ Pat McElraft

The Conference Report is adopted, by electronic vote (117-1), and the Senate is so notified by Special Message.

CALENDAR (continued)

H.B. 1234 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE RECOMMENDATION OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT PRO TEMPORE OF THE SENATE AND TO MAKE TECHNICAL CORRECTIONS TO PREVIOUS APPOINTMENTS.

On motion of Representative T. Moore, the House concurs in Senate Amendment No. 1, by electronic vote (113-0).

On motion of Representative T. Moore, the House concurs in Senate Amendment No. 2, by electronic vote (115-0).

On motion of Representative T. Moore, the House concurs in the Senate committee substitute bill, as amended, which changes the title, by electronic vote (115-2), and the bill is ordered enrolled.

SPEAKER TILLIS PRESIDING.

SPECIAL MESSAGE FROM THE SENATE

The following Special Message is received from the Senate:

H.B. 54 (Senate 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, is returned for concurrence in the Senate committee substitute bill.

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

On motion of Representative Crawford, the House does not concur in the Senate committee substitute bill, by electronic vote (115-2), and conferees are requested.

Representative Harrison requests and is granted leave of the House to change her vote from "no" to "aye". The adjusted vote total is (116-1).

The Speaker appoints Representative Crawford, Chair; Representatives Stam, Lewis, and Ingle 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 SECOND SESSION 2012

Senate Chamber
July 2, 2012

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees for **H.B. 244** (Conference Report), 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 AND TO PROVIDE PROTECTIONS FOR WHISTLE-BLOWERS ALLEGING FRAUD OR OTHER MISCONDUCT RELATED TO THE STATE HEALTH PLAN.

When the appropriate action has been taken by both chambers, the bill will be ordered enrolled.

Respectfully,
S/ Sarah Clapp
Principal Clerk

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

July 2, 2012

SPECIAL MESSAGE FROM THE SENATE**2011 GENERAL ASSEMBLY
SECOND SESSION 2012**

Senate Chamber
July 2, 2012

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. 525** (Conference Report), A BILL TO BE ENTITLED AN ACT RELATING TO CRITICAL ACCESS BEHAVIORAL HEALTH AGENCIES.

When the appropriate action has been taken by both chambers, the bill will be ordered enrolled.

Respectfully,
S/ Sarah Clapp
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE**2011 GENERAL ASSEMBLY
SECOND SESSION 2012**

Senate Chamber
July 2, 2012

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. 707** (Conference Report), A BILL TO BE ENTITLED AN ACT TO ENACT THE SCHOOL VIOLENCE PREVENTION ACT OF 2012; LIMIT PRAYERS FOR JUDGMENT CONTINUED; AND END SUNSET FOR A PROVISION REGARDING AN LEA'S BASIS OF KNOWLEDGE ABOUT A CHILD WITH A DISABILITY.

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When the appropriate action has been taken by both chambers, the bill will be ordered enrolled.

Respectfully,
S/ Sarah Clapp
Principal Clerk

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:

S.B. 847 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE GENERAL STATUTES, INCLUDING SPECIFICALLY AUTHORIZING THE REVISOR OF STATUTES TO PRINT DRAFTERS' COMMENTS TO THREE ACTS ENACTED IN 2011 IN WHICH THIS AUTHORIZATION WAS INADVERTENTLY OMITTED, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, AND TO MAKE OTHER AMENDMENTS, with a favorable report as to the House committee substitute bill, unfavorable as to the Senate committee substitute bill.

On motion of the Chair, the House committee substitute bill is referred to the Committee on Finance. The Senate committee substitute bill is placed on the Unfavorable Calendar.

CALENDAR (continued)

H.R. 1219 (Committee Substitute), A HOUSE RESOLUTION EXPRESSING APPRECIATION TO THE MEMBERS WHO WILL BE LEAVING THE HOUSE OF REPRESENTATIVES AT THE END OF THEIR CURRENT TERMS.

The resolution is adopted, by electronic vote (117-0), and ordered printed.

WITHDRAWAL OF BILL FROM COMMITTEE

On motion of Representative T. Moore and without objection, **S.J.R. 961**, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE 2011 REGULAR SESSION OF THE GENERAL ASSEMBLY, is

July 2, 2012

withdrawn from the Committee on Rules, Calendar, and Operations of the House and pursuant to Rule 36(b) and without objection, is placed on today's Calendar.

On motion of the Speaker, the House recesses, subject to the appointment of conferees, the ratification of bills, the receipt of Committee Reports, the receipt of Conference Reports, the receipt of Messages from the Senate, and the referral of bills to committees, at 6:07 p.m.

RECESS

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

CONFERENCE REPORT

Representative McElraft sends forth the Conference Report on **H.B. 819** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STUDY AND MODIFY CERTAIN COASTAL MANAGEMENT POLICIES. Without objection, the Conference Report is placed on today's Calendar.

ENROLLED BILLS

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

S.B. 525, AN ACT RELATING TO CRITICAL ACCESS BEHAVIORAL HEALTH AGENCIES.

H.B. 244, 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 AND TO PROVIDE PROTECTIONS FOR WHISTLE-BLOWERS ALLEGING FRAUD OR OTHER MISCONDUCT RELATED TO THE STATE HEALTH PLAN.

H.B. 494, 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.

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H.B. 837, 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 2015.

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

H.B. 994, AN ACT TO PERMIT THE COUNTY OF ROCKINGHAM TO USE DESIGN-BUILD DELIVERY METHODS.

H.B. 1234, AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE RECOMMENDATION OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT PRO TEMPORE OF THE SENATE AND TO MAKE TECHNICAL CORRECTIONS TO PREVIOUS APPOINTMENTS.

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

H.J.R. 1233, A JOINT RESOLUTION HONORING THE FOUNDERS OF THE CITY OF KINSTON. (RESOLUTION 2012-11)

CALENDAR (continued)

H.B. 950, ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2011 AND FOR OTHER PURPOSES.

Representative Brubaker moves that the House pass the bill, notwithstanding the objections of the Governor.

The motion carries by the following three-fifths majority roll call vote and the Senate is so notified by Special Message.

Those voting in the affirmative are: Speaker Tillis; Representatives Avila, Blackwell, Blust, Boles, Bradley, Brandon, Brawley, Brisson, L. Brown, R. Brown, Brubaker, Burr, Cleveland, Collins, Cook, Crawford, Current, Daughtry, Dixon, Dockham, Dollar, Faircloth, Folwell, Frye, Gillespie, Hager, Hastings, Hill, Hilton, Hollo, Holloway, Horn, Howard, Hurley, Iler, Ingle, Jackson, Johnson, Jones, Jordan, Justice, Killian, Langdon, LaRoque, Lewis, McComas, McCormick, McElraft, McGee, McGrady, McLawhorn, Mills, Moffitt, T. Moore, Murry, Pittman, Pridgen, Randleman, Sager, Saine, Samuelson, Sanderson, Setzer, Shepard, Stam, Starnes, Steen, Stevens, Stone, Torbett, Walend, H. Warren, and West - 74.

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Voting in the negative: Representatives Adams, K. Alexander, M. Alexander, Bell, Bordsen, Bryant, Carney, Cotham, Earle, Faison, Farmer-Butterfield, Fisher, Floyd, Gill, Glazier, Goodman, Graham, Hackney, Haire, Hall, Harrison, Insko, Jeffus, Keever, Lucas, Luebke, Martin, McGuirt, Michaux, Mobley, R. Moore, Owens, Parfitt, Parmon, Pierce, Rapp, Ross, Spear, Tolson, Wainwright, E. Warren, Weiss, Wilkins, Womble, and Wray - 45.

Excused absences: None.

ADJOURNMENT EXTENDED

On motion of the Speaker and without objection, the House continues its Session past the 10:00 p.m. hour of adjournment, and upon his motion, the House recesses, subject to the appointment of conferees, the ratification of bills, the receipt of Committee Reports, the receipt of Conference Reports, the receipt of Messages from the Senate, and the referral of bills to committees, at 10:02 p.m.

RECESS

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

CALENDAR (continued)

S.B. 820, AN ACT TO (1) RECONSTITUTE THE MINING COMMISSION AS THE MINING AND ENERGY COMMISSION, (2) REQUIRE THE MINING AND ENERGY COMMISSION AND OTHER REGULATORY AGENCIES TO DEVELOP A MODERN REGULATORY PROGRAM FOR THE MANAGEMENT OF OIL AND GAS EXPLORATION AND DEVELOPMENT ACTIVITIES IN THE STATE, INCLUDING THE USE OF HORIZONTAL DRILLING AND HYDRAULIC FRACTURING FOR THAT PURPOSE, (3) AUTHORIZE HORIZONTAL DRILLING AND HYDRAULIC FRACTURING, BUT PROHIBIT THE ISSUANCE OF PERMITS FOR THESE ACTIVITIES PENDING SUBSEQUENT LEGISLATIVE ACTION, (4) ENHANCE LAND-OWNER AND PUBLIC PROTECTIONS RELATED TO HORIZONTAL DRILLING AND HYDRAULIC FRACTURING, AND (5) ESTABLISH THE JOINT LEGISLATIVE COMMISSION ON ENERGY POLICY.

Representative T. Moore moves that the House pass the bill, notwithstanding the objections of the Governor.

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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 (68-50).

The motion carries by the following three-fifths majority roll call vote:

Those voting in the affirmative are: Speaker Tillis; Representatives K. Alexander, Avila, Blackwell, Blust, Boles, Bradley, Brawley, Brisson, L. Brown, R. Brown, Brubaker, Burr, Carney, Cleveland, Collins, Cook, Current, Daughtry, Dixon, Dockham, Dollar, Faircloth, Folwell, Frye, Gillespie, Hager, Hamilton, Hastings, Hill, Hilton, Hollo, Horn, Howard, Hurley, Iler, Ingle, Johnson, Jones, Jordan, Justice, Killian, Langdon, LaRoque, Lewis, McComas, McCormick, McElraft, McGee, Mills, Moffitt, R. Moore, T. Moore, Murry, Pittman, Pridgen, Randleman, Sager, Saine, Samuelson, Sanderson, Setzer, Shepard, Stam, Starnes, Steen, Stevens, Stone, Torbett, Walend, H. Warren, and West - 72.

Voting in the negative: Representatives Adams, M. Alexander, Bell, Bordsen, Brandon, Bryant, Cotham, Crawford, Earle, Faison, Farmer-Butterfield, Fisher, Floyd, Gill, Glazier, Goodman, Graham, Hackney, Haire, Hall, Harrison, Holloway, Insko, Jackson, Jeffus, Keever, Lucas, Luebke, Martin, McGrady, McGuirt, McLawhorn, Michaux, Mobley, Owens, Parfitt, Parmon, Pierce, Rapp, Ross, Spear, Tolson, Wainwright, E. Warren, Weiss, Wilkins, and Wray - 47.

Excused absence: Representative Womble.

Having voted with the prevailing side, Representative Stam moves, seconded by Representative McGee, that the vote by which the bill passed be reconsidered and that the motion do lie upon the table. The clincher motion carries by electronic vote (71-47).

The veto of the Governor having been overridden, the bill becomes law and the Senate is so notified by Special Message.

SPECIAL MESSAGE FROM THE SENATE

2011 GENERAL ASSEMBLY SECOND SESSION 2012

Senate Chamber
July 2, 2012

July 2, 2012

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees for **H.B. 203** (Conference Report), 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; TO MAKE IT A CLASS I FELONY TO SIMULATE COURT PROCESS IN CONNECTION WITH THE COLLECTION OF A CLAIM, DEMAND, OR ACCOUNT, TO KNOWINGLY FILE A FALSE LIEN OR ENCUMBRANCE AGAINST THE REAL OR PERSONAL PROPERTY OF A PUBLIC OFFICER OR PUBLIC EMPLOYEE, OR TO FILE A FALSE SECURITY INSTRUMENT; AND TO PROVIDE THAT IT IS A VIOLATION OF THE RESIDENTIAL MORTGAGE FRAUD ACT FOR A PERSON TO KNOWINGLY FILE A DOCUMENT FALSELY CLAIMING THAT A MORTGAGE LOAN HAS BEEN SATISFIED OR DISCHARGED.

When the appropriate action has been taken by both chambers, the bill will be ordered enrolled.

Respectfully,
S/ Sarah Clapp
Principal Clerk

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

SPECIAL MESSAGE FROM THE SENATE

**2011 GENERAL ASSEMBLY
SECOND SESSION 2012**

Senate Chamber
July 2, 2012

Mr. Speaker:

Pursuant to your message received today, July 2, 2012, that the House of Representatives fails to concur in the Senate Committee Substitute No. 2 to **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

July 2, 2012

THE DEVELOPMENT OF NATURAL GAS, OIL, WIND, SOLAR, AND OTHER ENERGY SOURCES CAPABLE OF ENERGY PRODUCTION IN NORTH CAROLINA, and requests conferees, the President *Pro Tempore* appoints:

Senator Bingham, Chair
Senator Brown
Senator Brock

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
SECOND SESSION 2012**

Senate Chamber
July 2, 2012

Mr. Speaker:

Pursuant to your message received today, July 2, 2012, that the House of Representatives fails to concur in the Senate Committee Substitute to **H.B. 54** (Senate 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, and requests conferees, the President *Pro Tempore* appoints:

Senator Allran, Chair
Senator Newton
Senator Daniel

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

July 2, 2012

SPECIAL MESSAGE FROM THE SENATE**2011 GENERAL ASSEMBLY
SECOND SESSION 2012**

Senate Chamber
July 2, 2012

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees for **H.B. 1215** (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE HENDERSON COUNTY BOARD OF COMMISSIONERS TO LEVY AN ADDITIONAL ONE PERCENT ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX AND TO MAKE OTHER ADMINISTRATIVE CHANGES.

When the appropriate action has been taken by both chambers, the bill will be ordered enrolled.

Respectfully,
S/ Sarah Clapp
Principal Clerk

CONFERENCE REPORTS

Representative Starnes sends forth the Conference Report on **H.B. 1215** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE HENDERSON COUNTY BOARD OF COMMISSIONERS TO LEVY AN ADDITIONAL ONE PERCENT ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX AND TO MAKE OTHER ADMINISTRATIVE CHANGES. Without objection, the Conference Report is placed on today's Calendar.

Representative Stevens sends forth the Conference Report on **S.B. 910** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE CRIMINAL OFFENSE OF UNLAWFUL SALE, SURRENDER, OR PURCHASE OF A MINOR; TO REQUIRE THE NORTH CAROLINA CONFERENCE OF DISTRICT ATTORNEYS TO CONDUCT A STUDY TO DETERMINE WHAT OTHER MEASURES MAY BE NEEDED TO STOP THIS TYPE OF CRIMINAL ACTIVITY; TO CLARIFY WHEN, TO WHOM, AND UNDER WHAT CIRCUMSTANCES THE IDENTITY OF A PERSON REPORTING CHILD ABUSE OR

July 2, 2012

NEGLECT MAY BE RELEASED; TO CLARIFY 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; AND TO EXPAND THE LIST OF FELONIES FOR WHICH A DNA SAMPLE SHALL BE TAKEN UPON ARREST. Without objection, the Conference Report is placed on today's Calendar.

Representative T. Moore sends forth the Conference Report on **S.B. 382** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE WATER AND SEWER SERVICE IN A DESIGNATED URBAN GROWTH AREA AND TO DELAY THE IMPLEMENTATION DEADLINE FOR LOCAL STORMWATER MANAGEMENT PROGRAMS UNDER THE JORDAN LAKE NEW DEVELOPMENT RULE. Without objection, the Conference Report is placed on today's 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:

S.B. 847 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE GENERAL STATUTES, INCLUDING SPECIFICALLY AUTHORIZING THE REVISOR OF STATUTES TO PRINT DRAFTERS' COMMENTS TO THREE ACTS ENACTED IN 2011 IN WHICH THIS AUTHORIZATION WAS INADVERTENTLY OMITTED, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, AND TO MAKE OTHER AMENDMENTS, with a favorable report, as amended.

Pursuant to Rule 36(b) and without objection, the bill is placed on the Calendar for immediate consideration.

On motion of Representative T. Moore, Committee Amendment No. 1 is adopted by electronic vote (68-45).

Representative Brawley requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (69-45).

On motion of Representative T. Moore, Committee Amendment No. 2 is adopted by electronic vote (66-49).

July 2, 2012

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

Representative T. Moore offers Amendment No. 4 which is adopted by electronic vote (116-1).

Representative T. Moore offers Amendment No. 5 which is adopted by electronic vote (116-0).

Representative Horn requests and is granted leave of the House to be recorded as voting "aye". The adjusted vote total is (117-0).

Representative T. Moore offers Amendment No. 6 which is adopted by electronic vote (117-0).

Representative Rapp offers Amendment No. 7 which is adopted by electronic vote (116-0).

Representative Gillespie offers Amendment No. 8 which is adopted by electronic vote (116-0).

The bill, as amended, passes its second reading, by electronic vote (80-37), and there being no objection is read a third time.

The bill, as amended, passes its third reading by electronic vote (80-36), and is ordered sent to the Senate for concurrence in the House committee substitute bill, without engrossment, by Special Message.

CALENDAR (continued)

Conference Report for **H.B. 819** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STUDY AND MODIFY CERTAIN COASTAL MANAGEMENT POLICIES.

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

Representative LaRoque moves, seconded by Representative Hager, that the House adjourn, subject to the appointment of conferees, the ratification of bills, the receipt of Committee Reports, the receipt of Conference Reports, the receipt of Messages from the Senate, and the referral of bills to committees, to reconvene July 3 at 12:05 a.m.

The motion carries.

Nothing having been received, the House stands adjourned.

July 2, 2012

ONE HUNDRED THIRTY-EIGHTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, July 3, 2012

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

Prayer is offered by Representative Leo Daughtry.

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

A leave of absence is granted Representative Wainwright for today. Representatives Hill, McComas, Murry, West, and Womble are excused for a portion of the Session.

CALENDAR

Action is taken on the following:

Conference Report for **H.B. 819** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STUDY AND MODIFY CERTAIN COASTAL MANAGEMENT POLICIES.

On motion of Representative McElraft, the Conference Report is temporarily displaced.

SPECIAL MESSAGE FROM THE SENATE**2011 GENERAL ASSEMBLY
SECOND SESSION 2012**

Senate Chamber
July 2, 2012

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. 910** (Conference Report), A BILL TO BE ENTITLED AN ACT TO CREATE THE CRIMINAL OFFENSE OF UNLAWFUL SALE,

July 3, 2012

SURRENDER, OR PURCHASE OF A MINOR; TO REQUIRE THE NORTH CAROLINA CONFERENCE OF DISTRICT ATTORNEYS TO CONDUCT A STUDY TO DETERMINE WHAT OTHER MEASURES MAY BE NEEDED TO STOP THIS TYPE OF CRIMINAL ACTIVITY; TO CLARIFY WHEN, TO WHOM, AND UNDER WHAT CIRCUMSTANCES THE IDENTITY OF A PERSON REPORTING CHILD ABUSE OR NEGLECT MAY BE RELEASED; TO CLARIFY 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.

When the appropriate action has been taken by both chambers, the bill will be ordered enrolled.

Respectfully,
S/ Sarah Clapp
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

**2011 GENERAL ASSEMBLY
SECOND SESSION 2012**

Senate Chamber
July 2, 2012

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees for **H.B. 819** (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STUDY AND MODIFY CERTAIN COASTAL MANAGEMENT POLICIES.

When the appropriate action has been taken by both chambers, the bill will be ordered enrolled.

Respectfully,
S/ Sarah Clapp
Principal Clerk

July 3, 2012

CONFERENCE REPORTS

Representative Daughtry sends forth the Conference Report on **H.B. 585** (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT (1) TO MODIFY PROVISIONS RELATED TO THE SALES OF ALCOHOLIC BEVERAGES, (2) TO EXEMPT VEHICLES OF THE THREE NEWEST MODEL YEARS AND WITH LESS THAN EIGHTY THOUSAND MILES FROM EMISSIONS INSPECTIONS, (3) TO PROVIDE FOR CONFORMING CHANGES TO WHO MAY SUPERVISE THE STATE HIGHWAY PATROL PURSUANT TO THE CONSOLIDATION OF THE DEPARTMENT OF PUBLIC SAFETY, AND (4) TO EXEMPT LAW ENFORCEMENT, FIRE, EMERGENCY SERVICE, AND INMATE AND JUVENILE TRANSPORTATION VEHICLES OWNED BY THE DEPARTMENT OF PUBLIC SAFETY FROM DEPARTMENT OF ADMINISTRATION MOTOR FLEET MANAGEMENT. Without objection, the Conference Report is placed on today's Calendar.

Representative Crawford sends forth the Conference Report on **H.B. 54** (Senate 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. Without objection, the Conference Report is placed on today's Calendar.

SPECIAL MESSAGE FROM THE SENATE**2011 GENERAL ASSEMBLY
SECOND SESSION 2012**

Senate Chamber
July 2, 2012

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate dismissed the conferees for **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.

July 3, 2012

The President *Pro Tempore* withdraws the appointment of:

Senator Hartsell, Jr., Chair
Senator Tucker
Senator Stevens
Senator Mansfield
Senator Pate

Respectfully,
S/ Sarah Clapp
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

**2011 GENERAL ASSEMBLY
SECOND SESSION 2012**

Senate Chamber
July 2, 2012

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. 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, and requests conferees. The President Pro Tempore appoints:

Senator Hartsell, Chair
Senator Brunstetter
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

July 3, 2012

CALENDAR (continued)

H.B. 953 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL AMENDMENTS TO VARIOUS LAWS RELATED TO ENVIRONMENT AND NATURAL RESOURCES, DELAY THE IMPLEMENTATION DEADLINE FOR LOCAL STORMWATER MANAGEMENT PROGRAMS UNDER THE JORDAN LAKE NEW DEVELOPMENT RULE, AND TO MAKE CHANGES TO THE CLEAN ENERGY AND ECONOMIC SECURITY ACT.

On motion of Representative Gillespie, the House concurs in the Senate amendment by electronic vote (77-40).

Representative McGrady requests and is granted leave of the House to change his vote from "no" to "aye". The adjusted vote total is (78-39).

On motion of Representative Gillespie, the House concurs in the Senate committee substitute bill, as amended, which changes the title, by electronic vote (69-49), and the bill is ordered enrolled and presented to the Governor by Special Message.

On motion of the Speaker, the House recesses, subject to the appointment of conferees, the ratification of bills, the receipt of Committee Reports, the receipt of Conference Reports, the receipt of Messages from the Senate, and the referral of bills to committees at 12:28 a.m.

RECESS**SPECIAL MESSAGE FROM THE SENATE****2011 GENERAL ASSEMBLY
SECOND SESSION 2012**

Senate Chamber
July 3, 2012

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. 847** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE GENERAL STATUTES, INCLUDING SPECIFICALLY AUTHORIZING THE

July 3, 2012

REVISOR OF STATUTES TO PRINT DRAFTERS' COMMENTS TO THREE ACTS ENACTED IN 2011 IN WHICH THIS AUTHORIZATION WAS INADVERTENTLY OMITTED, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, AND TO MAKE OTHER AMENDMENTS, and requests conferees. The President *Pro Tempore* appoints:

Senator Hartsell, Chair
Senator Apodaca
Senator Brunstetter
Senator Brown

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 T. Moore, Chair; Representatives Stam, Lewis, and Owens as conferees on the part of the House and the Senate is so notified by Special Message.

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

ENROLLED BILLS

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

S.B. 227, AN ACT TO PROVIDE THAT THE NAME AND ADDRESS OF A MINOR CHILD INVOLVED IN A SCHOOL BUS CRASH MAY BE DISCLOSED ONLY IN CERTAIN CIRCUMSTANCES.

S.B. 635, AN ACT TO AMEND THE STATE SENTENCING LAWS TO COMPLY WITH THE UNITED STATES SUPREME COURT DECISION IN MILLER V. ALABAMA.

S.B. 707, AN ACT TO ENACT THE SCHOOL VIOLENCE PREVENTION ACT OF 2012; LIMIT PRAYERS FOR JUDGMENT CONTINUED; AND END SUNSET FOR A PROVISION REGARDING AN LEA'S BASIS OF KNOWLEDGE ABOUT A CHILD WITH A DISABILITY.

July 3, 2012

H.B. 203, AN ACT TO PROVIDE AN ALTERNATIVE MORTGAGE SATISFACTION FORM THAT ALLOWS A SECURED CREDITOR TO INDICATE THAT THE UNDERLYING OBLIGATION HAS BEEN EXTINGUISHED; TO MAKE IT A CLASS I FELONY TO SIMULATE COURT PROCESS IN CONNECTION WITH THE COLLECTION OF A CLAIM, DEMAND, OR ACCOUNT, TO KNOWINGLY FILE A FALSE LIEN OR ENCUMBRANCE AGAINST THE REAL OR PERSONAL PROPERTY OF A PUBLIC OFFICER OR PUBLIC EMPLOYEE, OR TO FILE A FALSE SECURITY INSTRUMENT; AND TO PROVIDE THAT IT IS A VIOLATION OF THE RESIDENTIAL MORTGAGE FRAUD ACT FOR A PERSON TO KNOWINGLY FILE A DOCUMENT FALSELY CLAIMING THAT A MORTGAGE LOAN HAS BEEN SATISFIED OR DISCHARGED.

H.B. 953, AN ACT TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL AMENDMENTS TO VARIOUS LAWS RELATED TO ENVIRONMENT AND NATURAL RESOURCES, DELAY THE IMPLEMENTATION DEADLINE FOR LOCAL STORMWATER MANAGEMENT PROGRAMS UNDER THE JORDAN LAKE NEW DEVELOPMENT RULE, AND TO MAKE CHANGES TO THE CLEAN ENERGY AND ECONOMIC SECURITY ACT.

CHAPTERED BILLS

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

H.B. 552, AN ACT TO CREATE THE GREATER ASHEVILLE REGIONAL AIRPORT AUTHORITY, TO REMOVE THE ASHEVILLE REGIONAL AIRPORT AND THE WESTERN NORTH CAROLINA AGRICULTURAL CENTER FROM THE ZONING JURISDICTION OF THE CITY OF ASHEVILLE, TO REQUIRE THE CITY OF ASHEVILLE TO CONVEY TO THE STATE OF NORTH CAROLINA ANY OF ITS RIGHT, TITLE, AND INTEREST TO THE WESTERN NORTH CAROLINA AGRICULTURAL CENTER, AND TO REMOVE THE WESTERN NORTH CAROLINA AGRICULTURAL CENTER FROM THE CORPORATE LIMITS OF THE CITY OF ASHEVILLE. (S.L. 2012-121)

H.B. 956, AN ACT RELATING TO THE USE OF OPEN SPACE FUNDS FOR JOHNSTON COUNTY. (S.L. 2012-122)

July 3, 2012

H.B. 1200, AN ACT TO AMEND THE PROVISIONS OF THE WINSTON-SALEM FIREMEN'S RETIREMENT FUND AND TO REPEAL THE PROVISIONS ESTABLISHING THE NEW BERN FIREMEN'S SUPPLEMENTAL RETIREMENT FUND. (S.L. 2012-123)

H.B. 1169, AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF BURGAW, AND CONCERNING COUNTY ZONING OF LOCAL DEANNEXED AREAS. (S.L. 2012-124)

H.B. 1170, AN ACT TO AMEND THE PROCESS BY WHICH MEMBERS OF THE PENDER COUNTY BOARD OF ALCOHOLIC CONTROL ARE SELECTED; TO REMOVE THE REQUIREMENT THAT THE PENDER COUNTY BOARD OF ALCOHOLIC CONTROL LOCATE ONE OR MORE STORES IN THE TOWNS OF BURGAW AND ATKINSON; AND TO AMEND THE DISTRIBUTION OF CERTAIN NET PROFITS FROM THE PENDER COUNTY BOARD OF ALCOHOLIC CONTROL. (S.L. 2012-125)

H.B. 438, AN ACT TO PROMOTE EFFICIENCY AND EFFECTIVENESS IN THE ADMINISTRATION OF HUMAN SERVICES AND TO STRENGTHEN THE LOCAL PUBLIC HEALTH INFRASTRUCTURE BY ESTABLISHING A PUBLIC HEALTH IMPROVEMENT INCENTIVE PROGRAM AND ENSURING THE PROVISION OF THE TEN ESSENTIAL PUBLIC HEALTH SERVICES. (S.L. 2012-126)

H.B. 512, AN ACT TO AMEND THE LAWS GOVERNING RENDERING PLANTS AND OPERATIONS, TO REQUIRE CERTIFICATION OF GREASE OWNERSHIP BY COLLECTORS OF WASTE KITCHEN GREASE, AND TO CREATE CRIMINAL PENALTIES RELATED TO WASTE KITCHEN GREASE. (S.L. 2012-127)

S.B. 347, AN ACT RELATING TO REASONABLE SAFETY AND CONTAINMENT MEASURES FOR MANAGING PATIENTS PENDING INVOLUNTARY COMMITMENT PLACEMENT. (S.L. 2012-128)

S.B. 656, AN ACT TO ENSURE THAT PATIENTS HAVE THE RIGHT TO CHOOSE THEIR PHYSICAL THERAPISTS UNDER THEIR HEALTH BENEFIT PLANS. (S.L. 2012-129)

S.B. 804, AN ACT TO MAKE TECHNICAL AND CONFORMING CHANGES TO STATUTES AFFECTING THE STATE RETIREMENT SYSTEMS. (S.L. 2012-130)

July 3, 2012

S.B. 815, AN ACT INITIATING REFORM OF THE WORKFORCE DEVELOPMENT LAWS OF NORTH CAROLINA, MODIFYING THE COMPOSITION OF THE NORTH CAROLINA COMMISSION ON WORKFORCE DEVELOPMENT, AND ESTABLISHING THE JOINT LEGISLATIVE WORKFORCE DEVELOPMENT SYSTEM REFORM COMMITTEE, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE BASED ON RECOMMENDATIONS FROM THE PROGRAM EVALUATION DIVISION. (S.L. 2012-131)

S.B. 94, AN ACT DELAYING THE EFFECTIVE DATE OF OPERATING STANDARDS SET BY THE 911 BOARD FOR PSAPS. (S.L. 2012-132)

H.B. 964, AN ACT TO CREATE THE NORTH CAROLINA LONGITUDINAL DATA SYSTEM AND GOVERNING BOARD; AND TO PROVIDE THAT PRIVATE COLLEGES AND UNIVERSITIES, NONPUBLIC SCHOOLS, AND THE NORTH CAROLINA INDEPENDENT COLLEGES AND UNIVERSITIES ARE NOT LIABLE FOR A BREACH OF CONFIDENTIALITY CAUSED BY THE ACT OR OMISSION OF A STATE AGENCY, LOCAL SCHOOL ADMINISTRATIVE UNIT, COMMUNITY COLLEGE, OR CONSTITUENT INSTITUTION OF THE UNIVERSITY OF NORTH CAROLINA. (S.L. 2012-133)

S.B. 828, AN ACT TO MAKE CHANGES TO THE UNEMPLOYMENT INSURANCE LAWS. (S.L. 2012-134)

H.B. 237, AN ACT PROVIDING THAT THE NORTH CAROLINA RATE BUREAU SHARE WITH THE NORTH CAROLINA INDUSTRIAL COMMISSION INFORMATION ON THE STATUS OF WORKERS' COMPENSATION INSURANCE COVERAGE ON EMPLOYERS IN THIS STATE AND MAKING CLARIFYING, CONFORMING, AND OTHER CHANGES RELATING TO THE WORKERS' COMPENSATION LAWS OF NORTH CAROLINA. (S.L. 2012-135)

S.B. 416, AN ACT TO AMEND DEATH PENALTY PROCEDURES. (S.L. 2012-136) [Became law notwithstanding the objections of the Governor.]

S.B. 876, AN ACT TO REMOVE A CERTAIN DESCRIBED TRACT FROM THE CORPORATE LIMITS OF THE TOWN OF MOORESVILLE AT THE REQUEST OF THE TOWN BOARD OF COMMISSIONERS. (S.L. 2012-137)

July 3, 2012

H.B. 180, AN ACT TO VOLUNTARILY ANNEX CERTAIN DESCRIBED AREAS TO THE CORPORATE LIMITS OF THE CITY OF WILMINGTON. (S.L. 2012-138)

H.B. 278, AN ACT TO BROADEN THE EXCEPTION TO THE PUBLIC RECORDS ACT FOR IDENTIFYING INFORMATION OF MINORS PARTICIPATING IN LOCAL GOVERNMENT PARKS AND RECREATION PROGRAMS TO INCLUDE ALL LOCAL GOVERNMENT PROGRAMS AND ALSO TO PROTECT E-MAIL ADDRESSES OF MINORS IN SUCH PROGRAMS IN THE TOWNS OF APEX, CARY, FUQUAY-VARINA, GARNER, HOLLY SPRINGS, KNIGHTDALE, MORRISVILLE, ROLESVILLE, WAKE FOREST, WENDELL, AND ZEBULON, AND THE CITY OF RALEIGH, AND TO AUTHORIZE THE CITY OF KINSTON TO DELEGATE TO THE CITY MANAGER OR AN APPOINTED BOARD THE POWER TO GRANT, RENEW, EXTEND, AMEND, REVOKE, OR SUSPEND A TAXICAB FRANCHISE. (S.L. 2012-139)

SPECIAL MESSAGE FROM THE SENATE

**2011 GENERAL ASSEMBLY
SECOND SESSION 2012**

Senate Chamber
July 3, 2012

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees for **H.B. 54** (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT IF A DEFENDANT HAS FOUR OR MORE PRIOR LARCENY CONVICTIONS, A SUBSEQUENT LARCENY OFFENSE IS A FELONY.

When the appropriate action has been taken by both chambers, the bill will be ordered enrolled.

Respectfully,
S/ Sarah Clapp
Principal Clerk

July 3, 2012

SPECIAL MESSAGE FROM THE SENATE**2011 GENERAL ASSEMBLY
SECOND SESSION 2012**

Senate Chamber
July 3, 2012

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees for **H.B. 585** (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXEMPT VEHICLES OF THE THREE NEWEST MODEL YEARS AND WITH LESS THAN SEVENTY THOUSAND MILES FROM EMISSIONS INSPECTIONS.

When the appropriate action has been taken by both chambers, the bill will be ordered enrolled.

Respectfully,
S/ Sarah Clapp
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE**2011 GENERAL ASSEMBLY
SECOND SESSION 2012**

Senate Chamber
July 3, 2012

Mr. Speaker:

It is ordered that a message be sent your Honorable Body that the Senate has passed **H.B. 950 (Ratified)**, AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2011 AND FOR OTHER PURPOSES, notwithstanding the objections of the Governor and the bill becomes law.

Respectfully,
S/ Sarah Clapp
Principal Clerk

July 3, 2012

SPECIAL MESSAGE FROM THE SENATE**2011 GENERAL ASSEMBLY
SECOND SESSION 2012**

Senate Chamber
July 3, 2012

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. 187** (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL, CLARIFYING, AND OTHER MODIFICATIONS TO THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACTS.

When the appropriate action has been taken by both chambers, the bill will be ordered enrolled.

Respectfully,
S/ Sarah Clapp
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE**2011 GENERAL ASSEMBLY
SECOND SESSION 2012**

Senate Chamber
July 3, 2012

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. 191** (Conference Report), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN GOVERNANCE OF LOCAL MANAGEMENT ENTITIES WITH RESPECT TO THE IMPLEMENTATION OF STATEWIDE EXPANSION OF THE 1915(B)/(C) MEDICAID WAIVER.

July 3, 2012

When the appropriate action has been taken by both chambers, the bill will be ordered enrolled.

Respectfully,
S/ Sarah Clapp
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

**2011 GENERAL ASSEMBLY
SECOND SESSION 2012**

Senate Chamber
July 3, 2012

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. 229** (Conference Report), A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN ENVIRONMENTAL AND NATURAL RESOURCES LAWS TO (1) DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO REPORT ON THE INTEGRATION OF STORMWATER CAPTURE AND REUSE INTO STORMWATER REGULATORY PROGRAMS; (2) DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO STUDY THE ADVISABILITY AND FEASIBILITY OF REALLOCATING WATER SUPPLY IN JOHN H. KERR RESERVOIR FROM HYDROPOWER STORAGE TO WATER SUPPLY STORAGE; (3) DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO STUDY AND EVALUATE DEGRADABLE PLASTIC PRODUCTS AND THEIR POTENTIAL TO CONTAMINATE RECYCLED PLASTIC FEEDSTOCKS; (4) DIRECT THE DIVISION OF PUBLIC HEALTH IN THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO REPORT ON THE ADMINISTRATION AND IMPLEMENTATION OF THE LEAD-BASED PAINT HAZARD MANAGEMENT PROGRAM FOR RENOVATION, REPAIR, AND PAINTING; (5) PROVIDE THAT TYPE 1 SOLID WASTE COMPOST FACILITIES ARE NOT REQUIRED TO OBTAIN A NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT FOR DISCHARGE OF PROCESS WASTEWATER BASED SOLELY ON THE DISCHARGE OF STORMWATER THAT HAS COME INTO CONTACT WITH FEEDSTOCK, INTERMEDIATE PRODUCT, OR FINAL PRODUCT AT THE FACILITY; (6) DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

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TO ACCEPT ALTERNATIVE MEASURES FOR STORMWATER CONTROL OTHER THAN PONDS THAT MEET CERTAIN CRITERIA AT AIRPORTS; (7) PROVIDE CONDITIONS TO ALLOW FOR TWO NONCONTIGUOUS PROPERTIES TO BE TREATED AS A SINGLE CONTIGUOUS PROPERTY FOR PURPOSES OF COMPLIANCE WITH LOCAL WATER SUPPLY WATERSHED PROGRAMS; (8) PROHIBIT TREATMENT OF LAND WITHIN RIPARIAN BUFFERS AS LAND OF THE STATE OR ITS SUBDIVISIONS; (8A) AMEND THE NEUSE AND TAR-PAMLICO RIVER BASIN BUFFER RULES TO ALLOW DEVELOPMENT ON EXISTING LOTS UNDER CERTAIN CONDITIONS; (9) PROVIDE FLEXIBILITY FOR THE DEVELOPMENT OF BASINWIDE WATER QUALITY MANAGEMENT PLANS FOR RIVER BASINS THAT HAVE WATERS DESIGNATED AS NUTRIENT SENSITIVE AND DELAY THE IMPLEMENTATION DEADLINE FOR LOCAL STORMWATER MANAGEMENT PROGRAMS UNDER THE JORDAN LAKE NEW DEVELOPMENT RULE; (10) AMEND THE DEFINITION OF COMMUNITY WATER SYSTEM; (11) ESTABLISH A VARIANCE PROCESS FOR CERTAIN SETBACK REQUIREMENTS FOR EXISTING PRIVATE DRINKING WATER WELLS; (12) REPEAL THE AUTHORITY OF THE ENVIRONMENTAL MANAGEMENT COMMISSION TO ADD COUNTIES TO THE MOTOR VEHICLE EMISSIONS INSPECTION PROGRAM; (13) ALLOW THE COMMERCIAL LEAKING PETROLEUM UNDERGROUND STORAGE TANK CLEANUP FUND TO BE USED FOR THE REMOVAL OF ABANDONED UNDERGROUND STORAGE TANKS THAT HAVE NOT LEAKED BUT POSE AN IMMINENT HAZARD; (14) REQUIRE SCRAP TIRE COLLECTORS TO VERIFY ACCESS TO A PERMITTED SCRAP TIRE DISPOSAL SITE BEFORE CONTRACTING WITH ANY SCRAP TIRE PROCESSOR; (15) REQUIRE SEPTAGE MANAGEMENT FIRMS TO PROVIDE IDENTIFICATION OF AND NOTICE TO THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES BEFORE PLACING A PUMPER TRUCK NOT PREVIOUSLY INCLUDED IN A PERMIT INTO SERVICE; (16) AMEND THE MARINE FISHERIES COMMISSION ADVISORY COMMITTEES; (17) PROVIDE THAT A SUPERMAJORITY OF THE MARINE FISHERIES COMMISSION IS REQUIRED TO OVERRIDE A RECOMMENDATION OF THE DIVISION OF MARINE FISHERIES REGARDING OVERFISHING OR REBUILDING OF FISH STOCKS; (18) PROVIDE CERTAIN PROTECTIONS TO GALAX AND VENUS FLYTRAP UNDER THE PLANT PROTECTION AND CONSERVATION ACT; (19) INCREASE THE CIVIL PENALTY FOR VIOLATIONS OF CERTAIN RULES OF THE WILDLIFE RESOURCES COMMISSION; (20) PROVIDE THAT FUNDS RECEIVED IN SETTLEMENT OF THE LAWSUIT FILED BY THE STATE AGAINST THE TENNESSEE VALLEY AUTHORITY BE USED

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EXCLUSIVELY IN CERTAIN COUNTIES; (21) AMEND OR REPEAL VARIOUS ENVIRONMENTAL AND NATURAL RESOURCES REPORTING REQUIREMENTS; AND (22) MAKE TECHNICAL AND CONFORMING CHANGES TO ENVIRONMENTAL AND NATURAL RESOURCES LAWS.

When the appropriate action has been taken by both chambers, the bill will be ordered enrolled.

Respectfully,
S/ Sarah Clapp
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

**2011 GENERAL ASSEMBLY
SECOND SESSION 2012**

Senate Chamber
July 2, 2012

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to adopt the report of the conferees for **S.B. 382** (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE WATER AND SEWER SERVICE TO CERTAIN PROPERTIES OUTSIDE THE CORPORATE LIMITS OF A CITY AND TO DELAY THE IMPLEMENTATION DEADLINE FOR LOCAL STORMWATER MANAGEMENT PROGRAMS UNDER THE JORDAN LAKE NEW DEVELOPMENT RULE.

Respectfully,
S/ Sarah Clapp
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

**2011 GENERAL ASSEMBLY
SECOND SESSION 2012**

Senate Chamber
July 3, 2012

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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. 847** (Conference Report), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE GENERAL STATUTES, INCLUDING SPECIFICALLY AUTHORIZING THE REVISOR OF STATUTES TO PRINT DRAFTERS' COMMENTS TO THREE ACTS ENACTED IN 2011 IN WHICH THIS AUTHORIZATION WAS INADVERTENTLY OMITTED, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, AND TO MAKE OTHER AMENDMENTS.

When the appropriate action has been taken by both chambers, the bill will be ordered enrolled.

Respectfully,
S/ Sarah Clapp
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

The following Special Message is received from the Senate:

H.B. 1077 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE DEPARTMENT OF TRANSPORTATION TO ENTER INTO A PILOT PUBLIC-PRIVATE PARTNERSHIP TOLL PROJECT AND TO REALLOCATE THE MONEY APPROPRIATED FOR STUDIES RELATED TO THE MID-CURRITUCK BRIDGE PROJECT TO THE DEPARTMENT OF TRANSPORTATION, FERRY DIVISION, is returned for concurrence in the Senate committee substitute bill, with one unengrossed Senate amendment.

Pursuant to Rule 36(b) and without objection, the Senate committee substitute bill is placed on today's Calendar.

Upon concurrence the Senate committee substitute bill changes the title.

CONFERENCE REPORTS

Representative Brubaker sends forth the Conference Report on **S.B. 187** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL, CLARIFYING, AND OTHER MODIFICATIONS TO THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACTS. Without objection, the Conference Report is placed on today's Calendar.

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Representative T. Moore sends forth the Conference Report on **S.B. 847** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE GENERAL STATUTES, INCLUDING SPECIFICALLY AUTHORIZING THE REVISOR OF STATUTES TO PRINT DRAFTERS' COMMENTS TO THREE ACTS ENACTED IN 2011 IN WHICH THIS AUTHORIZATION WAS INADVERTENTLY OMITTED, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, AND TO MAKE OTHER AMENDMENTS. Without objection, the Conference Report is placed on today's Calendar.

VOTE RECONSIDERED

S.B. 191 (Conference Report), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN GOVERNANCE OF LOCAL MANAGEMENT ENTITIES WITH RESPECT TO THE IMPLEMENTATION OF STATE-WIDE EXPANSION OF THE 1915(B)/(C) MEDICAID WAIVER.

Pursuant to Rule 24.1A(c), the request that Representative Farmer-Butterfield be excused from voting on June 26 is continued.

Having voted with the prevailing side, Representative Dollar moves that the vote taken on July 2, by which the conference report was adopted, be reconsidered and that the conference report be returned to the conference committee. The motion carries by electronic vote (109-3). The conference report is returned to the conference committee.

CONFERENCE REPORT

Representative Dollar sends forth a second Conference Report on **S.B. 191** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN GOVERNANCE OF LOCAL MANAGEMENT ENTITIES WITH RESPECT TO THE IMPLEMENTATION OF STATE-WIDE EXPANSION OF THE 1915(B)/(C) MEDICAID WAIVER. Without objection, the Conference Report is placed on the Calendar for immediate consideration.

Representative Dollar moves the adoption of the following Conference Report.

House Committee Substitute for S.B. 191

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

July 3, 2012

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 191, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN GOVERNANCE OF LOCAL MANAGEMENT ENTITIES WITH RESPECT TO THE IMPLEMENTATION OF STATEWIDE EXPANSION OF THE 1915(B)/(C) MEDICAID WAIVER, House Committee Substitute Favorable 6/26/12 Fourth Edition Engrossed 6/26/12, submit the following report:

The Senate concurs in the House Committee Substitute Favorable 6/26/12 Fourth Edition Engrossed 6/26/12, and the Senate and the House agree to the following amendment:

on page 2, line 31, by rewriting the line to read:

"shall appoint the unrepresented category. The boards of county commissioners within a multicounty area with a catchment population of at least 1,250,000 shall have the option to appoint members of the area board in a manner or with a composition other than as required by this section by each county unanimously adopting a resolution to that effect and receiving written approval from the Secretary by January 1, 2013. A member of the board may be removed with or";

And on page 4, line 13 by deleting the phrase "July 1, 2013." and by substituting the phrase "October 1, 2013."

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

Date conferees approved report: July 2, 2012.

*Conferees for the
Senate*

S/ Fletcher Hartsell, Jr., Chair
S/ Peter S. Brunstetter
S/ Tommy Tucker

*Conferees for the
House of Representatives*

S/ Nelson Dollar, Chair
S/ Justin P. Burr
S/ William D. Brisson
S/ Fred F. Steen, II

Pursuant to Rule 24.1A(c), the request that Representative Farmer-Butterfield be excused from voting on June 26 is continued.

The Conference Report is adopted, by electronic vote (112-0), and the Senate is so notified by Special Message.

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CALENDAR (continued)

S.J.R. 961, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE 2011 REGULAR SESSION OF THE GENERAL ASSEMBLY, passes its second reading, by electronic vote (116-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered enrolled.

H.B. 462 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO LIMIT USE OF CONTINGENT-BASED CONTRACTS FOR AUDIT OR ASSESSMENT PURPOSES.

On motion of Representative Stam, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (109-3), and the bill is ordered enrolled and presented to the Governor by Special Message.

Representatives Brandon and Graham request and are granted leave of the House to be recorded as voting "aye". The adjusted vote total is (111-3).

CONFERENCE REPORT

Representative McElraft moves the adoption of the following Conference Report, which was temporarily displaced.

Senate Committee Substitute for H.B. 819

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 819, A BILL TO BE ENTITLED AN ACT TO STUDY AND MODIFY CERTAIN COASTAL MANAGEMENT POLICIES, Senate Agriculture/Environment/Natural Resources Committee Substitute Adopted 6/11/12 Fourth Edition Engrossed 6/12/12, submit the following report:

The House and Senate agree to the following amendment to the Senate Agriculture/Environment/Natural Resources Committee Substitute Adopted 6/11/12 Fourth Edition Engrossed 6/12/12, and the House concurs in the Senate Committee Substitute as amended:

Delete the entire Senate Committee Substitute and substitute the attached proposed Conference Committee Substitute H819-PCCS80412-SB-6.

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

Date conferees approved report: July 2, 2012.

*Conferees for the
Senate*

S/ David Rouzer, Chair
S/ Jean Preston
S/ Harry Brown
S/ Thom Goolsby
S/ Stan White

*Conferees for the
House of Representatives*

S/ Pat McElraft, Chair
S/ Ruth Samuelson
S/ Timothy L. Spear
S/ Mike Hager
S/ Frank Iler

The Conference Report is adopted, by electronic vote (68-46), and the Senate is so notified by Special Message. (The text of the Conference Committee Substitute may be found in its entirety in the 2012 Session Laws, Chapter 202.)

The Senate having previously adopted the Conference Report, the Speaker orders the bill enrolled and presented to the Governor by Special Message.

ENROLLED BILLS

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

S.J.R. 961, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE 2011 REGULAR SESSION OF THE GENERAL ASSEMBLY. (RESOLUTION 2012-12)

WITHDRAWAL OF BILLS FROM CALENDAR

On motion of Representative T. Moore and without objection, the Conference Report for **S.B. 382** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE WATER AND SEWER SERVICE IN A DESIGNATED URBAN GROWTH AREA AND TO DELAY THE IMPLEMENTATION DEADLINE FOR LOCAL STORMWATER MANAGEMENT PROGRAMS UNDER THE JORDAN LAKE NEW DEVELOPMENT RULE, 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. 905**, A BILL TO BE ENTITLED AN ACT TO PROTECT THE PROPERTY RIGHTS OF HOMEOWNERS BY REQUIRING THAT DEVELOPMENT PERMITS ISSUED TO REPAIR OR RECONSTRUCT SINGLE-FAMILY AND DUPLEX RESIDENTIAL DWELLINGS IN CURRITUCK COUNTY GREATER THAN FIVE THOUSAND SQUARE FEET AND CONSTRUCTED PRIOR TO AUGUST 11, 2009, SHALL INCLUDE A MINIMUM SETBACK OF SIXTY FEET OR THIRTY TIMES THE SHORELINE EROSION RATE, WHICHEVER IS GREATER, 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 T. Moore and without objection, **H.B. 614** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT ALLOWING REGISTERED SPONSORING ORGANIZATIONS TO ARRANGE FOR THE VOLUNTARY PROVISION OF HEALTH CARE SERVICES IN THIS STATE, RELIEVING PROVIDERS OF VOLUNTARY HEALTH CARE SERVICES FROM ADDITIONAL LICENSURE REQUIREMENTS, AND PROVIDING LIMITED PROTECTION FROM CIVIL LIABILITY TO PERSONS PROVIDING VOLUNTARY HEALTH CARE SERVICES IN ASSOCIATION WITH SPONSORING ORGANIZATIONS, is withdrawn from the Committee on Health and Human Services and pursuant to Rule 36(b), is placed on today's Calendar.

ENROLLED BILLS

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

S.B. 191, AN ACT TO MAKE CHANGES IN GOVERNANCE OF LOCAL MANAGEMENT ENTITIES WITH RESPECT TO THE IMPLEMENTATION OF STATEWIDE EXPANSION OF THE 1915(B)/(C) MEDICAID WAIVER.

S.B. 229, AN ACT TO AMEND CERTAIN ENVIRONMENTAL AND NATURAL RESOURCES LAWS TO (1) DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO REPORT ON THE INTEGRATION OF STORMWATER CAPTURE AND REUSE INTO STORMWATER REGULATORY PROGRAMS; (2) DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO STUDY THE ADVISABILITY AND FEASIBILITY OF REALLOCATING WATER SUPPLY IN JOHN H. KERR RESERVOIR FROM HYDROPOWER STORAGE TO WATER SUPPLY STORAGE; (3) DIRECT

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THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO STUDY AND EVALUATE DEGRADABLE PLASTIC PRODUCTS AND THEIR POTENTIAL TO CONTAMINATE RECYCLED PLASTIC FEEDSTOCKS; (4) DIRECT THE DIVISION OF PUBLIC HEALTH IN THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO REPORT ON THE ADMINISTRATION AND IMPLEMENTATION OF THE LEAD-BASED PAINT HAZARD MANAGEMENT PROGRAM FOR RENOVATION, REPAIR, AND PAINTING; (5) PROVIDE THAT TYPE 1 SOLID WASTE COMPOST FACILITIES ARE NOT REQUIRED TO OBTAIN A NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT FOR DISCHARGE OF PROCESS WASTEWATER BASED SOLELY ON THE DISCHARGE OF STORM-WATER THAT HAS COME INTO CONTACT WITH FEEDSTOCK, INTERMEDIATE PRODUCT, OR FINAL PRODUCT AT THE FACILITY; (6) DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ACCEPT ALTERNATIVE MEASURES FOR STORM-WATER CONTROL OTHER THAN PONDS THAT MEET CERTAIN CRITERIA AT AIRPORTS; (7) PROVIDE CONDITIONS TO ALLOW FOR TWO NONCONTIGUOUS PROPERTIES TO BE TREATED AS A SINGLE CONTIGUOUS PROPERTY FOR PURPOSES OF COMPLIANCE WITH LOCAL WATER SUPPLY WATERSHED PROGRAMS; (8) PROHIBIT TREATMENT OF LAND WITHIN RIPARIAN BUFFERS AS LAND OF THE STATE OR ITS SUBDIVISIONS; (8A) AMEND THE NEUSE AND TAR-PAMLICO RIVER BASIN BUFFER RULES TO ALLOW DEVELOPMENT ON EXISTING LOTS UNDER CERTAIN CONDITIONS; (9) PROVIDE FLEXIBILITY FOR THE DEVELOPMENT OF BASINWIDE WATER QUALITY MANAGEMENT PLANS FOR RIVER BASINS THAT HAVE WATERS DESIGNATED AS NUTRIENT SENSITIVE AND DELAY THE IMPLEMENTATION DEADLINE FOR LOCAL STORMWATER MANAGEMENT PROGRAMS UNDER THE JORDAN LAKE NEW DEVELOPMENT RULE; (10) AMEND THE DEFINITION OF COMMUNITY WATER SYSTEM; (11) ESTABLISH A VARIANCE PROCESS FOR CERTAIN SETBACK REQUIREMENTS FOR EXISTING PRIVATE DRINKING WATER WELLS; (12) REPEAL THE AUTHORITY OF THE ENVIRONMENTAL MANAGEMENT COMMISSION TO ADD COUNTIES TO THE MOTOR VEHICLE EMISSIONS INSPECTION PROGRAM; (13) ALLOW THE COMMERCIAL LEAKING PETROLEUM UNDERGROUND STORAGE TANK CLEANUP FUND TO BE USED FOR THE REMOVAL OF ABANDONED UNDERGROUND STORAGE TANKS THAT HAVE NOT LEAKED BUT POSE AN IMMINENT HAZARD; (14) REQUIRE SCRAP TIRE COLLECTORS TO VERIFY ACCESS TO A PERMITTED SCRAP TIRE DISPOSAL SITE BEFORE CONTRACTING WITH ANY SCRAP TIRE PROCESSOR; (15) REQUIRE SEPTAGE MANAGEMENT FIRMS TO PROVIDE

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IDENTIFICATION OF AND NOTICE TO THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES BEFORE PLACING A PUMPER TRUCK NOT PREVIOUSLY INCLUDED IN A PERMIT INTO SERVICE; (16) AMEND THE MARINE FISHERIES COMMISSION ADVISORY COMMITTEES; (17) PROVIDE THAT A SUPERMAJORITY OF THE MARINE FISHERIES COMMISSION IS REQUIRED TO OVERRIDE A RECOMMENDATION OF THE DIVISION OF MARINE FISHERIES REGARDING OVERFISHING OR REBUILDING OF FISH STOCKS; (18) PROVIDE CERTAIN PROTECTIONS TO GALAX AND VENUS FLYTRAP UNDER THE PLANT PROTECTION AND CONSERVATION ACT; (19) INCREASE THE CIVIL PENALTY FOR VIOLATIONS OF CERTAIN RULES OF THE WILDLIFE RESOURCES COMMISSION; (20) PROVIDE THAT FUNDS RECEIVED IN SETTLEMENT OF THE LAWSUIT FILED BY THE STATE AGAINST THE TENNESSEE VALLEY AUTHORITY BE USED EXCLUSIVELY IN CERTAIN COUNTIES; (21) AMEND OR REPEAL VARIOUS ENVIRONMENTAL AND NATURAL RESOURCES REPORTING REQUIREMENTS; AND (22) MAKE TECHNICAL AND CONFORMING CHANGES TO ENVIRONMENTAL AND NATURAL RESOURCES LAWS.

H.B. 462, AN ACT TO LIMIT USE OF CONTINGENT-BASED CONTRACTS FOR AUDIT OR ASSESSMENT PURPOSES.

CONFERENCE REPORTS

Representative Stevens moves the adoption of the following Conference Report.

House Committee Substitute for S.B. 910

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 910, A BILL TO BE ENTITLED AN ACT TO CREATE THE CRIMINAL OFFENSE OF UNLAWFUL SALE, SURRENDER, OR PURCHASE OF A MINOR; TO REQUIRE THE NORTH CAROLINA CONFERENCE OF DISTRICT ATTORNEYS TO CONDUCT A STUDY TO DETERMINE WHAT OTHER MEASURES MAY BE NEEDED TO STOP THIS TYPE OF CRIMINAL ACTIVITY; TO CLARIFY WHEN, TO WHOM, AND UNDER WHAT CIRCUMSTANCES THE IDENTITY OF A PERSON REPORTING CHILD ABUSE OR NEGLECT MAY BE RELEASED; TO CLARIFY WHAT INFORMATION THE DIVISION OF SOCIAL SERVICES IS REQUIRED

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TO MAINTAIN IN THE FOSTER CARE REGISTRY AND UNDER WHAT CIRCUMSTANCES INFORMATION IN THE REGISTRY MAY BE WITHHELD; AND TO EXPAND THE LIST OF FELONIES FOR WHICH A DNA SAMPLE SHALL BE TAKEN UPON ARREST, House Committee Substitute Favorable 6/27/12, submit the following report:

The Senate concurs in House Amendments #1 and #2. The House and Senate agree to the following amendments to the House Committee Substitute adopted 6/27/12, and the Senate concurs in the House Committee Substitute as amended:

On page 1, lines 11 through 12, by rewriting those lines to read:
"REGISTRY MAY BE WITHHELD.";

And on page 4, line 39 through page 5, line 30, by rewriting those lines to read:

"SECTION 8. Section 5 and 8 of this act are effective when they become law."

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

Date conferees approved report: July 2, 2012.

*Conferees for the
Senate*

S/ Peter S. Brunstetter, Chair
S/ Richard Stevens
S/ Neal Hunt
S/ Martin L. Nesbitt, Jr.

*Conferees for the
House of Representatives*

S/ Sarah Stevens, Chair
S/ Justin P. Burr
S/ Rick Glazier
S/ Paul Stam

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

Representative McGrady moves the adoption of the following Conference Report.

Senate Committee Substitute for H.B. 1215

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

July 3, 2012

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 1215, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE HENDERSON COUNTY BOARD OF COMMISSIONERS TO LEVY AN ADDITIONAL ONE PERCENT ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX AND TO MAKE OTHER ADMINISTRATIVE CHANGES, Senate Finance Committee Substitute Adopted 6/27/12, with Senate Amendment No. 1 adopted on 6/28/12, unengrossed, submit the following report:

The Senate recesses from Senate Amendment No. 1, adopted on 6/28/12, and the House and Senate agree to the following amendment to the Senate Finance Committee Substitute Adopted 6/27/12, and the House concurs in the Senate Finance Committee Substitute as amended:

Delete the entire Senate Committee Substitute and substitute the attached Proposed Conference Committee Substitute H1215-PCCS11396-SV-2.

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

Date conferees approved report: July 2, 2012.

*Conferees for the
Senate*

S/ Apodaca, Chair
S/ Harry Brown
S/ Peter S. Brunstetter

*Conferees for the
House of Representatives*

S/ Edgar V. Starnes, Chair
S/ Wm. C. McGee
S/ Tricia A. Cotham

The Conference Report is adopted, by electronic vote (87-27), and the Senate is so notified by Special Message. (The text of the Conference Committee Substitute may be found in its entirety in the 2012 Session Laws, Chapter 144.)

Representatives Blust and Holloway request and are granted leave of the House to change their votes from "aye" to "no". The adjusted vote total is (85-29).

The Senate having previously adopted the Conference Report, the Speaker orders the bill enrolled.

Representative Crawford moves the adoption of the following Conference Report.

July 3, 2012

Senate Committee Substitute for H.B. 54

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 54, 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, Senate Judiciary II Committee Substitute Adopted 5/23/12, submit the following report:

The House and Senate agree to the following amendment to the Senate Judiciary II Committee Substitute Adopted 5/23/12, and the House concurs in the Senate Judiciary II Committee Substitute as amended:

Delete the entire Senate Committee Substitute and substitute the attached proposed Conference Committee Substitute H54-PCCS11398-SA-2.

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

Date conferees approved report: July 2, 2012.

*Conferees for the
Senate*

S/ Austin Allran, Chair
S/ Buck Newton
S/ Warren Daniel

*Conferees for the
House of Representatives*

S/ James W. Crawford, Jr., Chair
S/ Paul Stam
S/ David R. Lewis
S/ Dan W. Ingle

The Conference Report, which changes the title, is adopted, by electronic vote (103-9), and the Senate is so notified by Special Message. (The text of the Conference Committee Substitute may be found in its entirety in the 2012 Session Laws, Chapter 154.)

Representatives Bell and Lucas request and are granted leave of the House to change their votes from "no" to "aye". The adjusted vote total is (105-7).

The Senate having previously adopted the Conference Report, the Speaker orders the bill enrolled and presented to the Governor by Special Message.

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Representative Daughtry moves the adoption of the following Conference Report.

Senate Committee Substitute for H.B. 585

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 585, A BILL TO BE ENTITLED AN ACT (1) TO MODIFY PROVISIONS RELATED TO THE SALES OF ALCOHOLIC BEVERAGES, (2) TO EXEMPT VEHICLES OF THE THREE NEWEST MODEL YEARS AND WITH LESS THAN EIGHTY THOUSAND MILES FROM EMISSIONS INSPECTIONS, (3) TO PROVIDE FOR CONFORMING CHANGES TO WHO MAY SUPERVISE THE STATE HIGHWAY PATROL PURSUANT TO THE CONSOLIDATION OF THE DEPARTMENT OF PUBLIC SAFETY, AND (4) TO EXEMPT LAW ENFORCEMENT, FIRE, EMERGENCY SERVICE, AND INMATE AND JUVENILE TRANSPORTATION VEHICLES OWNED BY THE DEPARTMENT OF PUBLIC SAFETY FROM DEPARTMENT OF ADMINISTRATION MOTOR FLEET MANAGEMENT, Senate Rules and Operations of the Senate Committee Substitute Adopted 6/28/12, with Senate Amendment No. 1 adopted on 6/28/12, unengrossed, and Senate Amendment No. 2 adopted on 6/28/12, unengrossed, and submit the following report:

The Senate recedes from Senate Amendment No. 1, adopted on 6/28/12, and Senate Amendment No. 2, adopted on 6/28/12, and the House and Senate agree to the following amendment to the Senate Committee Substitute, Senate Rules and Operations of the Senate Committee Substitute Adopted 6/28/12, and the House concurs in the Senate Committee Substitute as amended:

Delete the entire Senate Committee Substitute and substitute the attached proposed Conference Committee substitute H585-PCCS11397-RW-2.

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

Date conferees approved report: July 2, 2012.

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*Conferees for the
Senate*

S/ Stan Bingham, Chair
S/ Harry Brown

*Conferees for the
House of Representatives*

S/ N. Leo Daughtry, Chair
S/ James L. Boles, Jr.
S/ Edgar V. Starnes

The Conference Report, which changes the title, is adopted, by electronic vote (66-43), and the Senate is so notified by Special Message. (The text of the Conference Committee Substitute may be found in its entirety in the 2012 Session Laws, Chapter 199.)

The Senate having previously adopted the Conference Report, the Speaker orders the bill enrolled and presented to the Governor by Special Message.

On motion of the Speaker, the House recesses at 1:05 p.m.

RECESS

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

CALENDAR (continued)

H.B. 1077 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE DEPARTMENT OF TRANSPORTATION TO ENTER INTO A PILOT PUBLIC-PRIVATE PARTNERSHIP TOLL PROJECT AND TO REALLOCATE THE MONEY APPROPRIATED FOR STUDIES RELATED TO THE MID-CURRITUCK BRIDGE PROJECT TO THE DEPARTMENT OF TRANSPORTATION, FERRY DIVISION.

On motion of Representative Mills, the House concurs in the Senate amendment by electronic vote (96-8).

On motion of Representative Mills, the House concurs in the Senate committee substitute bill, as amended, which changes the title, by electronic vote (99-10), and the bill is ordered enrolled and presented to the Governor by Special Message.

H.B. 614 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT ALLOWING REGISTERED SPONSORING ORGANIZATIONS TO ARRANGE FOR THE VOLUNTARY PROVISION OF HEALTH CARE SERVICES IN THIS STATE, RELIEVING PROVIDERS OF

July 3, 2012

VOLUNTARY HEALTH CARE SERVICES FROM ADDITIONAL LICENSURE REQUIREMENTS, AND PROVIDING LIMITED PROTECTION FROM CIVIL LIABILITY TO PERSONS PROVIDING VOLUNTARY HEALTH CARE SERVICES IN ASSOCIATION WITH SPONSORING ORGANIZATIONS.

On motion of Representative Jones, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (108-0), and the bill is ordered enrolled and presented to the Governor by Special Message.

CONFERENCE REPORTS

Representative Brubaker moves the adoption of the following Conference Report.

House Committee Substitute for S.B. 187

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 187, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL, CLARIFYING, AND OTHER MODIFICATIONS TO THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACTS, House Committee Substitute Favorable 6/27/12 Fourth Edition Engrossed 6/27/12 Corrected Copy 6/28/12, submit the following report:

The Senate and the House agree to the following amendment to the House Committee Substitute Favorable 6/27/12, Fourth Edition Engrossed 6/27/12, Corrected Copy 6/28/12, and the Senate concurs in the House Committee Substitute Favorable 6/27/12, as amended:

Delete the entire House Committee Substitute Favorable 6/27/12, Fourth Edition Engrossed 6/27/12, Corrected Copy 6/28/12 and substitute the attached Proposed Conference Committee Substitute S187-PCCS15272-LR-6.

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

Date conferees approved report: July 3, 2012.

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*Conferees for the
Senate*

S/ Richard Stevens, Chair
 S/ Peter S. Brunstetter
 S/ Neal Hunt
 S/ Bob Rucho
 S/ Harry Brown

*Conferees for the
House of Representatives*

S/ Harold J. Brubaker, Chair
 S/ Nelson Dollar
 S/ Mitch Gillespie
 S/ Linda P. Johnson
 S/ David R. Lewis

Representative Brubaker calls the previous question on the passage of the bill and the call is sustained by electronic vote (62-44).

The Conference Report, which changes the title, is adopted, by electronic vote (82-28), and the Senate is so notified by Special Message. (The text of the Conference Committee Substitute may be found in its entirety in the 2012 Session Laws, Chapter 145.)

Representative T. Moore moves the adoption of the following Conference Report.

House Committee Substitute for S.B. 847

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 847, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE GENERAL STATUTES, INCLUDING SPECIFICALLY AUTHORIZING THE REVISOR OF STATUTES TO PRINT DRAFTERS' COMMENTS TO THREE ACTS ENACTED IN 2011 IN WHICH THIS AUTHORIZATION WAS INADVERTENTLY OMITTED, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, AND TO MAKE OTHER AMENDMENTS, House Committee Substitute Favorable 7/2/12, submit the following report:

The Senate concurs in the House Committee Substitute Favorable 7/2/12;

And the Senate concurs in Amendments Number 1, 2, 3, 5, 6, and 8;

And the House recedes from Amendments Number 4 and 7;

And the House and Senate agree to the following amendments:

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On page 35, line 5 through page 36, line 4 by deleting those lines; and

On page 40, lines 19-20 by deleting those lines; and

On page 40, line 33 through page 41, line 23 by deleting those lines.

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

Date conferees approved report: July 3, 2012.

*Conferees for the
Senate*

S/ Fletcher L. Hartsell, Jr., Chair
S/ Apodaca
S/ Peter S. Brunstetter
S/ Harry Brown

*Conferees for the
House of Representatives*

S/ Tim Moore, Chair
S/ Stam
S/ David R. Lewis
S/ Bill Owens

The Conference Report is adopted, by electronic vote (93-19), and the Senate is so notified by Special Message.

Representative Floyd requests and is granted leave of the House to change his vote from "no" to "aye". Representative Luebke requests and is granted leave of the House to change his vote from "aye" to "no". The adjusted vote total is (93-19).

Representative LaRoque moves, seconded by Representative Womble, subject to the ratification of bills and receipt of Messages from the Senate, that the House of Representatives meeting in Regular Session of the 2011 General Assembly adjourn *sine die*.

The motion carries.

The Speaker sounds the gavel and declares that upon completion of the public business, the House of Representatives of the 2011 Session of the General Assembly of North Carolina will adjourn *sine die*.

SPECIAL MESSAGE TO THE SENATE

The Speaker orders a Special Message sent to the Senate informing that Honorable Body that the House of Representatives meeting in the Regular Session of the 2011 General Assembly has concluded the business for which it was convened and stands ready to adjourn *sine die*.

July 3, 2012

SPECIAL MESSAGE FROM THE SENATE**2011 GENERAL ASSEMBLY
SECOND SESSION 2012**

Senate Chamber
July 3, 2012

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives respectively advising your Honorable Body that the Senate has concluded the public business before it and stands ready to adjourn *sine die* pursuant to **S.J.R. 961**, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE 2011 REGULAR SESSION OF THE GENERAL ASSEMBLY.

Respectfully,
S/ Sarah Clapp
Principal Clerk

ENROLLED BILLS

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

S.B. 910, AN ACT TO CREATE THE CRIMINAL OFFENSE OF UNLAWFUL SALE, SURRENDER, OR PURCHASE OF A MINOR; TO REQUIRE THE NORTH CAROLINA CONFERENCE OF DISTRICT ATTORNEYS TO CONDUCT A STUDY TO DETERMINE WHAT OTHER MEASURES MAY BE NEEDED TO STOP THIS TYPE OF CRIMINAL ACTIVITY; TO CLARIFY WHEN, TO WHOM, AND UNDER WHAT CIRCUMSTANCES THE IDENTITY OF A PERSON REPORTING CHILD ABUSE OR NEGLECT MAY BE RELEASED; TO CLARIFY 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.

H.B. 54, AN ACT TO PROVIDE THAT IF A DEFENDANT HAS FOUR OR MORE PRIOR LARCENY CONVICTIONS, A SUBSEQUENT LARCENY OFFENSE IS A FELONY.

July 3, 2012

H.B. 585 AN ACT TO EXEMPT VEHICLES OF THE THREE NEWEST MODEL YEARS AND WITH LESS THAN SEVENTY THOUSAND MILES FROM EMISSIONS INSPECTIONS.

H.B. 614, AN ACT ALLOWING REGISTERED SPONSORING ORGANIZATIONS TO ARRANGE FOR THE VOLUNTARY PROVISION OF HEALTH CARE SERVICES IN THIS STATE, RELIEVING PROVIDERS OF VOLUNTARY HEALTH CARE SERVICES FROM ADDITIONAL LICENSURE REQUIREMENTS, AND PROVIDING LIMITED PROTECTION FROM CIVIL LIABILITY TO PERSONS PROVIDING VOLUNTARY HEALTH CARE SERVICES IN ASSOCIATION WITH SPONSORING ORGANIZATIONS.

H.B. 819, AN ACT TO STUDY AND MODIFY CERTAIN COASTAL MANAGEMENT POLICIES.

H.B. 1077, AN ACT TO ALLOW THE DEPARTMENT OF TRANSPORTATION TO ENTER INTO A PILOT PUBLIC-PRIVATE PARTNERSHIP TOLL PROJECT.

S.B. 187, AN ACT TO MAKE TECHNICAL, CLARIFYING, AND OTHER MODIFICATIONS TO THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACTS.

S.B. 847, AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE GENERAL STATUTES, INCLUDING SPECIFICALLY AUTHORIZING THE REVISOR OF STATUTES TO PRINT DRAFTERS' COMMENTS TO THREE ACTS ENACTED IN 2011 IN WHICH THIS AUTHORIZATION WAS INADVERTENTLY OMITTED, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, AND TO MAKE OTHER AMENDMENTS.

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

H.B. 1215, AN ACT TO AUTHORIZE THE HENDERSON COUNTY BOARD OF COMMISSIONERS TO LEVY AN ADDITIONAL ONE PERCENT ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX AND TO MAKE OTHER ADMINISTRATIVE CHANGES.

CHAPTERED BILLS

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

July 3, 2012

H.B. 994, AN ACT TO PERMIT THE COUNTY OF ROCKINGHAM TO USE DESIGN-BUILD DELIVERY METHODS. (S.L. 2012-140)

H.B. 1234, AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE RECOMMENDATION OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT PRO TEMPORE OF THE SENATE AND TO MAKE TECHNICAL CORRECTIONS TO PREVIOUS APPOINTMENTS. (S.L. 2012-141)

H.B. 950, AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2011 AND FOR OTHER PURPOSES. (S.L. 2012-142) [Became law notwithstanding the objections of the Governor.]

S.B. 820, AN ACT TO (1) RECONSTITUTE THE MINING COMMISSION AS THE MINING AND ENERGY COMMISSION, (2) REQUIRE THE MINING AND ENERGY COMMISSION AND OTHER REGULATORY AGENCIES TO DEVELOP A MODERN REGULATORY PROGRAM FOR THE MANAGEMENT OF OIL AND GAS EXPLORATION AND DEVELOPMENT ACTIVITIES IN THE STATE, INCLUDING THE USE OF HORIZONTAL DRILLING AND HYDRAULIC FRACTURING FOR THAT PURPOSE, (3) AUTHORIZE HORIZONTAL DRILLING AND HYDRAULIC FRACTURING, BUT PROHIBIT THE ISSUANCE OF PERMITS FOR THESE ACTIVITIES PENDING SUBSEQUENT LEGISLATIVE ACTION, (4) ENHANCE LANDOWNER AND PUBLIC PROTECTIONS RELATED TO HORIZONTAL DRILLING AND HYDRAULIC FRACTURING, AND (5) ESTABLISH THE JOINT LEGISLATIVE COMMISSION ON ENERGY POLICY. (S.L. 2012-143) [Became law notwithstanding the objections of the Governor.]

H.B. 1215, AN ACT TO AUTHORIZE THE HENDERSON COUNTY BOARD OF COMMISSIONERS TO LEVY AN ADDITIONAL ONE PERCENT ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX AND TO MAKE OTHER ADMINISTRATIVE CHANGES. (S.L. 2012-144)

The House stands adjourned *sine die* at 4:28 p.m.

July 3, 2012

ADDENDUM

Pursuant to Article II, Section 22 of the North Carolina Constitution, the following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State. The dates included in this section represent the date the Acts were signed by the Governor or where indicated became law without the approval of the Governor.

July 10, 2012

S.B. 187, AN ACT TO MAKE TECHNICAL, CLARIFYING, AND OTHER MODIFICATIONS TO THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACTS. (S.L. 2012-145)

July 12, 2012

H.B. 494, 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. (S.L. 2012-146)

S.B. 227, AN ACT TO PROVIDE THAT THE NAME AND ADDRESS OF A MINOR CHILD INVOLVED IN A SCHOOL BUS CRASH MAY BE DISCLOSED ONLY IN CERTAIN CIRCUMSTANCES. (S.L. 2012-147)

S.B. 635, AN ACT TO AMEND THE STATE SENTENCING LAWS TO COMPLY WITH THE UNITED STATES SUPREME COURT DECISION IN MILLER V. ALABAMA. (S.L. 2012-148)

S.B. 707, AN ACT TO ENACT THE SCHOOL VIOLENCE PREVENTION ACT OF 2012; LIMIT PRAYERS FOR JUDGMENT CONTINUED; AND END SUNSET FOR A PROVISION REGARDING AN LEA'S BASIS OF KNOWLEDGE ABOUT A CHILD WITH A DISABILITY. (S.L. 2012-149)

H.B. 203, AN ACT TO PROVIDE AN ALTERNATIVE MORTGAGE SATISFACTION FORM THAT ALLOWS A SECURED CREDITOR TO INDICATE THAT THE UNDERLYING OBLIGATION HAS BEEN EXTINGUISHED; TO MAKE IT A CLASS I FELONY TO SIMULATE COURT PROCESS IN CONNECTION WITH THE COLLECTION OF A CLAIM, DEMAND, OR ACCOUNT, TO KNOWINGLY FILE A FALSE

LIEN OR ENCUMBRANCE AGAINST THE REAL OR PERSONAL PROPERTY OF A PUBLIC OFFICER OR PUBLIC EMPLOYEE, OR TO FILE A FALSE SECURITY INSTRUMENT; AND TO PROVIDE THAT IT IS A VIOLATION OF THE RESIDENTIAL MORTGAGE FRAUD ACT FOR A PERSON TO KNOWINGLY FILE A DOCUMENT FALSELY CLAIMING THAT A MORTGAGE LOAN HAS BEEN SATISFIED OR DISCHARGED. (S.L. 2012-150)

S.B. 191, AN ACT TO MAKE CHANGES IN GOVERNANCE OF LOCAL MANAGEMENT ENTITIES WITH RESPECT TO THE IMPLEMENTATION OF STATEWIDE EXPANSION OF THE 1915(B)/(C) MEDICAID WAIVER. (S.L. 2012-151)

H.B. 462, AN ACT TO LIMIT USE OF CONTINGENT-BASED CONTRACTS FOR AUDIT OR ASSESSMENT PURPOSES. (S.L. 2012-152)

S.B. 910, AN ACT TO CREATE THE CRIMINAL OFFENSE OF UNLAWFUL SALE, SURRENDER, OR PURCHASE OF A MINOR; TO REQUIRE THE NORTH CAROLINA CONFERENCE OF DISTRICT ATTORNEYS TO CONDUCT A STUDY TO DETERMINE WHAT OTHER MEASURES MAY BE NEEDED TO STOP THIS TYPE OF CRIMINAL ACTIVITY; TO CLARIFY WHEN, TO WHOM, AND UNDER WHAT CIRCUMSTANCES THE IDENTITY OF A PERSON REPORTING CHILD ABUSE OR NEGLECT MAY BE RELEASED; TO CLARIFY 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. (S.L. 2012-153)

H.B. 54, AN ACT TO PROVIDE THAT IF A DEFENDANT HAS FOUR OR MORE PRIOR LARCENY CONVICTIONS, A SUBSEQUENT LARCENY OFFENSE IS A FELONY. (S.L. 2012-154)

H.B. 614, AN ACT ALLOWING REGISTERED SPONSORING ORGANIZATIONS TO ARRANGE FOR THE VOLUNTARY PROVISION OF HEALTH CARE SERVICES IN THIS STATE, RELIEVING PROVIDERS OF VOLUNTARY HEALTH CARE SERVICES FROM ADDITIONAL LICENSURE REQUIREMENTS, AND PROVIDING LIMITED PROTECTION FROM CIVIL LIABILITY TO PERSONS PROVIDING VOLUNTARY HEALTH CARE SERVICES IN ASSOCIATION WITH SPONSORING ORGANIZATIONS. (S.L. 2012-155)

S.B. 426, 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 AUTHORIZE A RESOLUTION ESTABLISHING A MUNICIPAL SERVICE DISTRICT TO BECOME EFFECTIVE UPON A DATE SPECIFIED IN THE RESOLUTION IF SPECIAL OBLIGATION BONDS ARE ANTICIPATED TO BE AUTHORIZED FOR A PROJECT. (S.L. 2012-156)

H.B. 1105, AN ACT TO SIMPLIFY THE COLLECTION OF PROPERTY TAXES THAT ARE DUE ON PROPERTY OWNED BY CERTAIN NONPROFIT HOMEOWNERS ASSOCIATIONS. (S.L. 2012-157)

S.B. 42, AN ACT TO REQUIRE PERSONS FURNISHING LABOR OR MATERIALS IN CONNECTION WITH CERTAIN IMPROVEMENTS TO REAL PROPERTY TO GIVE WRITTEN NOTICE TO THE DESIGNATED LIEN AGENT OF THE OWNER OF THE IMPROVED REAL PROPERTY TO PRESERVE THEIR LIEN RIGHTS. (S.L. 2012-158)

H.B. 989, AN ACT TO LIMIT ELIGIBILITY FOR PERMANENT REGISTRATION PLATES TO GOVERNMENTAL ENTITIES, AND TO REFORM THE PROCESS BY WHICH ELIGIBLE ENTITIES APPLY FOR AND ARE ISSUED PERMANENT REGISTRATION PLATES, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE BASED ON RECOMMENDATIONS FROM THE PROGRAM EVALUATION DIVISION, BUT TO CONTINUE TO ALLOW CIVIL AIR PATROLS, INCORPORATED EMERGENCY RESCUE SQUADS, RURAL FIRE DEPARTMENTS, AND LOCAL CHAPTERS OF THE AMERICAN NATIONAL RED CROSS TO BE ELIGIBLE FOR PERMANENT REGISTRATION PLATES. (S.L. 2012-159)

H.B. 737, AN ACT TO STRENGTHEN THE LAWS REGARDING THE SAFETY OF CHILDREN IN CHILD CARE FACILITIES. (S.L. 2012-160)

S.B. 647, AN ACT TO PROVIDE FOR THE CREATION OF MUTUAL INSURANCE HOLDING COMPANIES AND TO CHANGE THE TIME PERIOD FOR FIRE CODE INSPECTIONS OF PUBLIC BUILDINGS. (S.L. 2012-161)

S.B. 836, AN ACT TO IMPROVE THE RATE-MAKING PROCESS BY REQUIRING THE DEPARTMENT OF INSURANCE TO ACCEPT PUBLIC COMMENT ON ALL PROPERTY INSURANCE RATE FILINGS,

BY PROVIDING THE COMMISSIONER WITH THE POWER TO SPECIFY THE APPROPRIATE RATE LEVEL OR LEVELS BETWEEN THE CURRENT RATE AND THE FILED RATE UPON A FINDING THAT A RATE FILING DOES NOT COMPLY WITH APPLICABLE LAW, BY PROVIDING THAT THE COST OF REINSURANCE BE INCLUDED AS A FACTOR IN RATE MAKING AND REQUIRING CERTAIN SUPPORTING INFORMATION ON REINSURANCE COSTS IN A FILING, BY REQUIRING THAT THE RATE BUREAU CREATE A RATING PLAN FOR A PROPERTY INSURANCE POLICY THAT EXCLUDES COVERAGE FOR THE PERILS OF WINDSTORM AND HAIL, AND BY REQUIRING THAT THE RATE BUREAU AND THE DEPARTMENT OF INSURANCE STUDY THE FAIRNESS AND EFFICACY OF THE CURRENT PROPERTY INSURANCE GEOGRAPHIC RATE TERRITORIES, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON PROPERTY INSURANCE RATE MAKING. (S.L. 2012-162)

S.B. 521, AN ACT ABOLISHING THE RULE IN DUMPOR'S CASE AND CONCERNING BROKER PRICE OPINIONS. (S.L. 2012-163)

S.B. 444, AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS. (S.L. 2012-164)

S.B. 105, AN ACT TO INCREASE THE PENALTY FOR CERTAIN SECOND DEGREE MURDERS TO CLASS B1 FELONIES, AND CREATE A GRADUATED SCALE OF PENALTIES FOR DEATHS CAUSED BY DRIVING WHILE IMPAIRED. (S.L. 2012-165)

H.B. 320, AN ACT TO PROVIDE FLEXIBILITY FOR CERTAIN WATER RESOURCES PROJECTS. (S.L. 2012-166)

H.B. 457, 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. (S.L. 2012-167)

S.B. 141, AN ACT TO CREATE NEW FIRST DEGREE TRESPASS OFFENSES, TO MAKE VARIOUS CHANGES REGARDING THE PROCEDURES FOR A MOTION FOR APPROPRIATE RELIEF, TO AMEND THE PROCEDURE FOR IMMEDIATE LICENSE

REVOCATIONS FOR PROVISIONAL LICENSEES CHARGED WITH CERTAIN CRIMINAL MOVING VIOLATIONS, TO CLARIFY THAT CERTAIN CHANGES TO PAYABLE ON DEATH CONTRACTS DID NOT CHANGE THE PROCEDURES FOR CREATING THOSE CONTRACTS, TO ESTABLISH A RESEARCH AND PLANNING SECTION WITHIN THE DEPARTMENT OF PUBLIC SAFETY, TO REQUIRE THE DEPARTMENT OF PUBLIC SAFETY TO DESIGNATE ITS RESEARCH AND PLANNING SECTION AS THE SINGLE STATE AGENCY RESPONSIBLE FOR THE COORDINATION AND IMPLEMENTATION OF REENTRY POLICY INITIATIVES, TO DIRECT THE DEPARTMENT OF PUBLIC SAFETY TO CONTINUE ITS EFFORTS TO ASSIST OFFENDERS IN SUCCESSFULLY REENTERING SOCIETY, AND TO EXTEND THE TIME FOR LOCAL FORENSIC SCIENCE LABS TO OBTAIN ACCREDITATION AND FOR CERTAIN FORENSIC SCIENTISTS TO OBTAIN CERTIFICATION. (S.L. 2012-168)

H.B. 572, AN ACT TO PROVIDE GREATER ACCOUNTABILITY FOR NONPROFIT ENTITIES THAT RECEIVE PUBLIC FUNDING. (S.L. 2012-169)

H.B. 1173, AN ACT TO PROVIDE THAT A PROBATION VIOLATOR WHO ABSCONDS OR OTHERWISE WILLFULLY AVOIDS ARREST AFTER THE ISSUANCE OF A WARRANT SHALL FORFEIT ANY PUBLIC ASSISTANCE BENEFITS UNTIL SURRENDERING TO THE COURT. (S.L. 2012-170)

S.B. 525, AN ACT RELATING TO CRITICAL ACCESS BEHAVIORAL HEALTH AGENCIES. (S.L. 2012-171)

H.B. 853, AN ACT TO AMEND LOCAL INTAKE PROCEDURES FOR RECEIVING DELINQUENCY AND UNDISCIPLINED COMPLAINTS UNDER THE LAWS PERTAINING TO UNDISCIPLINED AND DELINQUENT JUVENILES, TO AUTHORIZE MONITORING OF COUNTY DETENTION CENTERS BY THE DEPARTMENT OF PUBLIC SAFETY, TO AMEND LAWS ON STATE STANDARDS FOR JUVENILE DETENTION AND LOCAL JAILS, TO CORRECT REFERENCES TO THE AGENCY RESPONSIBLE FOR JUVENILE DETENTION, AND TO PROVIDE PROCEDURES FOR REVIEW OF JUVENILES ON PROTECTIVE SUPERVISION. (S.L. 2012-172)

H.B. 1085, AN ACT TO, FOR THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES, WHICH COVERS RETIREES WITHIN THE RETIREMENT SYSTEM, (1) AMEND THE DEFINITION OF "DEPENDENT CHILD" IN ORDER TO COMPLY WITH THE

AFFORDABLE CARE ACT, (2) LIMIT ENROLLMENT WITHOUT A QUALIFYING EVENT TO THE ANNUAL ENROLLMENT PERIOD, (3) REPEAL THE OPTIONAL PROGRAM OF LONG-TERM CARE BENEFITS, AND (4) MAKE A CLARIFYING CHANGE RELATED TO COINSURANCE. (S.L. 2012-173)

H.B. 1073, AN ACT TO MODIFY THE COMPOSITION AND APPOINTMENT PROCESS FOR MEMBERS OF THE BOARD OF DIRECTORS OF THE UNIVERSITY OF NORTH CAROLINA HEALTH CARE SYSTEM. (S.L. 2012-174)

H.B. 1052, AN ACT TO MAKE VARIOUS AMENDMENTS TO NORTH CAROLINA'S MECHANICS LIEN AND PAYMENT BOND LAWS, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S MECHANICS LIENS ON REAL PROPERTY COMMITTEE. (S.L. 2012-175)

H.B. 1044, AN ACT TO ALLOW MEMBERS OF THE MILITARY WHO HAVE TAKEN A COMPARABLE MOTORCYCLE SAFETY PROGRAM PROVIDED BY FEDERALLY CERTIFIED INSTRUCTORS TO RECEIVE THE SAME MOTORCYCLE INSURANCE DISCOUNT AS CITIZENS WHO COMPLETE THE MOTORCYCLE SAFETY INSTRUCTION PROGRAM, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON MILITARY AFFAIRS. (S.L. 2012-176)

S.B. 951, AN ACT TO TRANSFER THE CLEVELAND COUNTY CORRECTIONAL FACILITY TO CLEVELAND COUNTY COMMUNITY COLLEGE AND TO TRANSFER THE HAYWOOD CORRECTIONAL CENTER TO THE HAYWOOD COUNTY BOARD OF COMMISSIONERS. (S.L. 2012-177)

S.B. 803, AN ACT TO MAKE CHANGES TO ADMINISTRATION OF THE STATE RETIREMENT SYSTEMS. (S.L. 2012-178)

S.B. 755, AN ACT TO ENACT THE EQUAL ACCESS ACT. (S.L. 2012-179)

S.B. 133, AN ACT TO ELIMINATE OBSOLETE PROVISIONS FROM, AND MAKE CLARIFYING CHANGES TO, THE LAWS GOVERNING PREPARATION AND STORAGE OF JURY LISTS, AND TO EXEMPT PERSONS WHO HAVE BEEN LAWFULLY SUMMONED FOR JURY SERVICE FROM PAYING FERRY TOLLS TO TRAVEL TO AND FROM THEIR HOMES AND THE SITE OF THAT SERVICE. (S.L. 2012-180)

H.B. 1114, AN ACT PROVIDING THAT THE CITIES AND TOWNS THAT ARE MEMBERS OF THE NORTH CAROLINA EASTERN MUNICIPAL POWER AGENCY SHALL USE REVENUE DERIVED FROM RATES FOR ELECTRIC SERVICE FOR PAYING THE DIRECT AND INDIRECT COSTS OF OPERATING THE ELECTRIC SYSTEM, TRANSFERRING AMOUNTS THAT REPRESENT A RATE OF RETURN ON THE INVESTMENT IN THE ELECTRIC SYSTEM, AND MAKING DEBT SERVICE PAYMENTS, AND TO MAKE CLARIFYING CHANGES TO THE AMOUNT OF THE RETURN ON INVESTMENT TRANSFER. (S.L. 2012-181)

S.B. 699, AN ACT TO CLARIFY THE NAME OF THE DIVISION OF CRIMINAL INFORMATION; TO ALLOW THE DIVISION OF CRIMINAL INFORMATION TO PROMULGATE RULES FOR USAGE OF THE CRIMINAL INFORMATION NETWORK; TO ALLOW THE DIVISION OF CRIMINAL INFORMATION TO ASSESS FEES FOR SETUP, ACCESS TO, AND USE OF THE CRIMINAL INFORMATION NETWORK; TO RECODIFY THE EXISTING SUPERIOR COURT DISTRICTS USING 2010 GEOGRAPHY; AND TO ALLOW SHARING OF CONFIDENTIAL INVESTIGATORY INFORMATION BETWEEN THE STATE ETHICS COMMISSION AND THE LEGISLATIVE ETHICS COMMITTEE. (S.L. 2012-182)

S.B. 738, AN ACT TO PROVIDE FOR THE PRE-LICENSING AND CONTINUING EDUCATION OF BAIL BONDSMEN AND RUNNERS. (S.L. 2012-183)

July 16, 2012

H.B. 1077, AN ACT TO ALLOW THE DEPARTMENT OF TRANSPORTATION TO ENTER INTO A PILOT PUBLIC-PRIVATE PARTNERSHIP TOLL PROJECT. (S.L. 2012-184)

H.B. 1074, AN ACT TO MAKE CHANGES TO THE STATUTES GOVERNING THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, AND THE DISABILITY INCOME PLAN OF NORTH CAROLINA TO PROVIDE PROTECTION AND REMEDIES FOR REPORTING VIOLATIONS OF RETIREMENT LAW; TO ESTABLISH GUIDELINES FOR FRAUD INVESTIGATIONS THAT WILL ENHANCE THE DEPARTMENT OF STATE TREASURER'S CAPABILITY TO PREVENT AND DETECT FRAUD, WASTE, AND ABUSE; TO MAKE IT A CLASS 1 MISDEMEANOR TO FRAUDULENTLY RECEIVE A DECEDENT'S MONTHLY DISABILITY

BENEFIT; AND TO CLARIFY THE APPOINTMENT OF THE MEDICAL BOARD. (S.L. 2012-185)

H.B. 177, AN ACT TO: (1) CREATE AN INTERAGENCY TASK FORCE TO STUDY THE FEASIBILITY AND DESIRABILITY OF ADVANCING THE USE OF ALTERNATIVE FUELS BY STATE AGENCIES AND THE DEVELOPMENT OF ASSOCIATED FUELING INFRASTRUCTURE; (2) ESTABLISH CRITERIA FOR THE OPERATION OF ELECTRIC VEHICLE CHARGING STATIONS LOCATED AT STATE-OWNED REST STOPS ALONG THE HIGHWAYS AND; (3) AMEND THE ENERGY JOBS ACT OF 2011 IF THE ENERGY JOBS ACT OF 2011 BECOMES LAW. (S.L. 2012-186)

S.B. 810, AN ACT TO (1) REESTABLISH THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE; (1A) MODIFY APPOINTMENTS TO THE MINING AND ENERGY COMMISSION; (2A) MAKE VARIOUS TECHNICAL AND CLARIFYING CHANGES TO THE ADMINISTRATIVE PROCEDURES ACT; (2B) MAKE CONFORMING CHANGES TO THE STATE PERSONNEL ACT; (3) EXTEND THE EFFECTIVE DATE FOR CHANGES TO FINAL DECISION-MAKING AUTHORITY IN CERTAIN CONTESTED CASES; (4) LIMIT THE PERIOD DURING WHICH RECORDS OF UNCLAIMED PROPERTY MUST BE MAINTAINED; (5A) DIRECT AGENCIES TO SUBMIT A REPORT ON NOTICE GIVEN BEFORE AUDITING OR EXAMINING A BUSINESS TO THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE; (5B) LIMIT STATE AGENCY IDENTITY THEFT REPORTING REQUIREMENTS; (5C) REQUIRE THE DEPARTMENT OF LABOR TO PROVIDE NOTICE PRIOR TO INSPECTIONS; (6) CLARIFY THAT THE DISCHARGE OF WASTE INTO WATERS OF THE STATE DOES NOT INCLUDE THE RELEASE OF AIR CONTAMINANTS INTO THE OUTDOOR ATMOSPHERE; (7) AUTHORIZE RATHER THAN REQUIRE THE COMMISSION FOR PUBLIC HEALTH TO ADOPT RULES FOR THE TESTING OF WATER FROM NEW DRINKING WATER WELLS FOR CERTAIN VOLATILE ORGANIC COMPOUNDS; (7A) CLARIFY APPLICATION OF CERTAIN NUTRIENT RULES TO SMALL WASTEWATER DISCHARGES; (8) DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO TRACK AND REPORT ON PERMIT PROCESSING TIMES; (9) DELAY THE EFFECTIVE DATE FOR COMPLIANCE WITH WADING POOL FENCING REQUIREMENTS FROM JULY 1, 2012, TO JANUARY 1, 2013; (10) DIRECT THE COMMISSION FOR PUBLIC HEALTH TO AMEND THE RULES GOVERNING THE DURATION OF PERMITS FOR SANITARY LANDFILLS AND THE PERIOD IN WHICH THOSE PERMITS ARE

REVIEWED; (11) AMEND THE CRITERIA FOR DESIGNATION AS A PORT ENHANCEMENT ZONE; (12) EXEMPT CERTIFIED ROADSIDE FARM MARKETS FROM CERTAIN BUILDING CODE REQUIREMENTS; AND (13) ALLOW THE PERMITTING OF MOBILE FOOD UNITS THAT MEET THE SANITATION REQUIREMENTS OF A COMMISSARY. (S.L. 2012-187)

H.B. 1021, AN ACT TO CLARIFY CERTAIN PROVISIONS OF THE JUSTICE REINVESTMENT ACT. (S.L. 2012-188)

H.B. 1181, AN ACT TO AUTHORIZE THE REVENUE LAWS STUDY COMMITTEE TO STUDY WHETHER MUNICIPALITIES SHOULD HAVE THE AUTHORITY TO LEVY A LOCAL OPTION SALES TAX FOR BEACH NOURISHMENT AND TO STUDY THE TAXATION AND VALUATION OF LEASEHOLD INTERESTS IN EXEMPT REAL PROPERTY. (S.L. 2012-189)

S.B. 821, AN ACT TO (1) DIRECT THE DIRECTOR OF THE DIVISION OF MARINE FISHERIES OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES, THE EXECUTIVE DIRECTOR OF THE WILDLIFE RESOURCES COMMISSION, AND THE DEPUTY SECRETARY FOR TRANSIT OF THE DEPARTMENT OF TRANSPORTATION TO JOINTLY STUDY FEES ASSOCIATED WITH THE ISSUANCE OF COASTAL FISHING LICENSES AND THE NUMBERING AND TITLING OF VESSELS; (2) DIRECT THE EXECUTIVE DIRECTOR OF THE WILDLIFE RESOURCES COMMISSION, THE DIRECTOR OF THE DIVISION OF MARINE FISHERIES OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES, AND THE COMMISSIONER OF AGRICULTURE TO JOINTLY STUDY THE REORGANIZATION OF FISHERIES MANAGEMENT IN THE STATE; (3) MAKE IT UNLAWFUL TO TAKE MENHADEN OR ATLANTIC THREAD HERRING WITH A PURSE SEINE NET DEPLOYED BY A MOTHER SHIP AND ONE OR MORE RUNNER BOATS IN COASTAL FISHING WATERS; (4) AMEND THE MARINE FISHERIES COMMISSION ADVISORY COMMITTEES; AND (5) PROVIDE THAT A SUPERMAJORITY OF THE MARINE FISHERIES COMMISSION IS REQUIRED TO OVERRIDE A RECOMMENDATION OF THE DIVISION OF MARINE FISHERIES REGARDING OVERFISHING OR REBUILDING OF FISH STOCKS. (S.L. 2012-190)

H.B. 1023, AN ACT TO ALLOW FOR EXPUNCTION OF NON-VIOLENT FELONIES OR NONVIOLENT MISDEMEANORS AFTER FIFTEEN YEARS FOR PERSONS WHO HAVE HAD NO OTHER CONVICTIONS FOR FELONIES OR MISDEMEANORS OTHER THAN

TRAFFIC VIOLATIONS UNDER THE LAWS OF THE UNITED STATES, THIS STATE, OR ANY OTHER JURISDICTION, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION. (S.L. 2012-191)

July 17, 2012

H.B. 244, 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 AND TO PROVIDE PROTECTIONS FOR WHISTLE-BLOWERS ALLEGING FRAUD OR OTHER MISCONDUCT RELATED TO THE STATE HEALTH PLAN. (S.L. 2012-192)

H.B. 153, AN ACT TO PROHIBIT A PERSON WHO HAS BEEN CONVICTED OF A FELONY RELATED TO EMPLOYMENT OR HOLDING OFFICE FROM RECEIVING RETIREMENT BENEFITS FROM THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, THE CONSOLIDATED JUDICIAL RETIREMENT SYSTEM, THE LEGISLATIVE RETIREMENT SYSTEM, THE OPTIONAL RETIREMENT PROGRAM FOR THE UNIVERSITY OF NORTH CAROLINA, THE OPTIONAL RETIREMENT PROGRAM FOR STATE-FUNDED COMMUNITY COLLEGES, THE SUPPLEMENTAL RETIREMENT INCOME PLAN FOR STATE LAW-ENFORCEMENT OFFICERS, AND THE SUPPLEMENTAL RETIREMENT INCOME PLAN FOR LOCAL GOVERNMENTAL LAW-ENFORCEMENT OFFICERS. (S.L. 2012-193)

S.B. 847, AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE GENERAL STATUTES, INCLUDING SPECIFICALLY AUTHORIZING THE REVISOR OF STATUTES TO PRINT DRAFTERS' COMMENTS TO THREE ACTS ENACTED IN 2011 IN WHICH THIS AUTHORIZATION WAS INADVERTENTLY OMITTED, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, AND TO MAKE OTHER AMENDMENTS. (S.L. 2012-194)

July 19, 2012

S.B. 655, AN ACT TO REQUIRE THAT DENTIST AGREEMENTS WITH MANAGEMENT COMPANIES CONFORM WITH THE DENTAL PRACTICE ACT AND TO ESTABLISH A TASK FORCE ON DENTAL MANAGEMENT ARRANGEMENT RULES. (S.L. 2012-195)

July 24, 2012

H.B. 799, AN ACT TO ALLOW LICENSURE BY ENDORSEMENT FOR MILITARY PERSONNEL AND MILITARY SPOUSES. (S.L. 2012-196)

July 26, 2012

H.B. 837, 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 2015. (S.L. 2012-197)

H.B. 914, 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. (S.L. 2012-198)

August 1, 2012

H.B. 585, AN ACT TO EXEMPT VEHICLES OF THE THREE NEWEST MODEL YEARS AND WITH LESS THAN SEVENTY THOUSAND MILES FROM EMISSIONS INSPECTIONS. (S.L. 2012-199)

S.B. 229, AN ACT TO AMEND CERTAIN ENVIRONMENTAL AND NATURAL RESOURCES LAWS TO (1) DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO REPORT ON THE INTEGRATION OF STORMWATER CAPTURE AND REUSE INTO STORMWATER REGULATORY PROGRAMS; (2) DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO STUDY THE ADVISABILITY AND FEASIBILITY OF REALLOCATING WATER SUPPLY IN JOHN H. KERR RESERVOIR FROM HYDROPOWER STORAGE TO WATER SUPPLY STORAGE; (3) DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO STUDY AND EVALUATE DEGRADABLE PLASTIC PRODUCTS AND THEIR POTENTIAL TO CONTAMINATE RECYCLED PLASTIC FEEDSTOCKS; (4) DIRECT THE DIVISION OF PUBLIC HEALTH IN THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO REPORT ON THE ADMINISTRATION AND IMPLEMENTATION OF THE LEAD-BASED PAINT HAZARD MANAGEMENT PROGRAM FOR RENOVATION, REPAIR, AND PAINTING; (5) PROVIDE THAT TYPE 1 SOLID WASTE COMPOST FACILITIES ARE NOT REQUIRED

TO OBTAIN A NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT FOR DISCHARGE OF PROCESS WASTEWATER BASED SOLELY ON THE DISCHARGE OF STORMWATER THAT HAS COME INTO CONTACT WITH FEEDSTOCK, INTERMEDIATE PRODUCT, OR FINAL PRODUCT AT THE FACILITY; (6) DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ACCEPT ALTERNATIVE MEASURES FOR STORMWATER CONTROL OTHER THAN PONDS THAT MEET CERTAIN CRITERIA AT AIRPORTS; (7) PROVIDE CONDITIONS TO ALLOW FOR TWO NONCONTIGUOUS PROPERTIES TO BE TREATED AS A SINGLE CONTIGUOUS PROPERTY FOR PURPOSES OF COMPLIANCE WITH LOCAL WATER SUPPLY WATERSHED PROGRAMS; (8) PROHIBIT TREATMENT OF LAND WITHIN RIPARIAN BUFFERS AS LAND OF THE STATE OR ITS SUBDIVISIONS; (8A) AMEND THE NEUSE AND TAR-PAMLICO RIVER BASIN BUFFER RULES TO ALLOW DEVELOPMENT ON EXISTING LOTS UNDER CERTAIN CONDITIONS; (9) PROVIDE FLEXIBILITY FOR THE DEVELOPMENT OF BASIN-WIDE WATER QUALITY MANAGEMENT PLANS FOR RIVER BASINS THAT HAVE WATERS DESIGNATED AS NUTRIENT SENSITIVE AND DELAY THE IMPLEMENTATION DEADLINE FOR LOCAL STORMWATER MANAGEMENT PROGRAMS UNDER THE JORDAN LAKE NEW DEVELOPMENT RULE; (10) AMEND THE DEFINITION OF COMMUNITY WATER SYSTEM; (11) ESTABLISH A VARIANCE PROCESS FOR CERTAIN SETBACK REQUIREMENTS FOR EXISTING PRIVATE DRINKING WATER WELLS; (12) REPEAL THE AUTHORITY OF THE ENVIRONMENTAL MANAGEMENT COMMISSION TO ADD COUNTIES TO THE MOTOR VEHICLE EMISSIONS INSPECTION PROGRAM; (13) ALLOW THE COMMERCIAL LEAKING PETROLEUM UNDERGROUND STORAGE TANK CLEANUP FUND TO BE USED FOR THE REMOVAL OF ABANDONED UNDERGROUND STORAGE TANKS THAT HAVE NOT LEAKED BUT POSE AN IMMINENT HAZARD; (14) REQUIRE SCRAP TIRE COLLECTORS TO VERIFY ACCESS TO A PERMITTED SCRAP TIRE DISPOSAL SITE BEFORE CONTRACTING WITH ANY SCRAP TIRE PROCESSOR; (15) REQUIRE SEPTAGE MANAGEMENT FIRMS TO PROVIDE IDENTIFICATION OF AND NOTICE TO THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES BEFORE PLACING A PUMPER TRUCK NOT PREVIOUSLY INCLUDED IN A PERMIT INTO SERVICE; (16) AMEND THE MARINE FISHERIES COMMISSION ADVISORY COMMITTEES; (17) PROVIDE THAT A SUPER-MAJORITY OF THE MARINE FISHERIES COMMISSION IS REQUIRED TO OVERRIDE A RECOMMENDATION OF THE DIVISION OF

MARINE FISHERIES REGARDING OVERFISHING OR REBUILDING OF FISH STOCKS; (18) PROVIDE CERTAIN PROTECTIONS TO GALAX AND VENUS FLYTRAP UNDER THE PLANT PROTECTION AND CONSERVATION ACT; (19) INCREASE THE CIVIL PENALTY FOR VIOLATIONS OF CERTAIN RULES OF THE WILDLIFE RESOURCES COMMISSION; (20) PROVIDE THAT FUNDS RECEIVED IN SETTLEMENT OF THE LAWSUIT FILED BY THE STATE AGAINST THE TENNESSEE VALLEY AUTHORITY BE USED EXCLUSIVELY IN CERTAIN COUNTIES; (21) AMEND OR REPEAL VARIOUS ENVIRONMENTAL AND NATURAL RESOURCES REPORTING REQUIREMENTS; AND (22) MAKE TECHNICAL AND CONFORMING CHANGES TO ENVIRONMENTAL AND NATURAL RESOURCES LAWS. (S.L. 2012-200)

H.B. 953, AN ACT TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL AMENDMENTS TO VARIOUS LAWS RELATED TO ENVIRONMENT AND NATURAL RESOURCES, DELAY THE IMPLEMENTATION DEADLINE FOR LOCAL STORMWATER MANAGEMENT PROGRAMS UNDER THE JORDAN LAKE NEW DEVELOPMENT RULE, AND TO MAKE CHANGES TO THE CLEAN ENERGY AND ECONOMIC SECURITY ACT. (S.L. 2012-201)

The following bills became law without the approval of the Governor:

August 3, 2012

H.B. 819, AN ACT TO STUDY AND MODIFY CERTAIN COASTAL MANAGEMENT POLICIES. (S.L. 2012-202)

H.B. 1009, AN ACT TO AMEND THE NORTH CAROLINA METROPOLITAN SEWERAGE DISTRICTS ACT TO MODIFY REPRESENTATION ON THE DISTRICT BOARD UPON EXPANSION, AND TO ALLOW METROPOLITAN SEWERAGE DISTRICTS TO ALSO EXERCISE THE SAME POWERS AS METROPOLITAN WATER DISTRICTS, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S METROPOLITAN SEWERAGE/WATER SYSTEM COMMITTEE. (S.L. 2012-203)

It will be noted that a number of bills and resolutions passed second reading and then were read a third time on the same day.

Rule 41(b) states:

No bill shall be read more than once in the same day without the concurrence of two-thirds (2/3) of the members present and voting.

In order to comply with this Rule, no bill which has passed its second reading is read a third time except:

- (1) When a member moves that the Rule be suspended, and this motion carries by at least a two-thirds vote of the members present.
- (2) When the Chair determines that there is no objection from any member present. This constitutes unanimous consent of those members present that Rule 41(b) be suspended.

In these cases, the bill is read a third time.

Denise G. Weeks
Principal Clerk

A P P E N D I X
SESSIONS 2012

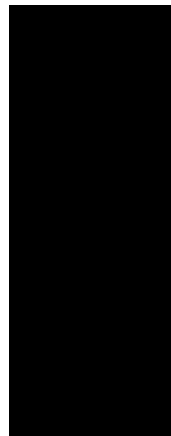


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H.R. 608, A HOUSE RESOLUTION HONORING THE LIFE AND MEMORY OF BERTHA "B" MERRILL HOLT.

Whereas, Bertha "B" Merrill Holt was born on August 16, 1916, in Eufaula, Alabama, to William H. Merrill and Bertha H. Moore Merrill; and

Whereas, B Holt earned a bachelor's degree in psychology and history in 1938 from Agnes Scott College in Decatur, Georgia; and

Whereas, B Holt attended law school at the University of North Carolina at Chapel Hill from 1939 to 1940 and then transferred to the University of Alabama, where she received a law degree in 1941; and

Whereas, B Holt furthered her education by taking graduate courses at George Washington University; and

Whereas, during B Holt's early career, she worked as an attorney for the U.S. Treasury and the Department of the Interior in Washington, D.C.; and

Whereas, B Holt met her future husband, W. Clary Holt, while working in Washington, D.C., and the two were married on March 14, 1942; and

Whereas, B Holt and her family moved to Burlington, North Carolina, in 1946, where she quickly became involved in her community; and

Whereas, B Holt became active in the local Democratic Party and, in 1975, was appointed to the North Carolina House of Representatives, becoming the first woman to represent the district; and

Whereas, B Holt served with honor and distinction in the House of Representatives for consecutive terms between 1975 and 1994; and

Whereas, B Holt provided exceptional service to her constituency and the General Assembly, serving as Cochair of the Appropriations Subcommittee on Justice and Public Safety and as Vice-Chair of the Education Subcommittee on Preschool, Elementary, and Secondary Education, Judiciary I, and as a member of several other committees, including Constitutional Amendments and Referenda and Environment; and

Whereas, B Holt was appointed to a number of legislative study committees, including the Joint Legislative Commission on Governmental Operations, Pest Control Study Committee, Computer Literacy Study Committee, Joint Commission on School Salary Schedules, Open Meetings Study Committee, and Inmate Substance Abuse Study Committee; and

Whereas, during her tenure in the General Assembly, B Holt led the successful effort to make marital rape a crime and fought for the State Abortion Fund because she believed a woman's right to self-determination should not be limited by her economic status; and

Whereas, B Holt was a founding member of the Alamance Women's Political Caucus and the Women's Resource Center in Alamance County and was a lifetime member of the Democratic Women of Alamance County and the Senior Democrats of Alamance County; and

Whereas, in 1995 B Holt served as a member of the delegation to the Fourth United Nations Conference on Women in Beijing, China; and

Whereas, B Holt was a member of various organizations, including the North Carolina Bar Association, Pi Beta Phi, North Carolina Historical Society, Century Book Club, Down to Earth Garden Club, American Association of University Women, Task Force Community Based Alternative for State Offenders, and North Carolina Women's Forum; and

Whereas, B Holt served on a number of boards and commissions, including the Girl Scout Board, North Carolina School of Public Health Advisory Board, State Conference of Social Work, LIFE-Guardianship Council, ARC/NC, Advisory Board of the Alamance County Salvation Army, Advisory Board of the School Health Board, Board of Directors of the Snow Camp Historical Society, and Vice-Chair of the North Carolina State University Committee on Transportation; and

Whereas, as a great proponent of education, especially Civics and History, B Holt often talked to high school classes and adult groups about our State's laws and government; and

Whereas, B Holt received numerous honors and recognitions for her good deeds, including the Outstanding Alumna Award from Agnes Scott College in 1978, Legislative Award from the Nurses Association in 1979, Hospice of North Carolina Award in 1984, Legislative Award from the North Carolina Alliance for Health, Physical Education, Recreation and Dance in 1984, Distinguished Service in Promoting School Health Education from the North Carolina Society for Public Health Education in 1986, Faith Active to Public Life Award by the North Carolina Council of Churches in 1987, and Distinguished Women's Award in Government from the North Carolina Council on the Status of Women in 1991; and

Whereas, B Holt was listed in Who's Who of American Women and Who's Who in America and received an honorary Doctor of Laws from Agnes Scott College in 2007; and

Whereas, B Holt was active in the Episcopal Church, serving as a member of the Episcopal Church of the Holy Comforter in Burlington, President of the Episcopal Church Women of the Church of the Holy Comforter, High School Sunday school teacher, a member of the Diocesan Council of North Carolina Episcopal Diocese, Alternate Delegate to the Episcopal General Convention, Episcopal Diocesan Convention Delegate, and Episcopal Diocesan Convention President for the Burlington Council of Church Women; and

Whereas, B Holt held the distinction of becoming the first woman to serve on the Bishop's Standing Committee and the Church Vestry and was the first woman to serve as the Senior Warden of the Vestry of the Church of Holy Comforter; and

Whereas, B Holt died on June 19, 2010, at the age of 93; and

Whereas, B Holt is survived by a daughter, Harriet H. Whitley; sons, W. Merrill Holt and W. Jefferson Holt; grandchildren, Allyson Burroughs, Anna Blessington, Alexander Holt, William Holt, Croft Holt,

and Christopher Holt; and great-grandchildren, Grace Burroughs, Lawson Burroughs, and Jack Blessington; Now, therefore,

Be it resolved by the House of Representatives:

SECTION 1. The House of Representatives honors the memory of Bertha "B" Merrill Holt and expresses the appreciation of this State and its citizens for the service she rendered her community, State, and nation.

SECTION 2. The House of Representatives extends its sympathy to the family of Bertha "B" Merrill Holt for the loss of a beloved family member.

SECTION 3. The Principal Clerk shall transmit a certified copy of this resolution to the family of Bertha "B" Merrill Holt.

SECTION 4. This resolution is effective upon adoption.

H.R. 939, A HOUSE RESOLUTION EXPRESSING SUPPORT FOR DESIGNATION OF A "WELCOME HOME VIETNAM VETERANS DAY" IN NORTH CAROLINA.

Whereas, the Vietnam War was fought in the Republic of South Vietnam from 1961 to 1975 and involved North Vietnamese regular forces and Viet Cong guerrilla forces in armed conflict with United States Armed Forces and the Army of the Republic of Vietnam; and

Whereas, the United States Armed Forces became involved in Vietnam because the United States government wanted to provide direct military support to the Government of South Vietnam to defend itself against the growing communist threat from North Vietnam; and

Whereas, members of the United States Armed Forces began serving in an advisory role to the Government of the Republic of South Vietnam in 1961; and

Whereas, as a result of the Gulf of Tonkin incidents on August 2 and August 4, 1964, Congress overwhelmingly passed the Gulf of Tonkin Resolution (Public Law 88-408) on August 7, 1964, which provided the authority to the President of the United States to prosecute the war against North Vietnam; and

Whereas, in 1965, United States Armed Forces ground combat units arrived in Vietnam; and

Whereas, by the end of 1965, there were 80,000 United States troops in Vietnam and, by 1969, a peak of approximately 543,000 troops was reached; and

Whereas, on January 27, 1973, the Treaty of Paris was signed, which required the release of all United States prisoners of war held in North Vietnam and the withdrawal of all United States Armed Forces from South Vietnam; and

Whereas, on March 30, 1973, the United States Armed Forces completed the withdrawal of combat units and combat support units from South Vietnam; and

Whereas, on April 30, 1975, North Vietnamese regular forces captured Saigon, the capital of South Vietnam, effectively placing South Vietnam under communist control; and

Whereas, more than 58,000 members of the United States Armed Forces lost their lives in Vietnam and more than 300,000 were wounded; and

Whereas, in 1982, the Vietnam Veterans Memorial was dedicated in the District of Columbia to commemorate the lives of those members of the United States Armed Forces who died or were declared missing in action in Vietnam; and

Whereas, the Vietnam War was an extremely divisive issue among the people of the United States and a conflict that caused a generation of veterans to wait too long for the United States public to acknowledge and honor the efforts and services of such veterans; and

Whereas, members of the United States Armed Forces who served bravely and faithfully for the United States during the Vietnam War were often wrongly criticized for the policy decisions made by four presidential administrations of the United States; and

Whereas, the establishment of a "Welcome Home Vietnam Veterans Day" would be an appropriate way to honor those members of the United States Armed Forces who served in South Vietnam and throughout Southeast Asia during the Vietnam War; and

Whereas, the United States Senate agreed to a resolution without amendment and with a preamble by unanimous consent designating March 30, 2011, as "Welcome Home Vietnam Veterans Day"; Now, therefore,

Be it resolved by the House of Representatives:

SECTION 1. The North Carolina House of Representatives honors and recognizes the contributions of veterans who served in the United States Armed Forces in Vietnam during war and during peace; expresses its support for the establishment of March 30 of each year as "Welcome Home Vietnam Veterans Day"; encourages State agencies and local governments to support "Welcome Home Vietnam Veterans Day"; and encourages the people of this State to observe "Welcome Home Vietnam Veterans Day" with appropriate ceremonies and activities that (i) provide the appreciation Vietnam War veterans deserve but did not receive upon returning home from the war; (ii) demonstrate the resolve that never again shall the nation disregard and denigrate a generation of veterans; (iii) promote awareness of the faithful service and contributions of such veterans during their military service as well as to their communities since returning home; (iv) promote awareness of the importance of entire

communities empowering veterans and the families of veterans to readjust to civilian life after military service; and (v) promote opportunities for such veterans to assist younger veterans returning from the wars in Iraq and Afghanistan in rehabilitation from wounds, both seen and unseen, and to support the reintegration of younger veterans into civilian life.

SECTION 2. This resolution is effective upon adoption.

H.R. 970, A HOUSE RESOLUTION HONORING THE FOUNDERS OF THE UNIVERSITY OF NORTH CAROLINA AT PEMBROKE ON ITS ONE HUNDRED TWENTY-FIFTH ANNIVERSARY.

Whereas, Preston Locklear, Hamilton McMillan, Reverend W.L. Moore, and O.R. Sampson requested that Representative Hamilton McMillan introduce legislation to finance public education for American Indian children, and as a result, the Croatan Indian Normal School was established; and

Whereas, when the 1887 law was enacted, the General Assembly appointed Preston Locklear, Hamilton McMillan, Reverend W.L. Moore, and O.R. Sampson as trustees to carry out the act; and

Whereas, it gave them authority to elect three other trustees, thus bringing the trustee body up to seven and J.J. Oxendine, Isaac Braboy, and Olin Oxendine were immediately selected; and

Whereas, according to *Pembroke State University: A Centennial History*, the seven-man Board of Trustees was charged with maintaining a school of "high grade for teachers of the Croatan race in North Carolina," as the Lumbee Indians were then known; and

Whereas, in addition, the establishment and survival of the institution owed a great deal to determined leaders such as Preston Locklear, Hamilton McMillan, Reverend W.L. Moore, and O.R. Sampson; and

Whereas, Reverend Moore was a charter member of the Croatan Indian Normal School's Board of Trustees and was celebrated as its first headmaster; and

Whereas, the General Assembly changed the name in 1911 to the Indian Normal School of Robeson County and again in 1913 to the Cherokee Indian Normal School of Robeson County; and

Whereas, in 1941 the General Assembly changed the name to Pembroke State College for Indians, and the school's curriculum further expanded; and

Whereas, in 1945 enrollment was further expanded to include American Indians from other tribes, and in 1949 the name was shortened to Pembroke State College; and

Whereas, in 1969 the name was changed to Pembroke State University and was designated a regional university; and

Whereas, in 1972 Pembroke State University became one of the constituent institutions of The University of North Carolina; and

Whereas, on July 1, 1996, Pembroke State University became the University of North Carolina at Pembroke; and

Whereas, on June 27, 2005, the North Carolina General Assembly enacted legislation designating the University of North Carolina at Pembroke as North Carolina's Historically American Indian University; and

Whereas, today the University is a regional university with over 6,000 students and one of the most diverse institutions in America; and

Whereas, today at the Croatan Indian Normal School known as the University of North Carolina at Pembroke, the founders' legacy continues on its campus; and

Whereas, on March 14, 2012, the University of North Carolina at Pembroke began a 14-month celebration to showcase the heritage, history, and accomplishments of students, faculty, staff, and alumni of this great institution; and

Whereas, *Pembroke State University: A Centennial History* eloquently noted that Reverend Moore "was an idealistic man who believed firmly in the uplifting effects of education"; Now, therefore,

Be it resolved by the House of Representatives:

SECTION 1. The House of Representatives honors and commemorates the first Board of Trustees and the legacy of educational opportunities the University of North Carolina at Pembroke has provided as part of the celebration of the University's 125th Anniversary on March 7, 2012.

SECTION 2. The Principal Clerk shall transmit a certified copy of this resolution to the Chancellor of the University of North Carolina at Pembroke.

SECTION 3. This resolution is effective upon adoption.

H.R. 1019, A HOUSE RESOLUTION HONORING THE LIFE AND MEMORY OF ALAN THOMAS DICKSON, BUSINESS LEADER.

Whereas, Alan Thomas Dickson was born April 3, 1931, in Charlotte, to Rush S. Dickson and Lake Simpson Dickson; and

Whereas, Alan Thomas Dickson graduated from the McCallie School in Chattanooga, Tennessee, and earned a BS degree in Textiles from North Carolina State University in 1953 and an MBA degree from Harvard University in 1955; and

Whereas, Alan Thomas Dickson spent two years in the United States Army before returning to Charlotte and working for American & Efirid Mills; and

Whereas, Alan Thomas Dickson held a number of positions at American & Efirid Mills and became the company's president in 1967; and

Whereas, in 1968, Alan Thomas Dickson and his brother, Stuart, founded Ruddick Corporation; and

Whereas, the Ruddick Corporation purchased the Harris Teeter grocery chain in 1969, and, as the company's holdings grew, the corporation became a Fortune 500 company; and

Whereas, Alan Thomas Dickson served as president of Ruddick Corporation and later as the board's chair until his retirement in 2010; and

Whereas, Alan Thomas Dickson served as President of the North Carolina Textile Foundation, the first President of American Yarn Spinners Association, and as a director of Combed Yarn Spinners Association and the North Carolina Textile Manufacturers Association; and

Whereas, Alan Thomas Dickson was a member of the board of directors of the Bank of America, Lance, Bassett Furniture Industries, Sonoco Products, and Royal & Sun Alliance Insurance; and

Whereas, Alan Thomas Dickson distinguished himself in his community as a founding trustee of the Charlotte Latin School and a trustee of the Central Piedmont Community College; as a member of the Foundation for the Carolinas, the Arts & Science Council, the Mint Museum, and the Presbyterian Hospital Foundation; and

Whereas, Alan Thomas Dickson served as a trustee of the Morehead-Cain Scholarship Program at the University of North Carolina at Chapel Hill from 1964 to 2006, and during that time served as Chair for 21 years; and

Whereas, Alan Thomas Dickson also helped to establish the U.S. National Whitewater Center on the Catawba River and contributed to the development of the UNC Nutrition Research Institute in Kannapolis; and

Whereas, among his many honors and recognitions, Alan Thomas Dickson received the William Richardson Davie Award from the Board of Trustees of the University of North Carolina at Chapel Hill in 2006, the Distinguished Alumnus Award from the McCallie School in 1997, the Watauga Medal in 1996, and the College of Textiles Distinguished Alumnus Award in 1993 from North Carolina State University, and was granted an honorary degree from North Carolina State University in 2001; and

Whereas, Alan Thomas Dickson was elected to the North Carolina Business Hall of Fame in 2002; and

Whereas, Alan Thomas Dickson was a faithful member of the Christ Episcopal Church in Charlotte; and

Whereas, Alan Thomas Dickson died on May 3, 2012, at the age of 81; and

Whereas, Alan Thomas Dickson was preceded in death by his first wife, Lindsay Morehead Dickson; and

Whereas, Alan Thomas Dickson is survived by his wife of 20 years, Mary Anne Dickson; his stepdaughter, Chase Avery Wood, her husband, Hubie, and their children, Catie and Hubert; his stepson, Chris Avery, his wife, Beth, and their children Meg and O'Neal; and his siblings Stuart Dickson, Barbara Scott, and Jane Williamson; Now, therefore,

Be it resolved by the House of Representatives:

SECTION 1. The House of Representatives honors the memory of Alan Thomas Dickson, a successful businessman, entrepreneur, and citizen who made great contributions to his industry, community, State, and nation.

SECTION 2. The House of Representatives extends its sympathy to the family of Alan Thomas Dickson for the loss of a beloved family member.

SECTION 3. The Principal Clerk shall transmit a certified copy of this resolution to the family of Alan Thomas Dickson.

SECTION 4. This resolution is effective upon adoption.

H.R. 1022, A HOUSE RESOLUTION HONORING THE LIFE AND MEMORY OF RICK RHYNE, MOORE COUNTY SHERIFF'S DEPUTY, KILLED IN THE LINE OF DUTY.

Whereas, Rick Rhyne was born January 27, 1953, in Mecklenburg County, to Richard Carlton Rhyne and Margie Thompson Rhyne; and

Whereas, Rick Rhyne had a long career in law enforcement, which began in 1974 when he joined the Pinehurst Police Department; and

Whereas, Rick Rhyne later served as Chief of Police of Foxfire Village until his retirement in 2006; and

Whereas, Deputy Rhyne was a lifelong member of the North Carolina Association of Chiefs of Police; and

Whereas, Rick Rhyne joined the Moore County Sheriff's office on April 28, 2007; and

Whereas, Deputy Rhyne was respected and admired in his community and was known to go beyond the call of duty to help those in need of assistance; and

Whereas, Deputy Rhyne was killed in the line of duty on December 8, 2011; and

Whereas, Deputy Rhyne is survived by his wife of 40 years, Wanda Thomas Rhyne; a son, Lt. Col. Allen Rhyne; two grandchildren, Ruby Rhyne and Roxy Rhyne; two sisters, Brenda Morton and Cindy Bennett; Now, therefore,

Be it resolved by the House of Representatives:

SECTION 1. The House of Representatives honors the life and service of Deputy Rick Rhyne and expresses its appreciation for his service as a law enforcement officer and his service to the people of Moore County.

SECTION 2. The House of Representatives extends its deepest sympathy to the family of Rick Rhyne for the loss of a beloved family member.

SECTION 3. The Principal Clerk's Office shall transmit a certified copy of this resolution to the family of Rick Rhyne.

SECTION 4. This resolution is effective upon adoption.

H.R. 1143, A HOUSE RESOLUTION HONORING THE SHAW UNIVERSITY WOMEN'S BASKETBALL TEAM ON WINNING THE 2012 NATIONAL COLLEGIATE ATHLETIC ASSOCIATION DIVISION II CHAMPIONSHIP.

Whereas, on March 23, 2012, the Shaw University women's basketball team won the 2012 National Collegiate Athletic Association (NCAA) Division II championship by defeating Ashland University by a score of 88-82; and

Whereas, this championship gives Shaw University its first Division II NCAA title for the women's basketball program; and

Whereas, the Lady Bears have achieved an outstanding record during their NCAA tournament history, which includes nine CIIAA championships and two Final Four appearances, four Elite Eight appearances, and five Sweet 16 appearances; and

Whereas, the Lady Bears won the 2012 Central Intercollegiate Athletic Association (CIIAA) tournament championship, increasing the program's record to nine CIIAA tournament titles, the most titles of any CIIAA member; and

Whereas, the Lady Bears were the CIIAA regular season champions, achieving a conference record of 15-1; and

Whereas, the Lady Bears triumphed on their home court this season by going undefeated; and

Whereas, the Lady Bears finished the 2011-2012 season with a record of 29-6 and were ranked No. 1 by the USA Today/ESPN Top 25 women's basketball coaches' poll; and

Whereas, much of the Lady Bears' success can be attributed to the leadership of head coach, Jacques Curtis, a Shaw Hall of Fame coach, who during his 12 seasons at Shaw has led his teams to a record of 264-113; and

Whereas, Coach Curtis maintains the record for the most CIIAA championships by a member school, capturing his 250th NCAA win during the 2012 season; and

Whereas, many individual team members were recognized for their efforts during the year and throughout their college careers, including Aslea Williams who was named to the All-CIAA team, CIAA tournament MVP, and Atlantic Region MVP; Kyria Buford who was named to the All-CIAA team, CIAA Defensive Player of the Year, the Atlantic Region all-tournament team, and the NCAA Elite Eight all-tournament team; and Sequoyah Griffin who was named to the All-CIAA team and NCAA Elite Eight all-tournament teams; and

Whereas, each year Shaw University is recognized as one of the nation's top Division II academic institutions, and its basketball program continues to have one of the highest graduation rates for its athletes; and

Whereas, the success of the women's basketball team is a fitting testimonial and memorial to the late Dr. James E. Lytle, a 1925 graduate of Shaw University who served in many capacities to the University, including baseball coach, athletics director, and professor of health and physical education for almost 50 years; and

Whereas, Dr. Lytle was both a respected athlete during his time at Shaw University as an undergraduate and a dedicated "Bear" throughout his career; and

Whereas, Shaw University's extraordinary accomplishments bring great honor and distinction to the State of North Carolina and deserve recognition by the State; Now, therefore,

Be it resolved by the House of Representatives:

SECTION 1. The House of Representatives expresses the appreciation and admiration of the people of North Carolina to Shaw University's women's basketball team for winning the 2012 National Collegiate Athletic Association Division II championship.

SECTION 2. The House of Representatives especially recognizes the achievements of team members Shemieka Brown, Kyria Buford, Isayra Diaz, Kennay Fleming, Sequoyah Griffin, Crystal Harris, Allyssa Lane, Jashaye Mangum, Brittany Ransom, Brittney Spencer, Enonge Stovall, Victoria Tanner, Aslea Williams, Head Coach Jacques Curtis, Associate Head Coach Carl Hatchell, Assistant Coach Ashante Timoll, Assistant Coach Jonas Richard, and Athletic Trainer Sean Burton.

SECTION 3. The House of Representatives honors the memory of Dr. James E. Lytle and extends its appreciation for his contributions to Shaw University.

SECTION 4. The Principal Clerk shall transmit a certified copy of this resolution to Shaw University President Dorothy Cowser Yancy, Director of Athletics Alfonza Carter, the family of Dr. James E. Lytle, and all of the individuals honored in this resolution.

SECTION 5. This resolution is effective upon adoption.

H.R. 1175, A HOUSE RESOLUTION HONORING THE CHRONIC OBSTRUCTIVE PULMONARY DISEASE (COPD) COALITION OF NORTH CAROLINA AND EXPRESSING APPRECIATION FOR THE ORGANIZERS' COMMITMENT TO RAISING AWARENESS OF THIS DISEASE.

Whereas, chronic obstructive pulmonary disease (COPD), which includes chronic bronchitis and emphysema, is the third leading cause of death in the United States and, unlike many diseases yielding to advances in medicine, this disease is not experiencing a decline in death rates; and

Whereas, COPD is a chronic, progressive disease that impacts 24 million persons nationwide, with as many as half remaining undiagnosed; and

Whereas, the primary risk factor for COPD is smoking, which accounts for up to 90% of COPD-related deaths, with other risk factors including environmental exposure, air pollution, secondhand smoke, a history of childhood respiratory infections, and alpha-1 antitrypsin deficiency; and

Whereas, nationwide, the annual cost of COPD is nearly \$50 billion, including \$29.5 billion in direct health care expenditures, \$8 billion in indirect morbidity costs, and \$12.4 billion in indirect mortality costs; and

Whereas, early COPD screening and detection is critical, as most people with COPD are not diagnosed until they have already lost half of their lung function; and

Whereas, coordinated community efforts such as "DRIVE 4 COPD," the nation's single largest awareness and screening campaign for COPD, which has screened more than 2 million people since its launch in February 2010, can dramatically improve public health; and

Whereas, there is no cure for COPD, but proper management of the disease can lead to improved quality of life and self-sufficiency for COPD patients, many of whom receive through public programs care that slows damage to their heart and lungs; and

Whereas, bringing about awareness of COPD is a fitting testimonial and tribute to the North Carolinians that have lost their battle with COPD; and

Whereas, Ed Brailey, a firefighter, a transplant recipient, and a former member and chair of the Chronic Obstructive Pulmonary Disease Coalition of North Carolina, was affected with genetic COPD, also referred to as Alpha-1; and

Whereas, Ed Brailey is emblematic of the many North Carolinians who have died from COPD; Now, therefore,

Be it resolved by the House of Representatives:

SECTION 1. The House of Representatives honors the Chronic Obstructive Pulmonary Disease (COPD) Coalition of North Carolina and expresses appreciation to the national COPD Foundation, the National

Heart, Lung, and Blood Institute, and North Carolina stakeholders for their commitment to raising awareness of this disease.

SECTION 2. The House of Representatives honors the memory of Ed Brailey and others whose lives have been affected by chronic obstructive pulmonary disease.

SECTION 3. This resolution is effective upon adoption.

H.R. 1191, A HOUSE RESOLUTION SPECIFICALLY DIS-APPROVING EXECUTIVE ORDER NO. 85, ISSUED MARCH 25, 2011, UNDER PROVISIONS OF THE NORTH CAROLINA CONSTITUTION GRANTING EITHER HOUSE OF THE GENERAL ASSEMBLY TO DO SO, AS THE GENERAL ASSEMBLY HAS ACCOMPLISHED ADMINISTRATIVE REORGANIZATIONS BY LEGISLATION.

Whereas, Section 5(10) of Article III of the North Carolina Constitution states: "Administrative reorganization. The General Assembly shall prescribe the functions, powers, and duties of the administrative departments and agencies of the State and may alter them from time to time, but the Governor may make such changes in the allocation of offices and agencies and in the allocation of those functions, powers, and duties as he considers necessary for efficient administration. If those changes affect existing law, they shall be set forth in executive orders, which shall be submitted to the General Assembly not later than the sixtieth calendar day of its session, and shall become effective and shall have the force of law upon adjournment sine die of the session, unless specifically disapproved by resolution of either house of the General Assembly or specifically modified by joint resolution of both houses of the General Assembly"; and

Whereas, on March 25, 2011, the Governor issued Executive Order No. 85, entitled "CONSOLIDATION AND REORGANIZATION OF EXECUTIVE BRANCH AGENCIES TO IMPROVE THE EFFICIENCY OF STATE GOVERNMENT," which recited that it was issued under Section 5(10) of Article III of the North Carolina Constitution; and

Whereas, the General Assembly has carefully considered the Executive Order; and

Whereas, by the following legislation among others, the General Assembly has dealt with the issues raised in the Executive Order: (i) S.L. 2011-145 "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"; and (ii) S.L. 2011-401 "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"; and

Whereas, a resolution of disapproval is necessary as unless it is adopted Executive Order No. 85 may become effective under its terms upon sine die adjournment of the 2011 Regular Session of the General Assembly; Now, therefore,

Be it resolved by the House of Representatives:

SECTION 1. Executive Order No. 85, adopted March 25, 2011 is specifically disapproved under the authority given the House of Representatives by Section 5(10) of Article III of the North Carolina Constitution.

SECTION 2. The Enrolling Clerk shall cause this resolution to be published in the Appendices to the Session Laws for the 2011 Regular Session of the General Assembly.

SECTION 3. This resolution is effective upon adoption.

H.R. 1219, A HOUSE RESOLUTION EXPRESSING APPRECIATION TO THE MEMBERS WHO WILL BE LEAVING THE HOUSE OF REPRESENTATIVES AT THE END OF THEIR CURRENT TERMS.

Be it resolved by the House of Representatives:

SECTION 1. The House of Representatives extends its deepest gratitude and appreciation to the members who will be leaving this body at the end of their current terms. The dedicated public servants listed below have rendered distinguished service to their districts, this body, and the State of North Carolina and deserve to be recognized for their contributions to the General Assembly:

Alice L. Bordsen - Democrat, 63rd District, five terms

Glen Bradley - Republican, 49th District, one term

Larry R. Brown - Republican, 73rd District, four terms

Bill Cook - Republican, 6th District, one term

James W. Crawford, Jr. - Democrat, 32nd District, fourteen terms

William A. Current, Sr. - Republican, 109th District, four terms

Bill Faison - Democrat, 50th District, four terms

Dale R. Folwell - Republican, 74th District, four terms

Phillip Frye - Republican, 84th District, five terms

Joe Hackney - Democrat, 54th District, sixteen terms
 R. Phillip Haire - Democrat, 119th District, seven terms
 Dewey L. Hill - Democrat, 20th District, ten terms
 Mark K. Hilton - Republican, 96th District, six terms
 Dan W. Ingle - Republican, 64th District, one and one-half terms
 Maggie Jeffus - Democrat, 59th District, ten terms
 Carolyn H. Justice - Republican, 16th District, five terms
 Patsy Keever - Democrat, 115th District, one and one-half terms
 Ric Killian - Republican, 105th District, three terms
 Stephen A. LaRoque - Republican, 10th District, three terms
 Grier Martin - Democrat, 34th District, four terms
 Daniel F. McComas - Republican, 19th District, nine terms
 Darrell G. McCormick - Republican, 92nd District, two terms
 William C. "Bill" McGee - Republican, 75th District, five terms
 Frank McGuirt - Democrat, 69th District, one-half term
 Grey Mills - Republican, 95th District, two terms
 Bill Owens - Democrat, 1st District, nine terms
 Dianne Parfitt - Democrat, 44th District, one and one-half terms
 Earline W. Parmon - Democrat, 72nd District, five terms
 Shirley B. Randleman - Republican, 94th District, two terms
 Efton M. Sager - Republican, 11th District, two terms
 Norman W. Sanderson - Republican, 3rd District, one term
 Timothy L. Spear - Democrat, 2nd District, three and one-half terms
 Fred F. Steen, II - Republican, 76th District, four and one-half terms
 Edith D. Warren - Democrat, 8th District, seven terms
 Trudi Walend - Republican, 113th District, five and one-half terms
 Jennifer Weiss - Democrat, 35th District, six and one-half terms
 Larry Womble - Democrat, 71st District, nine terms
SECTION 2. This resolution is effective upon adoption.

H.R. 1222, A HOUSE RESOLUTION HONORING THE NORTH CAROLINA SYMPHONY AND ITS FOUNDERS.

Whereas, the North Carolina Symphony played its first concert under its founding conductor Lamar Stringfield on May 14, 1932, at Hill Hall on the campus of the University of North Carolina at Chapel Hill; and

Whereas, the tireless efforts of Dr. Benjamin and Maxine Swalin and then-First Lady Alice Broughton led to passage by the North Carolina General Assembly of the historic "Horn-Tootin' Bill" in 1943, thus establishing a 69-year partnership with the State of North Carolina and forming the basis for the most far-reaching music education program in the United States; and

Whereas, the North Carolina Symphony has, since that day, traveled more than 500,000 miles by bus to present concerts throughout the State of North Carolina, delighting and entertaining generations of citizens by demonstrating the highest level of artistic quality and performance standards, and embracing its dual legacies of statewide service and music education; and

Whereas, the North Carolina Symphony offers 45 yearly education concerts for schoolchildren across the State, as well as professional development workshops for teachers that support North Carolina curriculum standards in education and supplement the North Carolina Symphony education concerts, and through its Ensembles in the Schools program, visits classrooms for an interactive performance and learning experience; and

Whereas, the North Carolina Symphony further enhances music opportunities for young people in North Carolina through programs such as the Instrument Zoo, an opportunity for young people to see instruments and try them out; Young Strings of the Triangle, a private lesson program for string students created to nurture and develop the musical potential of minority and underserved players; and North Carolina Symphony Youth Sinfonietta, a chamber orchestra of talented young musicians selected by audition; and

Whereas, the North Carolina Symphony recognizes excellence in young musicians and helps them launch their careers through its annual Kathleen Price and Joseph M. Bryan Youth Concerto Competition, and in music educators through its annual Maxine Swalin Award for Outstanding Music Educator; and

Whereas, the North Carolina Symphony, celebrating its 80th concert season in 2012-2013, continues to be artistically inspirational, creative, and vibrant; educationally essential and relevant; and organizationally excellent and community-minded; Now, therefore,

Be it resolved by the House of Representatives:

SECTION 1. The House of Representatives honors the memory of Lamar Stringfield, Dr. Benjamin Swalin and Maxine Swalin, and Alice Broughton and expresses its appreciation for their roles in founding the North Carolina Symphony.

SECTION 2. The House of Representatives proclaims 2012 as "North Carolina Symphony Year" in recognition of the North Carolina Symphony's outstanding record of 80 years of service.

SECTION 3. The Principal Clerk shall transmit a certified copy of this resolution to the President of the North Carolina Symphony.

SECTION 4. This resolution is effective upon adoption.

H.R. 1229, A HOUSE RESOLUTION TO ESTABLISH THE PROCEDURE FOR NOMINATING AND ELECTING A PERSON TO FILL A VACANCY ON THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA.

Be it resolved by the House of Representatives:

SECTION 1. The following procedures for nominating and electing a person to fill a vacancy on the Board of Governors of The University of North Carolina (hereinafter the "Board of Governors") are adopted:

I. COMMITTEE RESPONSIBILITIES.

1. It is the duty of the House Select Committee on The University Board of Governors Nominations of the House of Representatives (hereinafter the "Committee") to conduct a process for nominating and electing persons for each vacancy in the elected membership of the Board of Governors that was created by a vacating member who was originally elected by the House of Representatives.

2. The Committee shall receive nominations from 8:00 A.M. on Wednesday, June 27, 2012, through 5:00 P.M. on Wednesday, June 27, 2012, to elect one person to fill one vacancy on the Board of Governors for a partial term ending June 30, 2015. Each Representative may nominate one person. In order for a person to have standing as a nominee, that person must be formally nominated by a member of the House of Representatives. Only a written nomination that includes all the requested information, which is submitted on a form provided by the Chair of the Committee for that purpose, and that is received in the Office of the House Principal Clerk from 8:00 A.M. on Wednesday, June 27, 2012, through 5:00 P.M. on Wednesday, June 27, 2012, shall constitute a formal nomination. Delivery to the Office of the House Principal Clerk by facsimile transmission or e-mail transmission shall not constitute a formal nomination of a candidate.

3. Notwithstanding G.S. 138A-22(a), every person who has been formally nominated shall file a completed North Carolina State Ethics Commission Statement of Economic Interest with the North Carolina State Ethics Commission to be received by the North Carolina State Ethics Commission no later than 5:00 P.M. on Wednesday, June 27, 2012.

4. On or after 5:00 P.M. on Wednesday, June 27, 2012, the Committee shall list all proposed nominees. The Committee shall screen the nominees as to their qualifications, experience, and statutory suitability. The Committee may screen nominees by interviewing or by soliciting written information or by both means. On completion of the screening process, the Committee shall conduct a vote to ensure that the slate of legally qualified nominees lists two legally qualified nominees if two or more were nominated.

(a) To qualify for the slate, a nominee must receive the votes of a majority of all members of the Committee present and voting.

(b) Each member of the Committee present and voting shall vote for two nominees for the slate if there are a sufficient number of nominees.

(c) If more than two nominees receive a majority vote of all members present and voting, the two nominees receiving the highest numbers of votes shall be the recommended nominees on the slate.

(d) If fewer than two nominees receive the votes of a majority of all members present and voting, a runoff to fill the slate shall be conducted among the nominees who received the highest numbers of votes cast; and the number of nominees eligible to be voted on in the runoff shall be twice the number of vacant slate positions, if there are a sufficient number of nominees.

(e) If there is a tie for the vacant slate positions between nominees, all of the tied nominees shall be included in the next runoff balloting, even though there would be more than twice the number of nominees per vacant position.

5. Each nominee shall confirm his or her willingness to serve if elected. Any nominee may withdraw without the approval of the sponsor.

6. The Committee's nominees shall be placed before and recommended to the House of Representatives for election.

II. ELECTIONS IN THE HOUSE OF REPRESENTATIVES.

1. A ballot shall be prepared under the supervision of the Chair of the Committee for the use of the House of Representatives. The ballot shall list two legally qualified nominees if two or more were nominated.

2. The names of the nominees shall be arranged on the ballot by alphabetical order and shall list only the names of those nominees recommended by the Committee.

3. The House of Representatives shall hold its election no later than the beginning of the daily session on Thursday, June 28, 2012. Before the voting begins, the Speaker of the House shall explain the voting rules, which are:

(a) No nomination shall be received from the floor.

(b) In order to be elected, a nominee must receive the votes of a majority of all members present and voting.

(c) Each member present and voting shall vote for one nominee, and any ballot not so marked shall be deemed void.

(d) If there is a tie for the vacant position between the two nominees, a runoff to fill the vacant position shall be conducted until a nominee receives the votes of a majority of all members present and voting.

4. The members of the House of Representatives shall proceed to mark their ballots for one person to fill the vacant position for a partial term ending June 30, 2015.

Every ballot shall be signed by the member of the House of Representatives casting it, and no unsigned ballots shall be counted.

5. The Chair of the Committee is responsible for canvassing the vote and declaring the results and may designate members of the Committee to assist. All ballots shall be retained by the House Principal Clerk as part of the permanent records of the House of Representatives and shall be open for immediate public inspection upon adjournment of that day's session.

6. When the Chair of the Committee has determined that the House of Representatives has elected one person to fill the vacant position and serve as a member of the Board of Governors for a partial term ending June 30, 2015, the Speaker of the House of Representatives shall declare that person to have been elected to the Board of Governors by the House of Representatives. The election of that person is provisional subject to the North Carolina State Ethics Commission's evaluation of the North Carolina State Ethics Commission Statement of Economic Interest of that person in accordance with Article 3 of Chapter 138A of the General Statutes.

7. The results of the election in the House of Representatives shall then be sent by Special Messenger to the Senate.

III. NOTIFICATION OF ELECTION RESULTS.

When the election process is complete, the Chair of the Committee shall notify the Secretary of the Board of Governors of the name of the person elected by the House of Representatives to the vacant position and the partial term for which the person was elected.

SECTION 2. As used in this resolution, the term "Chair" means the Chair of the House Select Committee on The University Board of Governors Nominations of the House of Representatives.

SECTION 3. This resolution is effective upon adoption.

H.R. 1232, A HOUSE RESOLUTION HONORING THE FOUNDERS OF LOUISBURG COLLEGE ON THE OCCASION OF THE COLLEGE'S TWO HUNDRED TWENTY-FIFTH ANNIVERSARY.

Whereas, Louisburg College is located in the Town of Louisburg in Franklin County; and

Whereas, Louisburg College is the oldest two-year residential college and the oldest two-year Methodist college in the nation; and

Whereas, Louisburg College is the only two-year residential college in North Carolina; and

Whereas, Louisburg College developed from three earlier institutions, the Franklin Male Academy, the Louisburg Female Academy, and Louisburg Female College; and

Whereas, the Franklin Male Academy was chartered on January 6, 1787, as a result of legislation introduced by Senator Henry Hill of Franklin County; and

Whereas, the Franklin Male Academy opened on January 1, 1805, and was later led by principals that included Matthew Dickinson, John B. Bobbitt, Charles Applewhite Hill, and Matthew S. Davis; and

Whereas, the Louisburg Female Academy was chartered by the General Assembly on December 27, 1814; and

Whereas, several years later, the General Assembly authorized the transfer of the property by the trustees of the Louisburg Female Academy to the directors of the Louisburg Female College Company in 1855; and

Whereas, Louisburg College opened under the leadership of Professor James P. Nelson in August of 1857; and

Whereas, some of the early presidents of Louisburg College included Dr. Turner Myrick Jones, S.D. Bagley, Matthew S. Davis, and Mary Davis Allen; and

Whereas, in 1891 Washington Duke of Durham, North Carolina, bought the College for \$5,450, and in 1907 his son, Benjamin N. Duke, donated the College to the North Carolina Conference of the United Methodist Church; and

Whereas, Louisburg College has continued to prosper and educate students during its 225 years, attracting students from 42 states and 15 countries; and

Whereas, today Louisburg College has over 700 students and nearly 14,000 alumni; and

Whereas, over 90 percent of the graduates of Louisburg College continue their education at four-year institutions; and

Whereas, Louisburg College has produced nationally recognized sports teams, especially in baseball and basketball; and

Whereas, in four different centuries, students from Louisburg College have excelled in many areas of life, including business, government, politics, education, sports, and the military; Now, therefore,

Be it resolved by the House of Representatives:

SECTION 1. The House of Representatives honors those who have played a role in the success of Louisburg College and joins the administration, faculty, students, alumni, Town of Louisburg, and the County of Franklin in celebrating the 225th anniversary of Louisburg College.

SECTION 2. The Principal Clerk shall transmit a certified copy of this resolution to the President of Louisburg College.

SECTION 3. This resolution is effective upon adoption.

**NORTH CAROLINA GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES**

Representative Daniel F. McComas
19th District

August 30, 2012

Dear Speaker Tillis:

I hereby submit my resignation as a member representing N.C. House District 19 in New Hanover County effective September 2, 2012.

It has been my honor to serve the people of New Hanover and all of North Carolina and I hope you will call upon me in the future if you feel I can ever be of assistance.

Thank you for all your support and assistance, I remain,

Very truly yours,
S/ Daniel F. McComas

APPOINTMENT BY GOVERNOR

THE APPOINTMENT OF TED DAVIS, JR.

2011-2012

BY THE GOVERNOR OF THE STATE OF NORTH CAROLINA

A PROCLAMATION

WHEREAS, the Honorable Danny McComas, elected Representative from the Nineteenth 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 Danny McComas be filled by appointment of the person recommended by the Nineteenth District House Executive Committee of the Republican Party; and

WHEREAS, the Nineteenth District House Executive Committee of the Republican Party has notified me of its recommendation of Ted Davis, Jr. of New Hanover County, North Carolina, to fill the unexpired term;

I do, by these presents, appoint

TED DAVIS, JR.

as a member of the

NORTH CAROLINA 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 twentieth day of September in the year of our Lord two thousand and twelve, and of the Independence of the United States of America the two hundred and thirty-seventh.

S/ Beverly Eaves Perdue
Governor

ATTEST:

S/ Elaine F. Marshall
Secretary of State

The following oath of office was administered to Representative Ted Davis, Jr. by Resident Superior Court Judge Jay D. Hockenbury, on September 26, 2012.

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

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

**NORTH CAROLINA GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES**

Representative Stephen LaRoque
10th District

July 25, 2012

Speaker Thom Tillis
North Carolina House of Representatives

Mr. Speaker,

I am submitting today my resignation from the North Carolina House of Representatives effective August 1, 2012. This is a difficult decision as it has been one of the greatest honors of my life to have had the privilege of representing the people of the 10th District, and I am very proud of what we have accomplished together. I do not want my continued presence in the General Assembly to be politicized or to distract from the important work that still needs to be done there. I also have made it clear that I am proud of the work I have done in my non-profit corporations. We have worked hard to help people. I deny the charges brought against me, and I now must devote my time and energies to proving my innocence and protecting my family and all that I have worked for and believe in.

Respectfully,
S/ Stephen LaRoque
Representative
North Carolina House
District 10

APPOINTMENT BY GOVERNOR**THE APPOINTMENT OF KAREN KOZEL****2011-2012****BY THE GOVERNOR OF THE STATE OF NORTH CAROLINA****A PROCLAMATION**

WHEREAS, the Honorable Stephen LaRoque, elected Representative from the Tenth 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 Stephen LaRoque be filled by appointment of the person recommended by the Tenth District House Executive Committee of the Republican Party; and

WHEREAS, the Tenth District House Executive Committee of the Republican Party has notified me of its recommendation of Karen Kozel of Lenoir County, North Carolina, to fill the unexpired term;

I do, by these presents, appoint

KAREN KOZEL

as a member of the

NORTH CAROLINA 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 twenty-ninth day of August in the year of our Lord two thousand and twelve, and of the Independence of the United States of America the two hundred and thirty-seventh.

S/ Beverly E. Perdue
Governor

ATTEST:

S/ Elaine F. Marshall
Secretary of State

The following oath of office was administered to Representative Karen Kozel by Senior Resident Superior Court Judge W. Russell Duke, Jr., on August 30, 2012.

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

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

APPOINTMENT BY GOVERNOR

THE APPOINTMENT OF JOYCE KRAWIEC

2011-2012

BY THE GOVERNOR OF THE STATE OF NORTH CAROLINA

A PROCLAMATION

WHEREAS, the Honorable Larry Brown, elected Representative from the Seventy-third House District 2011-2012 General Assembly, has died; and

WHEREAS, the provisions of General Statute § 163-11 require that the vacancy created by the death of the Honorable Larry Brown be filled by appointment of the person recommended by the Seventy-third District House Executive Committee of the Republican Party; and

WHEREAS, the Seventy-third District House Executive Committee of the Republican Party has notified me of its recommendation of Joyce Krawiec of Forsyth County, North Carolina, to fill the unexpired term;

I do, by these presents, appoint

JOYCE KRAWIEC

as a member of the

NORTH CAROLINA 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 tenth day of October in the year of our Lord two thousand and twelve, and of the Independence of the United States of America the two hundred and thirty-seventh.

S/ Beverly E. Perdue
Governor

ATTEST:

S/ Elaine F. Marshall
Secretary of State

The following oath of office was administered to Representative Joyce R. Krawiec by Speaker Pro Tempore Dale R. Folwell on October 15, 2012.

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

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

APPOINTMENT BY GOVERNOR**THE APPOINTMENT OF BARBARA LEE****2011-2012****BY THE GOVERNOR OF THE STATE OF NORTH CAROLINA****A PROCLAMATION**

WHEREAS, the Honorable William Wainwright, elected Representative from the Twelfth House District 2011-2012 General Assembly, has died while in office; and

WHEREAS, the provisions of General Statute § 163-11 require that the vacancy created by the death of the Honorable William Wainwright be filled by appointment of the person recommended by the Twelfth District House Executive Committee of the Democratic Party; and

WHEREAS, the Twelfth District House Executive Committee of the Democratic Party has notified me of its recommendation of Barbara Lee of Craven County, North Carolina, to fill the unexpired term;

I do, by these presents, appoint

BARBARA LEE

as a member of the

NORTH CAROLINA 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 sixth day of August in the year of our Lord two thousand and twelve, and of the Independence of the United States of America the two hundred and thirty-seventh.

S/ Beverly E. Perdue
Governor

ATTEST:

S/ Elaine F. Marshall
Secretary of State

The following oath of office is administered to Representative Barbara Lee by District Court Judge Cheryl Spencer on August 18, 2012.

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

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

**NORTH CAROLINA GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES**

Harold J. Brubaker
215 Back Creek Church Road
Asheboro, NC 27205

July 12, 2012

Speaker Thom Tillis
North Carolina House of Representatives

Mr. Speaker:

I am writing to inform you that I will be resigning from my seat in the North Carolina House of Representatives effective July 12, 2012. In my 35 years of public service, I have learned a lot, forged many friendships that will last a lifetime, and worked to the best of my ability to serve the people of North Carolina.

I have grown to love and respect the institution in which we both serve. It has been an honor and a privilege to serve with you and all of our

colleagues. Each of us come from many walks of life and has each traveled different paths to get here, but collectively we represent each and every life in this great state. It is truly an honor to have served and I wish you and all the other members of the General Assembly continued success.

Respectfully,
S/ Harold J. Brubaker
Representative
North Carolina House
District 78

APPOINTMENT BY GOVERNOR

THE APPOINTMENT OF ALLEN MCNEILL

2011-2012

BY THE GOVERNOR OF THE STATE OF NORTH CAROLINA

A PROCLAMATION

WHEREAS, the Honorable Harold Brubaker elected Representative from the Seventy-Eighth 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 Harold Brubaker be filled by appointment of the person recommended by the Seventy-Eighth House District Selection Committee of the Republican Party; and

WHEREAS, the Seventy-Eighth House District Selection Committee of the Republican Party has notified me of its recommendation of Allen McNeill of Randolph County, North Carolina, to fill the unexpired term;

I do, by these presents, appoint

ALLEN MCNEILL

as a member of the

NORTH CAROLINA 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 thirteenth day of August in the year of our Lord two thousand and twelve, and of the Independence of the United States of America the two hundred and thirty-seventh.

S/ Beverly E. Perdue
Governor

ATTEST:

S/ Elaine F. Marshall
Secretary of State

The following oath of office is administered to Representative Allen McNeill by Judge Vance Bradford Long, Senior Resident Superior Court Judge on August 17, 2012.

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

"I, ALLEN RAY MCNEILL, 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, ALLEN RAY MCNEILL, 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."

**BOARDS AND COMMISSIONS
APPOINTMENTS
(January 1, 2012 – October 31, 2012)**

APPOINTED EXPIRES

**ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE,
JOINT LEGISLATIVE**

G.S. 120-70.100, as reinstated by S.L. 2012-187

Rep. Tom Murry, Chair	8/22/2012	1/15/2013
Rep. Becky Carney	8/22/2012	1/15/2013
Rep. Jeff Collins	8/22/2012	1/15/2013
Rep. Darren G. Jackson	8/22/2012	1/15/2013
Rep. Jonathan C. Jordan	8/22/2012	1/15/2013
Rep. Pat McElraft	8/22/2012	1/15/2013
Rep. Rodney W. Moore	8/22/2012	1/15/2013
Rep. Sarah Stevens	8/22/2012	1/15/2013

AFRICAN-AMERICAN HERITAGE COMMISSION

G.S. 143B-135(b)(3)

Ms. Lavonda R. Daniels (Public member)	10/1/2012	9/30/2015
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**AGRICULTURAL DEVELOPMENT AND FARMLAND
PRESERVATION TRUST FUND ADVISORY COMMITTEE,
NORTH CAROLINA**

G.S. 106-744(g)(4)

Mr. David L. Rose	5/29/2012	12/31/2012
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AGRICULTURAL FINANCE AUTHORITY, NORTH CAROLINA

G.S. 122D-4(b)

Mr. Thomas C. Hege (Public member)	7/16/2012	6/30/2015
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ALARM SYSTEMS LICENSING BOARD

G.S. 74D-4(b)

Mr. Larry W. McClellan (Reappointment) (Member licensed in alarm systems)	7/16/2012	6/30/2015
Mr. John Thompson (Public member)	7/16/2012	6/30/2015

ARBORETUM BOARD OF DIRECTORS, NORTH CAROLINA

G.S. 116-243(3)

Mr. Lucas S. Jack (Public member)	7/16/2012	6/30/2016
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BLOUNT STREET HISTORIC DISTRICT OVERSIGHT COMMITTEE

Session Law 2003-404 of Section 3(b)(4)

Mr. James D. Johnson	2/8/2012	7/1/2015
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**BLUMENTHAL PERFORMING ARTS CENTER FOUNDATION,
NORTH CAROLINA**

Bylaws

Mr. V. Curtis Watkins (Board of Trustees)	12/1/2012	11/30/2015
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BRAIN INJURY ADVISORY COUNCIL, NORTH CAROLINA

G.S. 143B-216.66(a)(2)b

Mr. Craig Fitzgerald	10/1/2012	9/30/2016
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BUILDING COMMISSION, STATE

G.S. 143-135.25(c)(6)(9)

Mr. Robert W. Hites, Jr. (Local government representative)	7/20/2012	6/30/2015
Mr. Rick A. Whitaker (Licensed mechanical contractor)	7/20/2012	6/30/2015

**CANCER COORDINATION AND CONTROL,
ADVISORY COMMITTEE ON**

G.S. 130A-33.50(b)

Rep. Nelson Dollar	4/5/2012	6/30/2015
Rep. Mark W. Hollo	4/5/2012	6/30/2015
Rep. Bert Jones	4/5/2012	6/30/2015
Rep. Tom Murry (Filling the unexpired term of Rep. Mark W. Hollo)	9/12/2012	6/30/2015
Ms. Jennifer Bock (Cancer survivor)	5/22/2012	6/30/2015
Dr. Julie Steen Gupton (Cancer survivor) (Filling the unexpired term of Jeanne Horton)	9/12/2012	6/30/2015
Ms. Jeanne Horton (Cancer survivor)	4/5/2012	6/30/2015

CHAIN OF SURVIVAL PUBLIC-PRIVATE TASK FORCE

Session Law 2012-198

Rep. Becky Carney	8/30/2012	6/30/2014
Rep. Mark W. Hollo	8/30/2012	6/30/2014

CENTENNIAL AUTHORITY

G.S. 160A-480.3

Mr. Robert Seligson (Public member)	(Reappointment) 7/20/2012	6/30/2016
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CHILD CARE COMMISSION

G.S. 143B-168.4(a)

Mr. Kevin R. Campbell (Public member)	7/20/2012	6/30/2014
Ms. Robin Kegerise (Member who is a parent of a child in licensed care)	7/20/2012	6/30/2014

CHILD FATALITY TASK FORCE, NORTH CAROLINA

G.S. 7B-1402(b)(24)

Rep. Beverly M. Earle (Reappointment)	2/3/2012	1/31/2014
Rep. Dale R. Folwell (Reappointment)	2/3/2012	1/31/2014
Rep. D. Craig Horn (Reappointment)	2/3/2012	1/31/2014
Rep. Tom Murry	2/3/2012	1/31/2014
Rep. Paul Stam	2/3/2012	1/31/2014
Dr. Elaine Cabinum-Foeller (Reappointment) (Licensed pediatrician)	2/24/2012	1/31/2014
Sergeant John Guard (Member of the North Carolina Domestic Violence Commission) (Reappointment)	2/24/2012	1/31/2014
Ms. Martha Sue Hall (North Carolina League of Municipalities recommendation)	2/24/2012	1/31/2014
Dr. Martin J. McCaffrey (Public member)	2/3/2012	1/31/2014
Ms. Karen McLeod (Representative of a child advocacy group)	(Reappointment) 2/24/2012	1/31/2014

CHILDREN, INC., NORTH CAROLINA PARTNERSHIP FOR

G.S. 143B-168.12(a)(1)(f)

Mrs. Rebecca Ayers (Public member)	1/1/2012	12/31/2014
Rev. Adam Hatley (Representative of the faith)	1/1/2012	12/31/2014
Mr. Jesse F. Milliken (Board chair of a local partnership)	1/1/2012	12/31/2014

CHILDREN, INC., NORTH CAROLINA PARTNERSHIP FOR-Contd.

Ms. Sue Russell (Public member)	1/1/2012	12/31/2014
Ms. Dorothea J. Wyant (Parent position)	1/1/2012	12/31/2014

CHILDREN WITH DISABILITIES FROM BIRTH TO FIVE YEARS OF AGE, INTERAGENCY COORDINATING COUNCIL FOR

G.S. 143B-179.5

Rep. Justin P. Burr	7/18/2012	6/30/2014
Rep. Pat Hurley	7/18/2012	6/30/2014

CHILDREN, COUNCIL ON EDUCATIONAL SERVICES FOR EXCEPTIONAL

G.S. 115C-112.1

Mrs. Patricia Naylor (Parent of a child with a disability)	1/19/2012	6/30/2013
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CLEAN WATER MANAGEMENT TRUST FUND, BOARD OF TRUSTEES

G.S. 113A-255(b)(16)(17)

Mr. Kevin W. Markham (Reappointment) (Public member in position 17)	7/20/2012	6/30/2016
Mr. Charles E. Vines (Public member in position 16)	7/20/2012	6/30/2016

CODE OFFICIALS QUALIFICATION BOARD, NORTH CAROLINA

G.S. 143-151.9(a)(8)(9)

Mr. Allen Kelly (Reappointment) (Licensed heating or plumbing contractor)	7/20/2012	6/30/2016
Mr. Harry Schrum (Licensed electrical contractor)	7/20/2012	6/30/2016

COMMUNITY LIVING, THE BLUE RIBBON COMMISSION ON TRANSITIONS TO

Session Law 2012-142 Section 10.23 A.(b)

Rep. Fred F. Steen, II	8/2/2012	2/1/2013
Ms. Martha Are	8/15/2012	1/9/2013
Mr. John Bocciardi	8/15/2012	1/9/2013
Mr. Hugh Campbell	8/15/2012	1/9/2013
Mr. Connie Corhran	8/15/2012	1/9/2013
Mr. Floyd Davis	8/15/2012	1/9/2013
Ms. Jeanne Duncan	8/15/2012	1/9/2013

**COMMUNITY LIVING, THE BLUE RIBBON COMMISSION
ON TRANSITIONS TO-Contd.**

Mr. Sam Hooker	8/15/2012	1/9/2013
Mr. Jim Jarrard	8/15/2012	1/9/2013
Mr. Ken Jones	8/15/2012	1/9/2013
Ms. Leigh Ann Kingsbury	8/15/2012	1/9/2013
Mr. Bob Kucab	8/15/2012	1/9/2013
Mr. Steve Keen	8/15/2012	1/9/2013
Mr. Paul Kennedy	8/15/2012	1/9/2013
Mr. Mark Long	8/15/2012	1/9/2013
Ms. Ann Medlin	8/15/2012	1/9/2013
Dr. Beth Melcher	8/15/2012	1/9/2013
Ms. Pam Shipman	8/15/2012	1/9/2013
Ms. Regina Stavredes	8/15/2012	1/9/2013
Mr. Dennis Streets	8/15/2012	1/9/2013
Ms. Peggy Terhune	8/15/2012	1/9/2013
Mr. Michael Watson	8/15/2012	1/9/2013
Ms. Rosemary Weaver	8/15/2012	1/9/2013

COSMETIC ART EXAMINERS, STATE BOARD OF

G.S. 88B-3(a)(2)		
Ms. Polly Barnhardt	(Reappointment) 7/20/2012	6/30/2015
(Licensed cosmetologist)		

COURTS COMMISSION, NORTH CAROLINA

G.S. 7A-506(d)		
Rep. Shirley Randleman	1/18/2012	6/30/2015
Rep. Timothy L. Spear	(Reappointment) 1/30/2012	6/30/2015
Rep. Sarah Stevens	1/18/2012	6/30/2015

CRIME COMMISSION, GOVERNOR'S

G.S. 143B-478(b)(4)		
Rep. D. Craig Horn	4/5/2012	2/28/2013
Rep. Tim Moore	4/5/2012	2/28/2013

DIETETICS AND NUTRITION, NORTH CAROLINA BOARD OF

G.S. 90-354(a)(2)		
Ms. Diane L. Danchi	7/20/2012	6/30/2015
(Community or public health dietician or nutritionist)		

**DISCIPLINARY HEARING COMMISSION OF THE NORTH
CAROLINA STATE BAR**

G.S. 84-28.1		
Ms. Karen B. Ray	(Reappointment) 7/20/2012	6/30/2015
(Citizen of North Carolina not licensed to practice law)		

DISPUTE RESOLUTION COMMISSION

G.S. 7A-38.2

Mrs. Lorrie Dollar (Citizen knowledgeable about mediation)	10/1/2012	9/30/2015
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DOMESTIC VIOLENCE COMMISSION

G.S. 143B-394.15(c)(3)

Rep. John Faircloth	9/1/2012	8/31/2014
Mr. Charles E. Campbell, II (Representative of the law enforcement community)	9/1/2012	8/31/2014
Ms. Julia B. Freeman (Reappointment) (Victim services provider)	9/1/2012	8/31/2014
Mr. Matthew A. Hambidge (Magistrate)	9/1/2012	8/31/2014
Ms. Jo M. Liles (Reappointment) (Abuser treatment provider)	9/1/2012	8/31/2014
Ms. Mary Catherine Stevens (Public member)	9/1/2012	8/31/2014
Mr. George S. York, Jr. (Business community representative)	9/1/2012	8/31/2014

ECONOMIC DEVELOPMENT BOARD

G.S. 143B-434(b)

Rep. Jeffrey L. Collins	1/9/2012	7/1/2015
Rep. D. Craig Horn	1/9/2012	7/1/2015
Rep. Bill Owens (Reappointment)	1/9/2012	7/1/2015
Rep. Paul Stam	1/9/2012	7/1/2015

ECONOMIC DEVELOPMENT CENTER, INC., RURAL

Article V, Section 2 of the By-Laws

Dr. Robin G. Cummings (Reappointment) (Corporation's Board of Directors)	1/10/2012	Pleasure of Appointing Official
Mr. Lige Daughtridge (Corporation's Board of Directors)	1/10/2012	
Mr. Christopher C. Parrish (Corporation's Board of Directors)	1/10/2012	

ECONOMIC DEVELOPMENT COMMISSION, NORTHEAST**NORTH CAROLINA**

G.S. 158-8.2(b)(3)

Mr. Benjamin C. Hobbs (Reappointment) (Public member)	7/20/2012	6/30/2014
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ECONOMIC DEVELOPMENT COMMISSION, NORTHEAST**NORTH CAROLINA-Contd.**

Mr. Steven E. Howell (Public member)	(Reappointment)	7/20/2012	6/30/2014
Mr. Donny L. Lassiter (Public member)		7/20/2012	6/30/2014

ECONOMIC INVESTMENT COMMITTEE

G.S. 143B-437.54(a)(4)

Mr. Russell L. Proctor, III (Public member)		12/1/2012	11/31/2014
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EDUCATIONAL OPPORTUNITY FOR MILITARY**CHILDREN STATE COUNCIL, INTERSTATE COMMISSION ON**

Session Law 2008-185, Section 1

Rep. Rick Glazier	(Reappointment)	1/1/2012	Pleasure of Appointing Authority
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EMERGENCY MANAGEMENT OVERSIGHT COMMITTEE

G.S. 120-70.150

Rep. John Faircloth, Chair		8/22/2012	1/9/2013
Rep. James L. Boles, Jr.		8/22/2012	1/9/2013
Rep. Carolyn H. Justice		8/22/2012	1/9/2013
Rep. Jason Saine		8/22/2012	1/9/2013
Rep. Phil R. Shepherd		8/22/2012	1/9/2013
Rep. Timothy L. Spear		8/22/2012	1/9/2013

**EMERGENCY MEDICAL SERVICES ADVISORY COUNCIL,
NORTH CAROLINA**

G.S. 143-510(b)(3)

Mr. Carl R. McKnight (Public member)	(Reappointment)	1/1/2012	12/31/2015
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ENERGY POLICY COUNCIL

G.S. 113B-3(a)(1)

Rep. Mitch Gillespie		2/17/2012	1/31/2013
Rep. Mike Hager		2/17/2012	1/31/2013

ENVIRONMENTAL MANAGEMENT COMMISSION

G.S. 143B-283(d)

Mr. Benne C. Hutson (Public member Seat 18)		7/9/2012	6/30/2014
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FORESTRY ADVISORY COUNCIL

G.S. 143B-309(a)(3)

Mr. Chris Logan (Representative of the logging industry)	2/13/2012	6/30/2015
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FUNERAL SERVICE, BOARD OF

G.S. 90-210.18A(b)(5)

Mr. James Broadus Combs (Public member)	1/1/2012	12/31/2014
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GENERAL STATUTES COMMISSION

G.S. 164-14(a)(6)

Rep. John M. Blust	2/6/2012	5/31/2013
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**GEOGRAPHIC INFORMATION COORDINATING COUNCIL,
NORTH CAROLINA**

G.S. 143-726(c)

Mr. James A. Bissett, Jr. (Reappointment)	8/6/2012	6/30/2015
Mr. Stan C. Duncan	8/6/2012	6/30/2015

**GOLDEN L.E.A.F. (Long-Term Economic Advancement Foundation)
INC., BOARD OF DIRECTORS**

Session Law 1999-2, Section 2(c)

Mr. Johnathan Rhyne (Filling the unexpired term of Mr. Michael Almond)	5/18/2012	11/30/2012
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**GOVERNMENTAL OPERATIONS, JOINT LEGISLATIVE
COMMISSION ON**

G.S. 120-74

Rep. Marilyn Avila (Filling the unexpired term of Rep. Harold J. Brubaker)	9/7/2012	1/15/2013
Rep. Pat B. Hurley (Filling the unexpired term of Rep. Daniel F. McComas)	9/7/2012	1/15/2013
Rep. David R. Lewis (Filling the unexpired term of Rep. David Guice)	1/18/2012	1/15/2013

HOLOCAUST, NORTH CAROLINA COUNCIL ON THE

G.S. 143A-48.1(b)

Dr. Birgit Clager	2/27/2012	6/30/2013
Mr. Chris Hobart	2/27/2012	6/30/2013
Ms. Lori Katzenstein	2/27/2012	6/30/2013
Ms. Karen Klaich (Reappointment)	2/27/2012	6/30/2013
Ms. Mary Lee	2/27/2012	6/30/2013
Ms. Nancy Miller (Reappointment)	2/27/2012	6/30/2013

HOUSING PARTNERSHIP, NORTH CAROLINA

G.S. 122E-4(b)(5)

Mr. Daniel C. Ayscue (At-large member)	9/1/2012	8/31/2015
Mr. Brian D. Coyle (Reappointment)	9/1/2012	8/31/2015
Mr. R. Scott Dedman (Reappointment)	9/1/2012	8/31/2015
(Representative of a non-profit housing development corporation)		
Mr. Dan W. Kornelis (At-large member)	9/1/2012	8/31/2015
Ms. Melody Smith (Reappointment)	9/1/2012	8/31/2015
(Representative of residents of low income housing)		

HUMAN RELATIONS COMMISSION, NORTH CAROLINA

G.S. 143B-392(a)

Ms. Venita Peyton	5/30/2012	6/30/2014
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INAUGURAL CEREMONIES, COMMITTEE ON

G.S. 143-533

Rep. N. Leo Daughtry	7/1/2012	7 days
Rep. Jerry C. Dockham	7/1/2012	immediately
Rep. Julia C. Howard	7/1/2012	following inauguration

INDIAN AFFAIRS, NORTH CAROLINA STATE COMMISSION ON

G.S. 143B-407(a)

Ms. Faline Locklear Dial (Public member)	(Reappointment) 7/20/2012	6/30/2014
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INDIGENT DEFENSE SERVICES, COMMISSION ON

G.S. 7A-498.4(b)(4)

Mr. David Mark Hullender (Attorney)	9/1/2012	8/31/2016
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INTERSTATE ADULT OFFENDER SUPERVISION, NORTH CAROLINA STATE COUNCIL FOR

G.S. 148-65.6(a)(5)

Rep. Sarah Stevens	3/13/2012	6/30/2014
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IRRIGATION CONTRACTORS LICENSING BOARD, NORTH CAROLINA

G.S. 89G-4(a)(2)

Mr. Michael F. Currin (Irrigation contractor)	(Reappointment) 10/1/2012	9/30/2015
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**JOBS (JOINING OUR BUSINESSES AND SCHOOLS) STUDY
COMMISSION, JOINT LEGISLATIVE**

Session Law 2009-339

Rep. Nelson Dollar, Vice-Chairman	2/16/2012	6/30/2012
Rep. David R. Lewis	2/16/2012	6/30/2012
Rep. Tom Murry	2/16/2012	6/30/2012

**JUDICIAL AND PROSECUTORIAL DISTRICTS, STUDY
COMMITTEE ON CONSOLIDATION OF**

Session Law 2011-145 Section 15.11.(a)(1)

Rep. Sarah Stevens	1/23/2012	12/31/2012
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(Filling the unexpired term of Rep. David Guice)

**JUSTICE AND PUBLIC SAFETY JOINT LEGISLATIVE
OVERSIGHT COMMITTEE ON**

G.S. 120-70.93

Rep. James L. Boles, Jr., Co-Chairman	1/23/2012	1/15/2013
Rep. Trudi Walend	1/23/2012	1/15/2013

(Filling the unexpired term of Rep. David Guice)

LEGISLATIVE RESEARCH COMMISSION

G.S. 120-30.10(a)

Rep. Tim Moore, Chair	8/23/2011	1/15/2013
Rep. John M. Blust	8/15/2011	1/15/2013
Rep. Justin P. Burr	8/15/2011	1/15/2013
Rep. Mike Hager	8/15/2011	1/15/2013
Rep. Edith D. Warren	8/15/2011	1/15/2013

(Advisory Subcommittee on Age of Juvenile Offenders)

G.S. 120-30.17

Rep. Marilyn Avila, Chair	9/18/2012	1/15/2013
Rep. John M. Blust	9/18/2012	1/15/2013
Rep. Jamie L. Boles, Jr.	9/18/2012	1/15/2013
Rep. Larry D. Hall	9/18/2012	1/15/2013
Rep. Darren G. Jackson	9/18/2012	1/15/2013
Rep. David Lewis	9/18/2012	1/15/2013
Mr. Edmond W. Caldwell	9/10/2012	1/15/2013
Mr. Seth H. Edwards	9/20/2012	1/15/2013
Hon. Marcia Morey	9/10/2012	1/15/2013
Hon. Frank Palombo	9/20/2012	1/15/2013

(Advisory Subcommittee on Wetland and Stream Mitigation)

G.S. 120-30.17

Rep. David Lewis, Chair	9/18/2012	1/15/2013
Rep. Kelly Hastings	9/18/2012	1/15/2013
Rep. Frank Iler	9/18/2012	1/15/2013

LEGISLATIVE RESEARCH COMMISSION-Contd.

Rep. Rodney Moore	9/18/2012	1/15/2013
Rep. Tim Moore	9/18/2012	1/15/2013
Mr. Christopher A. Huysman (Engineer)	8/30/2012	1/15/2013
Mr. David N. Levinson (Developer)	8/30/2012	1/15/2013

(Study Committee on Career and Technical Education)

G.S. 120-30.17

Rep. Bryan Holloway, Chair	9/18/2012	1/15/2013
Rep. Hugh Blackwell	9/18/2012	1/15/2013
Rep. John M. Blust	9/18/2012	1/15/2013
Rep. Tricia Ann Cotham	9/18/2012	1/15/2013
Rep. James H. Landon, Jr.	9/18/2012	1/15/2013

(Study Committee on Contingency Fee Audits)

G.S. 120-30.17

Rep. Paul Stam, Chair	9/18/2012	1/15/2013
Rep. Rayne Brown	9/18/2012	1/15/2013
Rep. Justin P. Burr	9/18/2012	1/15/2013
Rep. Darrell G. McCormick	9/18/2012	1/15/2013
Rep. Michael H. Wray	9/18/2012	1/15/2013

**(Study Committee on Digital Learning Environments
in Public Schools)**

G.S. 120-30.17

Rep. D. Craig Horn, Chair	9/18/2012	1/15/2013
Rep. Linda P. Johnson	9/18/2012	1/15/2013
Rep. Marvin W. Lucas	9/18/2012	1/15/2013
Rep. Jason Saine	9/18/2012	1/15/2013
Rep. Harry Warren	9/18/2012	1/15/2013
Rep. Marcus Brandon	9/18/2012	1/15/2013

(Study Committee on Pathological Materials)

G.S. 120-30.17

Rep. Tom Murry, Chair	9/18/2012	1/15/2013
Rep. William D. Brisson	9/18/2012	1/15/2013
Rep. Bert Jones	9/18/2012	1/15/2013
Rep. Chuck McGrady	9/18/2012	1/15/2013
Rep. Sarah Stevens	9/18/2012	1/15/2013

LOCKSMITH LICENSING BOARD, NORTH CAROLINA

G.S. 74F-5(a)(2)

Mr. T. Alan Boone	(Reappointment)	1/1/2012	12/31/2014
(Locksmith representing a recognized locksmith organization)			

MANUFACTURED HOUSING BOARD, NORTH CAROLINA

G.S. 143-143.10

Mr. Michael C. Adcock	7/20/2012	6/30/2015
(Banking and finance industry representative)		
Mr. Douglas S. Ramsey	7/20/2012	6/30/2015
(Insurance industry representative)		
Ms. Nina S. Walker	7/20/2012	6/30/2015
(Employee with a HUD approved housing counseling agency)		

MASSAGE AND BODYWORK THERAPY, NORTH CAROLINA BOARD OF

G.S. 90-625(a)(1)

Mr. David Bedington	7/20/2012	6/30/2015
(Massage therapist licensed to practice within the last 5-7 years)		
Ms. Renee D. Hays	7/20/2012	6/30/2015
(Massage therapist licensed to practice within the last 5-7 years)		

MENTAL HEALTH, DEVELOPMENTAL DISABILITIES AND SUBSTANCE ABUSE SERVICES COMMISSION FOR

G.S. 143B-148(a)(1)

Mr. Roger L. Dillard, Jr.	7/20/2012	6/30/2015
(Attorney licensed in NC with experience in the practice of mental health law)		
Ms. Ann Shaw	7/20/2012	6/30/2015
(Public member)		
Dr. Peggy S. Terhune	7/20/2012	6/30/2015
(Person holding a Ph.D in developmental disabilities)		

MILITARY AFFAIRS, NORTH CAROLINA ADVISORY COMMISSION ON

G.S. 127C-2(b)(1)

Mr. Charles S. Campbell	8/8/2012	12/31/2013
Mr. Ralph W. Peters	8/8/2012	12/31/2013
Ms. Fran Perez Wilhite	9/14/2012	12/31/2013

MINING AND ENERGY COMMISSION, NORTH CAROLINA

S.L. 2012-187 and S.L. 2012-143

Mr. Raymond Covington	8/1/2012	6/30/2015
(Member of a non-governmental conservation interest in Seat 4)		
Mr. Charles E. Holbrook	8/1/2012	6/30/2015
(Geologist with experience in oil and gas exploration and development in Seat 7)		

MINING AND ENERGY COMMISSION, NORTH CAROLINA-Contd.

Mr. William McNeely, III	8/1/2012	6/30/2015
(Representative of the mining industry in Seat 6)		
Mr. Charles Taylor	8/1/2012	6/30/2015
(Elected official of a municipal government located in the Triassic Basin of North Carolina in Seat 5)		

MINORITY HEALTH ADVISORY COUNCIL

G.S. 130A-33.44(a)(2)		
Rep. Beverly M. Earle	(Reappointment) 10/19/2012	6/30/2014
Rep. Jean Farmer-Butterfield	(Reappointment) 10/19/2012	6/30/2014

NATURAL HERITAGE TRUST FUND BOARD OF TRUSTEES

G.S. 113-77.8(a)		
Mr. Alan D. Briggs	1/1/2012	1/1/2018
(Public member)		

NURSING BOARD OF DIRECTORS, NORTH CAROLINA**CENTER FOR**

G.S. 90-171.71		
Mr. James L. Forte	1/1/2012	12/31/2015
(Public member)		

ON-SITE WASTEWATER CONTRACTORS AND INSPECTION CERTIFICATION BOARD, NORTH CAROLINA

G.S. 90A-73(a)(9)		
Ms. Diana Rashash	(Reappointment) 7/20/2012	6/30/2015
(Individual who is employed by the NC Cooperative Extension Service knowledgeable in the area of on-site wastewater systems)		

PARKS AND RECREATION AUTHORITY, NORTH CAROLINA

G.S. 143B-313.2(a)(6 and 7)		
Mr. Paul A. Herbert	7/20/2012	6/30/2015
(Public member)		
Mr. Edward W. Wood	(Reappointment) 7/20/2012	6/30/2015
(Public member)		

PORTS AUTHORITY, NORTH CAROLINA STATE

G.S. 143B-452(e)(1)		
Mr. Luther H. Hodges, Jr.	7/16/2012	6/30/2014
(Public member)		

PRIVATE PROTECTIVE SERVICES BOARD

G.S. 74C-4		
Mr. Marcus T. Benson	7/20/2012	6/30/2015
(Licensee)		

PRIVATE PROTECTIVE SERVICES BOARD-Contd.

Mr. William F. Booth (Licensee)	(Reappointment) 7/20/2012	6/30/2015
Mr. Robert M. Clark (Licensee)	(Reappointment) 7/20/2012	6/30/2015
Mr. Clyde R. Cook, Jr. (Licensee)	7/20/2012	6/30/2015

**PROGRAM EVALUATION OVERSIGHT COMMITTEE,
JOINT LEGISLATIVE**

G.S. 120-36.15

Rep. Tim D. Moffitt	8/3/2012	Current term
(Filling the unexpired term of Rep. Stephen A. LaRoque who resigned)		

PROPRIETARY SCHOOLS, STATE BOARD OF

Session Law 2011-308

Mr. Scott Aaron	1/1/2012	12/30/2017
Mr. Kuburat Ganiyu	1/1/2012	12/30/2014

**PUBLIC SCHOOL FORUM OF NORTH CAROLINA
BOARD OF DIRECTORS**

Bylaws

Rep. Hugh Blackwell	1/18/2012	12/31/2012
Rep. Marcus Brandon, Jr.	1/18/2012	12/31/2012
Rep. Bryan R. Holloway	1/18/2012	12/31/2012
Rep. Linda P. Johnson	1/18/2012	12/31/2012

RESPIRATORY CARE BOARD, NORTH CAROLINA

G.S. 90-650(a)(2)

Dr. Paul Coyle, MD (Physician)	(Reappointment) 11/1/2012	10/31/2015
Mr. Larry B. Simpson (Respiratory care practitioner)	11/1/2012	10/31/2015

REVENUE LAWS STUDY COMMITTEE

G.S. 120-70.105(a)(2)

Rep. William Brawley	9/7/2012	1/15/2013
(Filling the unexpired term of Rep. Daniel F. McComas)		
Rep. Tom Murry	8/3/2012	1/15/2013
(Filling the unexpired term of Rep. Harold J. Brubaker)		

ROANOKE ISLAND COMMISSION

G.S. 143B-131.6(a)(3)

Mr. Kenneth J. Daidone (Public member)	7/20/2012	6/30/2014
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ROANOKE ISLAND COMMISSION-Contd.

Mr. Robert Partridge (Public member)	7/20/2012	6/30/2014
Ms. Agnes B. Powell (Public member)	7/20/2012	6/30/2014

RULES REVIEW COMMISSION

G.S. 143B-30.1(a)		
Ms. Anna Baird Choi (Public member)	7/20/2012	6/30/2014
Ms. Jeanette K. Doran (Public member)	7/20/2012	6/30/2014

**SENTENCING AND POLICY ADVISORY COMMISSION,
NORTH CAROLINA**

G.S. 164-37(12)		
Rep. N. Leo Daughtry (Filling the unexpired term of Rep. David Guice)	1/23/2012	6/30/2013

**SHERIFFS' EDUCATION AND TRAINING STANDARDS
COMMISSION, NORTH CAROLINA**

G.S. 17E-3(a)(2)		
Hon. Maynard B. Reid, Jr. (Public member)	7/20/2012	6/30/2015

**SMALL BUSINESS CONTRACTOR AUTHORITY,
NORTH CAROLINA**

G.S. 143B-472.102(b)(2)		
Mr. Brandon S. Neuman (Public member)	1/1/2012	12/31/2015
Mr. Jack W. Westall, Jr. (Public member)	1/1/2012	12/31/2015

STATE COMMUNITY CORRECTIONS ADVISORY BOARD

G.S. 143B-1157(a)(2)(9)(14)		
Rep. Justin P. Burr	2/13/2012	8/31/2012
Hon. William Briggs (County commissioner from a predominantly rural county)	2/13/2012	8/31/2013
Mr. Christopher R. Hailey (Public member)	2/13/2012	8/31/2014

STATE CONSUMER AND FAMILY ADVISORY COMMITTEE

G.S. 122C-171(b)(3)

Mr. Samuel Hargrove	10/26/2012	6/30/2015
(Representative of the Central Region)		

STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES, BOARD OF TRUSTEES OF THE

G.S. 135-48.20

Mr. Billy S. Medlin	(Reappointment) 1/1/2012	6/30/2014
(Retired teacher from a North Carolina public school system)		
Dr. Warren P. Newton	(Reappointment) 1/1/2012	6/30/2015
(Expert in health economics)		

STATE LIBRARY COMMISSION

G.S. 143B-91(a)

Dr. Joyce W. Beatty	1/12/2012	6/30/2013
(Public member)		

STATE LOTTERY COMMISSION, NORTH CAROLINA

G.S. 18C-112(c)

Mr. W. Keith Ballentine	9/1/2012	8/31/2017
(Public member)		

SUPPLEMENTAL RETIREMENT BOARD OF TRUSTEES, NORTH CAROLINA

G.S. 135-96(b)(2)

Ms. Mona M. Keech	(Reappointment) 7/20/2012	6/30/2014
(Public member)		

SUSTAINABLE LOCAL FOOD ADVISORY COUNCIL, NORTH CAROLINA

G.S. 106-831(a)(4)(8)(22)

Mr. Phil Hudson	(Reappointment) 7/20/2012	6/30/2015
(Representative for NC State Grange)		
Ms. Margaret Newbold	8/7/2012	6/30/2015
(Representative for Conservation Trust for North Carolina)		
Mr. Robert B. Pike	7/20/2012	6/30/2015
(Organic food producer)		
Mr. Russell W. Vollmer	7/20/2012	6/30/2015
(Organic food producer)		

TEACHING FELLOWS COMMISSION, NORTH CAROLINA

G.S. 115C-363.23(a)(5)

Mr. Jeremy Freeman	7/20/2012	6/30/2016
(Public member)		

TOBACCO TRUST FUND COMMISSION

G.S. 143-717(b)(3)(c)(e)

Mr. Ernest B. Averett, III	10/10/2012	6/30/2016
(Former flue-cured allotment holder who is not also a flue-cured tobacco farmer)		
Mr. Daniel Layten Davis (Reappointment)	9/25/2012	6/30/2015
(Designation as a burley tobacco farmer)		
Mr. Clay M. Strickland	9/25/2012	6/30/2016
(At-large member)		

TRANSITIONS TO COMMUNITY LIVING, BLUE RIBBON COMMISSION ON

Session Law 2012-142

Rep. Nelson Dollar, Chairman	7/27/2012	2/1/2013
Rep. Marilyn Avila	7/27/2012	2/1/2013
Rep. William D. Brisson	7/27/2012	2/1/2013
Rep. Justin P. Burr	7/27/2012	2/1/2013
Rep. Mark W. Hollo	7/27/2012	2/1/2013

TRANSPORTATION OVERSIGHT COMMITTEE, JOINT LEGISLATIVE

G.S. 120-70.50(2)

Rep. John A. Torbett	9/7/2012/15/2013
(Filling the unexpired term of Rep. Daniel F. McComas)	

VETERINARY MEDICAL BOARD, NORTH CAROLINA

G.S. 90-182(a)

Mr. Jonathan S. Loftis	7/20/2012	6/30/2017
(Registered veterinary technician)		

VOCATIONAL REHABILITATION ADVISORY COUNCIL

G.S. 143-548(a)(2)

Ms. Laurie Ray	1/4/2012	6/30/2014
(Representing the Department of Public Instruction)		

WELL CONTRACTORS CERTIFICATION COMMISSION

G.S. 143B-301.11

Ms. Cassandra Champion (Reappointment)	7/20/2012	6/30/2015
(Employee of a local health department who is actively engaged in well inspection and permitting)		

WIRELESS 911 BOARD

G.S. 62A-41(a)(2)(a)

Hon. Len D. Hagaman, Jr.	7/20/2012	12/31/2014
(Filling the unexpired term of Hon. Rick Davis)		

**WORKERS COMPENSATION INSURANCE COVERAGE
COMPLIANCE AND FRAUD PREVENTION AND DETECTION,
JOINT LEGISLATIVE COMMITTEE ON**

Session Law 2012-135

Rep. Dale R. Folwell, Chairman	10/3/2012	Final Report
Rep. Jeff Collins	10/3/2012	
Rep. Nelson Dollar	10/3/2012	
Rep. Pat McElraft	10/3/2012	

North Carolina House of Representatives

Office of the Speaker

**TO THE HONORABLE MEMBERS OF THE NORTH CAROLINA
HOUSE OF REPRESENTATIVES**

**HOUSE SELECT COMMITTEE
ON METHAMPHETAMINE ABUSE**

Section 1. The House Select Committee on Methamphetamine Abuse (hereinafter "Committee") is established by the Speaker of the House of Representatives pursuant to G.S. 120-19.6(a1) and Rule 26 of the Rules of the House of Representatives of the 2011 General Assembly.

Section 2. The Committee consists of the 9 members listed below, appointed by the Speaker of the House of Representatives. Members serve at the pleasure of the Speaker of the House of Representatives. The Speaker of the House of Representatives may dissolve the Committee at any time.

Representative Craig Horn, Co-Chair
Representative John Faircloth, Co-Chair
Representative Tom Murry
Representative Sarah Stevens
Representative Mark Hollo
Representative Annie Mobley
Representative Marian McLawhorn
Representative Joe Tolson
Representative Justin Burr
Representative Mickey Michaux
Representative Trudi Walend

Section 3. The Committee may study all of the following:

- (1) The provisions, implementation and effects on the production of methamphetamine of House Bill 12 of the 2011 General Assembly, S. L. 2011-240, including the number of methamphetamine labs that are discovered annually.
- (2) The potential costs of making pseudoephedrine products Schedule III controlled substances.
- (3) Whether more stringent methods for curtailing methamphetamine production should be authorized.
- (4) Any other issues related to the prevention of methamphetamine abuse.

Section 4. The Committee shall meet upon the call of its Co-Chairs. A quorum of the Committee shall be a majority of its members.

Section 5. The Committee, while in the discharge of its official duties, may exercise all powers provided for under G.S. 120-19 and Article 5A of Chapter 120 of the General Statutes.

Section 6. Members of the Committee shall receive per diem, subsistence, and travel allowance as provided in G.S. 120-3.1.

Section 7. The expenses of the Committee including per diem, subsistence, travel allowances for Committee members, and contracts for professional or consultant services shall be paid upon the written approval of the Speaker of the House of Representatives pursuant to G.S. 120-32.02(c) and G.S. 120-35 from funds available to the House of Representatives for its operations.

Section 8. The Legislative Services Officer shall assign professional and clerical staff to assist the Committee in its work. The Director of Legislative Assistants of the House of Representatives shall assign clerical support staff to the Committee.

Section 9. The Committee may submit an interim report on the results of the study, including any proposed legislation, on or before May 1, 2012, by filing a copy of the report with the Office of the Speaker of the House of Representatives, the House Principal Clerk, and the Legislative Library. The Committee shall submit a final report on the results of its study, including any proposed legislation, to the members of the House of Representatives prior to the convening of the 2013 General Assembly by filing the final report with the Office of the Speaker of the House of Representatives, the House Principal Clerk, and the Legislative Library.

The Committee terminates upon the convening of the 2013 General Assembly or upon the filing of its final report, whichever occurs first.

Effective this the 15th day of September, 2011.

/S/ Thom Tillis
Speaker

Revised January 23, 2012 to add Representative Trudi Walend to replace Representative David Guice.

North Carolina House of Representatives

Office of the Speaker

**TO THE HONORABLE MEMBERS OF THE NORTH CAROLINA
HOUSE OF REPRESENTATIVES**

**HOUSE SELECT COMMITTEE ON
RACIAL DISCRIMINATION IN CAPITAL CASES**

Section 1. The House Select Committee on Racial Discrimination in Capital Cases (hereinafter "Committee") is established by the Speaker of the House of Representatives pursuant to G.S. 120-19.6(a1) and Rule 26 of the Rules of the House of Representatives of the 2011 General Assembly.

Section 2. The Committee consists of the 10 members listed below, appointed by the Speaker of the House of Representatives. Members serve at the pleasure of the Speaker of the House of Representatives. The Speaker of the House of Representatives may dissolve the Committee at any time.

Representative Tim Moore, Chair
Representative Paul Stam
Representative Justin Burr
Representative Sarah Stevens
Representative Shirley Randleman
Representative John Faircloth
Representative Tim Spear
Representative Larry Hall
Representative Joe Hackney
Representative Earline Parmon

Section 3. The Committee may study evidence of racial discrimination in capital cases and determine if legislative action is needed to address such issues.

Section 4. The Committee shall meet upon the call of its Chair. A quorum of the Committee shall be a majority of its members.

Section 5. The Committee, while in the discharge of its official duties, may exercise all powers provided for under G.S. 120-19 and Article 5A of Chapter 120 of the General Statutes.

Section 6. Members of the Committee shall receive per diem, subsistence, and travel allowance as provided in G.S. 120-3.1.

Section 7. The expenses of the Committee including per diem, subsistence, travel allowances for Committee members, and contracts for professional or consultant services shall be paid upon the written approval of the Speaker of the House of Representatives pursuant to G.S. 120-32.02(c) and G.S. 120-35 from funds available to the House of Representatives for its operations.

Section 8. The Legislative Services Officer shall assign professional and clerical staff to assist the Committee in its work. The Director of Legislative Assistants of the House of Representatives shall assign clerical support staff to the Committee.

Section 9. The Committee may submit an interim report on the results of the study, including any proposed legislation, on or before May 1, 2012, by filing a copy of the report with the Office of the Speaker of the House of Representatives, the House Principal Clerk, and the Legislative Library. The Committee shall submit a final report on the results of its study, including any proposed legislation, to the members of the House of Representatives prior to the convening of the 2013 General Assembly by filing the final report with the Office of the Speaker of the House of Representatives, the House Principal Clerk, and the Legislative Library. The Committee terminates upon the convening of the 2013 General Assembly or upon the filing of its final report, whichever occurs first.

Effective this the 24th day of January, 2012.

/S/ Thom Tillis
Speaker

North Carolina House of Representatives**Office of the Speaker****TO THE HONORABLE MEMBERS OF THE NORTH CAROLINA
HOUSE OF REPRESENTATIVES****HOUSE SELECT COMMITTEE TO INVESTIGATE
THE HANDLING OF THE CTS CONTAMINATION
SITE IN BUNCOMBE COUNTY**

Section 1. The House Select Committee to Investigate the Handling of the CTS Contamination Site (hereinafter "Committee") was established by the House of Representatives pursuant to HR 186 and Rule 26(a) of the Rules of the House of Representatives of the 2011 General Assembly.

Section 2. The Committee consists of the 9 members listed below, appointed by the Speaker of the House of Representatives. Members serve at the pleasure of the Speaker of the House of Representatives.

Representative Timothy D. Moffitt, Chair
Representative Marcus Brandon
Representative John Faircloth
Representative Bill Faison
Representative Mitch Gillespie
Representative Mike Hager
Representative Chuck McGrady
Representative Timothy L. Spear
Representative Roger West
*Representative Mitchell Setzer

Section 3. Pursuant to Section 3 of HR 186, the Committee shall conduct an investigation of the Department of Environment and Natural Resources' handling of the CTS contamination site in Buncombe County and other related issues in the discretion of the Committee.

Section 4. The Committee shall meet upon the call of its Chair. A quorum of the Committee shall be a majority of its members. The Committee is authorized to meet in the interim period between sessions.

Section 5. Pursuant to HR 186, the Committee, while in the discharge of its official duties, may exercise all powers provided for under

G.S. 120-19 and Article 5A of Chapter 120 of the General Statutes. Subpoenas may be issued as provided in G.S. 120-19.2.

Section 6. Members of the Committee shall receive per diem, subsistence, and travel allowance as provided in G.S. 120-3.1.

Section 7. The expenses of the Committee including per diem, subsistence, travel allowances for Committee members, and contracts for professional or consultant services shall be paid upon the written approval of the Speaker of the House of Representatives pursuant to G.S. 120-32.02(c) and G.S. 120-35 from funds available to the House of Representatives for its operations.

Section 8. The Legislative Services Officer shall assign professional and clerical staff to assist the Committee in its work. The Director of Legislative Assistants of the House of Representatives shall assign clerical support staff to the Committee.

Section 9. The Committee may submit an interim report on the results of the investigation, including any proposed legislation, on or before May 1, 2012, by filing a copy of the report with the Office of the Speaker of the House of Representatives, the House Principal Clerk, and the Legislative Library. The Committee shall submit a final report on the results of its study, including any proposed legislation, to the members of the House of Representatives by December 31, 2012, by filing the final report with the Office of the Speaker of the House of Representatives, the House Principal Clerk, and the Legislative Library. The Committee terminates December 31, 2012, or upon the filing of its final report, whichever occurs first.

Effective this the 7th day of October, 2011.

/S/ Thom Tillis
Speaker of the House of Representatives

*Revised on January 20, 2012 to add Representative Mitchell Setzer to the Committee which brings the total number of members to 10.

North Carolina House of Representatives

Office of the Speaker

**TO THE HONORABLE MEMBERS OF THE NORTH CAROLINA
HOUSE OF REPRESENTATIVES**

**HOUSE SELECT COMMITTEE ON THE STATE'S ROLE
IN IMMIGRATION POLICY.**

Section 1. The House Select Committee on the State's Role in Immigration Policy (hereinafter "Committee") is established by the Speaker of the House of Representatives pursuant to G.S. 120-19.6(a1) and Rule 26 of the Rules of the House of Representatives of the 2011 General Assembly.

Section 2. The Committee consists of the 12 members listed below, appointed by the Speaker of the House of Representatives. Members serve at the pleasure of the Speaker of the House of Representatives. The Speaker of the House of Representatives may dissolve the Committee at any time.

Representative Frank Iler, Chair
Representative Harry Warren, Chair
Representative Dale Folwell
Representative John Faircloth
Representative Sarah Stevens
Representative Edgar Starnes
Representative William Brisson
Representative Michael Wray
Representative Garland Pierce
Representative George Cleveland
Representative Bert Jones
*Representative Susi Hamilton

Section 3. The Committee may examine the State's role in immigration policy, including the effectiveness of laws already in effect pertaining to immigration as well as best practices in other states.

Section 4. The Committee shall meet upon the call of its Co-Chairs. A quorum of the Committee shall be a majority of its members.

Section 5. The Committee, while in the discharge of its official duties, may exercise all powers provided for under G.S. 120-19 and Article 5A of Chapter 120 of the General Statutes.

Section 6. Members of the Committee shall receive per diem, subsistence, and travel allowance as provided in G.S. 120-3.1.

Section 7. The expenses of the Committee including per diem, subsistence, travel allowances for Committee members, and contracts for professional or consultant services shall be paid upon the written approval of the Speaker of the House of Representatives pursuant to G.S. 120-32.02(c) and G.S. 120-35 from funds available to the House of Representatives for its operations.

Section 8. The Legislative Services Officer shall assign professional and clerical staff to assist the Committee in its work. The Director of Legislative Assistants of the House of Representatives shall assign clerical support staff to the Committee.

Section 9. The Committee may submit an interim report on the results of the study, including any proposed legislation, on or before May 1, 2012, by filing a copy of the report with the Office of the Speaker of the House of Representatives, the House Principal Clerk, and the Legislative Library. The Committee shall submit a final report on the results of its study, including any proposed legislation, to the members of the House of Representatives prior to the convening of the 2013 General Assembly by filing the final report with the Office of the Speaker of the House of Representatives, the House Principal Clerk, and the Legislative Library on or before December 31, 2012. The Committee terminates upon the filing of its final report.

Effective this the 23rd day of September, 2011.

/S/ Thom Tillis
Speaker

*Revised on January 19, 2012 to appoint Representative Susi Hamilton to replace Representative Ray Rapp.

North Carolina House of Representatives

Office of the Speaker

**TO THE HONORABLE MEMBERS OF THE NORTH CAROLINA
HOUSE OF REPRESENTATIVES**

HOUSE UNEMPLOYMENT FRAUD TASK FORCE

Section 1. The House Unemployment Fraud Task Force (hereinafter "Committee") is established by the Speaker of the House of Representatives pursuant to G.S. 120-19.6(a1) and Rule 26 of the Rules of the House of Representatives of the 2011 General Assembly.

Section 2. The Committee consists of the 9 members listed below, appointed by the Speaker of the House of Representatives. Members serve at the pleasure of the Speaker of the House of Representatives. The Speaker of the House of Representatives may dissolve the Committee at any time.

Representative Marilyn Avila, Co-Chair
Representative G. L. Pridgen, Co- Chair
Representative Tim Moffitt
Representative Julia Howard
Representative Harry Warren
Representative Trudi Walend
Representative Rodney Moore
Representative Annie Mobley
Representative Susi Hamilton

Section 3. The Committee may study the following issues related to unemployment and unemployment fraud in this State and determine if legislative action is needed to address the issues:

1. Best practices from other states in unemployment fraud prevention and recovery.
2. Utilization of existing unemployment fraud programs and resources, including the North Carolina Division of Employment Security's participation in the Federal Treasury Offset Program (TOP) and the potential for federal funding for implementation.
3. Definition of unemployment fraud and protocols for pursuing unemployment overpayments.
4. Penalties for unemployment benefit fraud and consistency with penalties for fraud in other programs.
5. Statute of limitations for pursuing fraudulent unemployment overpayments.
6. Other ways to reduce fraud in the unemployment system.
7. Ways to making workforce development and job placement a core mission of the Division of Employment Security.

Section 4. The Committee shall meet upon the call of its Co-Chairs. A quorum of the Committee shall be a majority of its members.

Section 5. The Committee, while in the discharge of its official duties, may exercise all powers provided for under G.S. 120-19 and Article 5A of Chapter 120 of the General Statutes.

Section 6. Members of the Committee shall receive per diem, subsistence, and travel allowance as provided in G.S. 120-3.1.

Section 7. The expenses of the Committee including per diem, subsistence, travel allowances for Committee members, and contracts for professional or consultant services shall be paid upon the written approval of the Speaker of the House of Representatives pursuant to G.S. 120-32.02(c) and G.S. 120-35 from funds available to the House of Representatives for its operations.

Section 8. The Legislative Services Officer shall assign professional and clerical staff to assist the Committee in its work. The Director of Legislative Assistants of the House of Representatives shall assign clerical support staff to the Committee.

Section 9. The Committee shall submit a report on the results of the study, including any proposed legislation, to the members of the House of Representatives on or before May 15, 2012, by filing a copy of the report with the Office of the Speaker of the House of Representatives, the House Principal Clerk, and the Legislative Library. The Committee may also report to the 2013 General Assembly by filing a report as set forth herein on or before December 31, 2012. The Committee terminates on December 31, 2012, or upon the filing of its final report, whichever occurs first.

Effective this the 15th day of March, 2012.

/S/ Thom Tillis
Speaker

**EXECUTIVE ORDERS BY
GOVERNOR BEVERLY EAVES PERDUE
By Title
January 1, 2012 - October 31, 2012**

Number	Title
113	Further Extend Unemployment Benefits to Protect the Safety, Health, and Welfare of North Carolina’s Long-Term Unemployed
114	Proclamation of a State of Disaster for Burke and Rutherford Counties
115	Proclamation of a State of Disaster for Pamlico and Tyrrell Counties
116	Establish a Moratorium on the Collection of New Tolls for the North Carolina Ferry System
117	Proclamation of a State of Disaster for Cherokee County

- 118 High Standards for Shale Gas Development in North Carolina
- 119 Extending the Governor's Gang Task Force
- 120 Emergency Relief for Topical Storm Debby
- 121 Emergency Relief for States Impacted by Severe Weather
- 122 State Transportation Logistics Coordinating Council
- 123 North Carolina Statewide Independent Living Council
- 124 Protecting Military Installations by Ensuring the Compatibility of State Action with Military Needs
- 125 Establishing the Governor's Task Force on Employee Misclassification
- 126 Declaration of a State of Disaster for Halifax and Northhampton Counties
- 127 Declaration of a State of Disaster for the Town of Murphy
- 128 Expanding Opportunities for At-Risk Four-Year-Olds to Achieve Academic Success through North Carolina's Pre-Kindergarten Program
- 129 Declaration of a State of Emergency by the Governor of the State of North Carolina
- 130 Emergency Relief for Tropical Storm/Hurricane Sandy
- 131 Declaration of a State of Emergency by the Governor of the State of North Carolina

**FINAL DISPOSITION OF BILLS
IN HOUSE COMMITTEES**

AGRICULTURE

- HB 65 NORTH CAROLINA FARMERS FREEDOM PROTECTION ACT.
- HB 136 CLARIFY 2010 IMPROVE SUCCESS OF FISHERY MANAGEMENT PLANS.

- HB 446 LABELING REQUIREMENTS/GENETICALLY MODIFIED FOODS AND RECOMBINANT BOVINE GROWTH HORMONE IN FOOD.
- HB 465 RENEWABLE ENERGY AND ENERGY EFFICIENCY PORTFOLIO STANDARDS CREDITS AT CLEANFIELDS PARKS.
- HB 529 SWINE HOUSE RENOVATIONS/SITE LIMITS.
- HB 838 PROTECT YOUTH/FARM FAMILY EMPLOYMENT.
- HB 1094 CONTINUE LOCAL FOOD ADVISORY COUNCIL.
- HB 1095 SMALL FARM PROFITABILITY/EGG SALES.
- HB 1099 SUPPORT PROCUREMENT AND FARM TO SCHOOL/FUNDS.
- SB 380 EXTRATERRITORIAL JURISDICTION/DEFINITION OF BONA FIDE FARM PURPOSES.
- SB 560 SPORT SHOOTING RANGE PROTECTION.
- SB 562 STANDARDS FOR SOME NURSERY STOCK PURCHASES.
- SB 613 HUNTING AND FISHING/ACTIVE DUTY MILITARY.

APPROPRIATIONS

- HB 16 CHILDREN'S ADVOCACY CENTERS FUNDS.
- HB 20 TEXFI CLEANUP FUNDS.
- HB 35 NORTH CAROLINA MILITARY BUSINESS CENTER FUNDS.
- HB 46 DEFENSE AND SECURITY TECHNOLOGY ACCELERATOR FUNDS.
- HB 51 PARENT TEACHER ASSOCIATION PARENTAL INVOLVEMENT/DROPOUT PREVENTION FUNDS.
- HB 57 PAYMENTS FOR LOW-INCOME ENERGY ASSISTANCE PROGRAM/CRISIS INTERVENTION PROGRAM/UTILITY PAYMENTS ONLY.
- HB 71 HOUSING FUNDS FOR INDIVIDUALS WITH DISABILITIES.
- HB 89 GEOGRAPHIC INFORMATION SYSTEMS/ NORTH CAROLINA ONEMAP SYSTEM FUNDS.
- HB 128 NORTH CAROLINA SPECIAL OLYMPICS/FUNDS.
- HB 130 WOMEN AT RISK FUNDS.
- HB 143 ADULT CARE HOMES AND 122C SCREENING AND ASSESSMENT FUNDS.
- HB 147 PREVENT INFANT MORTALITY/FUNDS.
- HB 152 MODIFY NORTH CAROLINA CENTER FOR GEOGRAPHIC INFORMATION ANALYSIS AND GEOGRAPHIC INFORMATION COORDINATING COUNCIL ENABLING LAW.

- HB 161 TRANSFER STATE HEALTH PLAN TO STATE TREASURER.
- HB 169 HIGH POINT FURNITURE MARKET FUNDS.
- HB 252 AMEND UNIVERSITY OF NORTH CAROLINA ENROLLMENT FUNDING FORMULA.
- HB 254 AFRICAN-AMERICAN HERITAGE COMMISSION FUNDS.
- HB 255 DOMESTIC VIOLENCE FUNDING.
- HB 257 UNIVERSITY OF NORTH CAROLINA AT GREENSBORO/NORTH CAROLINA A & T/ NANOSCIENCE/NANOENGINEERING FUNDS.
- HB 288 NORTH CAROLINA SCIENCE OLYMPIAD FUNDS.
- HB 303 POISON CONTROL/FUNDS.
- HB 304 CHILD DEATH RESEARCH FUNDS.
- HB 305 FOOD BANK FUNDS.
- HB 357 EAST CAROLINA UNIVERSITY/BOARD OF GOVERNORS DENTAL SCHOLARSHIP-LOAN.
- HB 364 PROJECT CAREGIVER ALTERNATIVES TO RUNNING ON EMPTY/FUNDS.
- HB 370 ECU DENTAL SCHOOL FUNDS.
- HB 377 STRENGTHENING RESIDENTIAL PLACEMENT.
- HB 405 MINIMUM CLERK OF COURT STAFF.
- HB 443 JUSTUS-WARREN TASK FORCE RECOMMENDATIONS/FUNDS.
- HB 500 CUMBERLAND INTERNATIONAL EARLY COLLEGE/FUNDS.
- HB 570 TEMPORARY ASSISTANCE TO NEEDY FAMILIES BLOCK GRANT FUNDS/BOYS AND GIRLS CLUB.
- HB 574 MODIFY DISTRIBUTION TO EXCISE TAX ON CONVEYANCES.
- HB 584 GOVERNOR'S BUDGET.
- HB 702 ESTABLISH MINIMUM WAGE WORKER SCHOLARSHIP FUND.
- HB 754 NO POWELL BILL MONEY FOR NO ROAD MILES.
- HB 759 CHICKEN HOUSE FIRE CODES/STUDY.
- HB 785 SALARY FUNDS/SPEND ONLY FOR SALARIES.
- HB 851 BURGAW TO WILMINGTON ROUTE/ RAIL FUNDS.
- HB 856 FUNDING FORMULA FOR NORTH CAROLINA VIRTUAL PUBLIC SCHOOLS.
- HB 860 NORTH CAROLINA SCIENCE COMPETITIONS PROGRAM CENTER FUNDS.

- HB 863 BEHAVIORAL HEALTH SERVICES FOR MILITARY/FUNDS.
- HB 868 APPOINTMENT OF COUNSEL FUNDS.
- HB 891 RESTORE TEACHER ASSISTANT FUNDS.
- HB 897 NORTH CAROLINA FAMILIES ACCESSING SERVICES THROUGH TECHNOLOGY/FUNDS.
- HB 901 PROTECTION OF MASONBORO ISLAND/ LEGISLATIVE RESEARCH COMMISSION/STUDY.
- HB 904 UNIVERSITY OF NORTH CAROLINA NONAPPROPRIATED CAPITAL PROJECTS.
- HB 915 GOOSE CREEK ENVIRONMENTAL STUDIES/FUNDS.
- HB 946 TEACHING FELLOWS PROGRAM/ RESTORE FUNDING.
- HB 967 YADKIN VALLEY CAREER ACADEMY FUNDING.
- HB 972 ADD MILITARY FAMILY COUNSELORS.
- HB 974 ELIMINATE STUDENT COST REDUCED-PRICE BREAKFAST.
- HB 984 NORTH CAROLINA CENTER FOR THE ADVANCEMENT OF TEACHING/RESTORE FUNDING.
- HB 986 ANSON COUNTY AGRI-CIVIC CENTER FUNDS.
- HB 996 CHILD DEATH RESEARCH FUNDS.
- HB 997 PREVENT INFANT MORTALITY/FUNDS.
- HB 998 REDUCE CLASS SIZE IN KINDERGARTEN THROUGH THIRD GRADE/FUNDS.
- HB 999 RESTORE LOCAL EDUCATION AGENCY FLEXIBILITY ADJUSTMENT FUNDING.
- HB 1003 CHILD NUTRITION PROGRAM SOLVENCY AND SUPPORT.
- HB 1005 FAYETTEVILLE STATE UNIVERSITY'S BUTLER BUILDING/FUNDS.
- HB 1008 NO TELEVISIONS ON DEATH ROW.
- HB 1010 UNIVERSITY OF NORTH CAROLINA TELEVISION/ RESTORE FUNDS.
- HB 1011 BUDGET FULL ENROLLMENT GROWTH FOR UNIVERSITY OF NORTH CAROLINA
- HB 1013 UNIVERSITY OF NORTH CAROLINA FACULTY AND RETENTION FUND.
- HB 1045 SALARY INCREASE FOR SCHOOL EMPLOYEES.
- HB 1046 STUDENT 2 STUDENT INITIATIVE/FUNDS.
- HB 1047 MILITARY BUSINESS CENTER/RESTORE FUNDS.
- HB 1057 PROJECT CAREGIVER ALTERNATIVE TO RUNNING ON EMPTY/RESTORE FUNDS.
- HB 1060 NORTH CAROLINA URBAN EMPOWERMENT INITIATIVE.
- HB 1061 HIGH POINT FURNITURE MARKET FUNDS.

- HB 1062 UNIVERSITY OF NORTH CAROLINA -GREENSBORO/
NORTH CAROLINA A & T NANOSCIENCE/
NANOENGINEERING FUNDS.
- HB 1072 MENTAL HEALTH/DEVELOPMENTAL
DISABILITY SERVICES/FUNDS.
- HB 1083 IMPROVE BIRTH OUTCOMES/FUNDS.
- HB 1092 SERVICES FOR WOMEN/RESTORE FUNDING.
- HB 1100 NORTH CAROLINA FOOD BANKS/FUNDS.
- HB 1101 CHILDREN'S ADVOCACY CENTERS/FUNDS.
- HB 1102 ONE NORTH CAROLINA SMALL
BUSINESS ACCOUNT/FUNDS.
- HB 1103 APPROPRIATE NORTH CAROLINA INDIAN
ECONOMIC DEVELOPMENT INITIATIVE.
- HB 1111 RESTORE MILITARY MORALE
AND WELFARE FUND.
- HB 1120 MEDICALLY UNDERSERVED PATIENTS/FUNDS.
- HB 1130 NON-GENERAL FUND NATIONAL
GUARD IMPROVEMENTS.
- HB 1135 MODIFY 2011 APPROPRIATIONS ACT.
- HB 1140 PUBLIC HEALTH LAB/FUNDS.
- HB 1144 WOMEN'S PREVENTIVE HEALTH SERVICES/
RESTORE FUNDS.
- HB 1147 MODIFY 2011 APPROPRIATIONS ACT.
- HB 1148 MODIFY 2011 APPROPRIATIONS ACT.
- HB 1151 EARLY CHILD CARE AND EDUCATION
SERVICES/RESTORE FUNDS.
- HB 1154 CAPE FEAR COMMUNITY COLLEGE
ANNEX FUNDS.
- HB 1156 SAVE LIVES!/FUND TOBACCO
PREVENTION PROGRAMS.
- HB 1158 MODIFY 2011 APPROPRIATIONS ACT.
- HB 1159 UNIVERSITY OF NORTH CAROLINA RESIDENT
TUITION/VETERANS AND DEPENDENTS.
- HB 1160 INFANT MORTALITY PREVENTION/FUNDS.
- HB 1161 STATE HIGHWAY PATROL BASIC
SCHOOLS/RESTORE FUNDS.
- HB 1162 APPROPRIATED: SMALL BUSINESS
EXPORT OPPORTUNITIES.
- HB 1164 METH TEAM EXPANSION/DEPARTMENT
OF JUSTICE FUNDS.
- HB 1165 INTERNET CRIMES AGAINST CHILDREN/STATE
BUREAU OF INVESTIGATION RESPOND TEAM.
- HB 1178 WESTERN CAROLINA/UNIVERSITY
PARTICIPANT PROGRAM.

- HB 1189 TIMELY PAYMENT/UNIVERSITY OF NORTH CAROLINA SPECIAL BONDS.
- HB 1195 GOVERNOR'S BUDGET.
- SB 434 JUVENILE AGE TO 18.
- SB 631 UNIVERSITY OF NORTH CAROLINA/CHEROKEE LANGUAGE CREDIT.
- SB 866 ESSENTIAL ADJUSTMENTS TO 2011 BUDGET.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

- HB 965 BROADEN SUCCESSFUL ADVANCED PLACEMENT PARTICIPATION.
- HB 978 CHILD NUTRITION STANDARDS/FUNDS.
- HB 1040 NORTH CAROLINA STATE UNIVERSITY AND UNIVERSITY OF NORTH CAROLINA CHARLOTTE/ALTERNATIVE FUELS RESEARCH FUNDS.
- HB 1127 GASTON COMMUNITY COLLEGE MULTICAMPUS FUNDING.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

- HB 1097 CHILD NUTRITION SALARY AND BENEFIT COST INCORPORATED/FUND.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY

- HB 911 INCREASE CRIMINAL COURT COSTS/VICTIM'S COMPENSATION.
- SB 756 AMEND BAIL LAW/PRETRIAL RELEASE PROGRAMS.

BANKING

- HJR 121 REAPPOINT JOSEPH A. SMITH COMMISSIONER OF BANKS.
- HB 583 ALLOW SAVINGS PROMOTION RAFFLES.
- HB 717 PRIVATE MORTGAGE INSURANCE PREMIUMS.
- HB 949 MODIFY MORTGAGE REGULATION FUNDING.
- HB 951 BANKING LAW MODERNIZATION ACT.

COMMERCE AND JOB DEVELOPMENT

- HB 223 HEALTHY FAMILIES AND WORKPLACES/PAID SICK DAYS.
- HB 226 PROHIBIT SWEEPSTAKES DEVICES.
- HB 228 VIDEO LOTTERY ENTERTAINMENT.

HB 240 INTRASTATE COMMERCE ACT.
HB 260 COMPANY POLICE AUTHORITY AT
CRASH SCENES.
HB 319 RESTORE CIGARETTE TAX STAMPS.
HB 334 SPORTS AGENTS/DIVISION OF MOTOR
VEHICLE POLICE AUTHORITY.
HB 353 DESIGNATION OF COASTAL GAME FISH.
HB 419 NORTH CAROLINA BENEFIT CORPORATION ACT.
HB 421 FUEL TAX REFUND FOR MARINAS.
HB 448 CONSTITUTIONAL TENDER ACT.
HB 479 SMALL BUSINESS NEW JOB CREATION INCENTIVE.
HB 547 ALCOHOLIC BEVERAGE CONTROL LAW/EASTERN
BAND OF CHEROKEE INDIANS.
HB 554 RESIDENTIAL BUILDING INSPECTIONS.
HB 663 HARVEST OF DIGNITY/LABOR REFORMS.
HB 676 UNEMPLOYMENT INSURANCE/IMPLEMENT
EXTENDED UNEMPLOYMENT BENEFITS
THREE-YEAR LOOK BACK.
HB 724 OMNIBUS ENERGY BILL.
HB 735 READY FOR WORK/UNEMPLOYMENT
INSURANCE DRUG TESTING.
HB 747 EXEMPT COMMERCIAL FISHING BOATS.
HB 781 SUMMARY EJECTMENT/APPEALS.
HB 790 ENACT EMPLOYEE FAIR CLASSIFICATION ACT.
HB 827 REQUIRE SURETY OPTIONS FOR DEVELOPERS.
HB 828 WAGE THEFT AMENDMENTS.
HB 839 EXTEND SANITARY LANDFILL
BUFFER REQUIREMENTS.
HB 918 HOUSING STIMULUS.
HB 919 SMALL BUSINESS TAX RELIEF AND STIMULUS.
HB 920 BUSINESS TAX RELIEF AND RECRUITMENT.
HB 921 PRECONSTRUCTION GRANT DEVELOPMENT FUND.
HB 1000 COMMUNITY ASSOCIATION MANAGERS
LICENSING ACT.
HJR 1004 REFORM WORKFORCE DEVELOPMENT.
HB 1017 CHANGES TO COMMERCE
REPORTING REQUIREMENTS.
HB 1031 SMARTER GOVERNMENT/BUSINESS
INTELLIGENCE INITIATIVE.
HB 1058 REFORM WORKFORCE DEVELOPMENT.
HB 1116 SMALL BUSINESS JOBS CREDIT.
HB 1117 ENHANCE RESEARCH AND DEVELOPMENT TAX
CREDIT FOR SMALL BUSINESSES.
HB 1118 SMALL BUSINESS START-UP TAX RELIEF.
HB 1128 OPPORTUNITY ADVANCEMENT ZONES.

- HB 1139 PROMOTE RENEWABLE JOBS.
- HB 1186 RESTORE BUDGET CUTS/ADD TEMPORARY SALES TAX.
- SB 91 EXTEND E-NC SUNSET.
- SB 447 REWRITE LANDSCAPE CONTRACTOR LAWS.
- SB 489 EFFECTIVENESS OF JOB CREATION PROGRAMS.
- SB 713 SPIRITUOUS LIQUOR SALES - DISTILLERIES.
- SB 731 ZONING/DESIGN AND AESTHETIC CONTROLS.
- SB 808 CHANGES TO COMMERCE REPORTING REQUIREMENTS.

**COMMERCE AND JOB DEVELOPMENT SUBCOMMITTEE
ON ALCOHOLIC BEVERAGE CONTROL**

- HB 189 REQUIRE ALCOHOLIC BEVERAGE CONTROL PERMITTEES TO BE TAX COMPLIANT.
- HB 764 BEER FRANCHISE LAW CLARIFICATIONS.
- HB 775 ALLOW WINERIES TO SELL MALT BEVERAGES.
- HB 1193 INCREASE SMALL BREWERY LIMITS.

**COMMERCE AND JOB DEVELOPMENT SUBCOMMITTEE
ON BUSINESS AND LABOR**

- HB 94 LOCAL FLEXIBILITY REGARDING SCHOOL CALENDAR.
- HB 485 NEW HOME PURCHASE STIMULUS.
- HB 587 NORTH CAROLINA JOBS BILL.
- HB 933 REGULATORY REFORM ACT OF 2011.

**COMMERCE AND JOB DEVELOPMENT SUBCOMMITTEE
ON SCIENCE AND TECHNOLOGY**

- HB 44 PROHIBIT MOBILE PHONE USE/HANDS-FREE ONLY.
- HB 91 REPEAL E-NC SUNSET.
- HB 101 BROADBAND PARITY FOR COUNTIES AND CITIES.

EDUCATION

- HB 11 NO POSTSECONDARY EDUCATION/ILLEGAL ALIENS.
- HB 41 TAX FAIRNESS IN EDUCATION.
- HB 120 ESTABLISH FORGIVABLE LOAN FUND.
- HB 131 ONE SCHOOL SUPERINTENDENT PER COUNTY/FUNDS.
- HB 132 MAKE UP SNOW DAYS WITH DISTANCE LEARNING.
- HB 157 UNIVERSITY OF NORTH CAROLINA BOARD OF GOVERNORS/STUDENT MEMBER MAY VOTE.
- HB 175 PUTTING STUDENTS FIRST/LOCAL CONTROL.
- HB 185 SCHOOL CALENDAR FLEXIBILITY.

- HB 198 ALIEN ATTENDANCE LAPSES/
REPORTING REQUIRED.
- HB 210 BUILDING CODE/SCHOOL ANIMAL
HUSBANDRY BUILDINGS.
- HB 247 ENHANCE CHARTER SCHOOL ACCOUNTABILITY.
- HB 253 HOME SCHOOLERS PARTICIPATE IN
SCHOOL SPORTS.
- HB 264 NORTH CAROLINA SCHOOL OF
BIOTECHNOLOGY AND AGRISCIENCE.
- HB 330 NONRESIDENT SCHOLARSHIP/
OUT-OF-STATE TUITION.
- HB 466 SPEND 65 PERCENT OF FUNDS IN THE CLASSROOM.
- HB 564 SCHOOL CAPITAL FUND FORMULA/
LOTTERY PROCEEDS.
- HB 695 FAMILY/SCHOOL/COMMUNITY COMPACTS.
- HB 727 AMEND DROPOUT PREVENTION GRANTS.
- HB 738 EARLY EDUCATION CERTIFICATION REQUIRED/
ONLY CERTAIN INDIVIDUALS.
- HB 770 REDUCE AND PREVENT SCHOOL
DISCIPLINE PROBLEMS.
- HB 793 FULL-SERVICE COMMUNITY SCHOOLS
PILOT PROGRAM.
- HB 831 MULTIPLE BIRTH SIBLING
CLASSROOM PLACEMENT.
- HB 840 HEALTHIER AND GREENER SCHOOLS ACT.
- HB 898 GASTON EAST CAMPUS AND TEXTILE
TECHNOLOGY CENTER FUNDS.
- HB 976 TASK FORCE AND WORK GROUP ON
PHYSICAL EDUCATION AND FITNESS.
- HB 977 SCHOOL MEALTIME.
- HB 1089 ONLINE HIGHER EDUCATION/STUDY.
- HB 1112 ARTS EDUCATION AS A
GRADUATION REQUIREMENT.
- HB 1113 IMPLEMENTATION OF COMPREHENSIVE
ARTS EDUCATION.
- HB 1119 LOCAL EDUCATION AGENCIES REQUIRED
TO ENHANCE ARTS EDUCATION.
- HB 1125 TEEN DATING VIOLENCE PREVENTION ACT.
- HB 1126 REPEAL INCREASE IN INSTRUCTIONAL DAYS.
- HB 1146 MAKE DISABLED CHILD EDUCATION TAX
CREDIT REFUNDABLE.
- HB 1152 CAP ON CHARTER SCHOOLS/DURHAM COUNTY.
- HB 1153 STANDARDS FOR CHARTER SCHOOLS/
DURHAM COUNTY.
- HB 1168 MAXIMIZE FEDERAL GI EDUCATION BENEFITS.

- HB 1176 UNIVERSITY OF NORTH CAROLINA TUITION/
OUT-OF-STATE VETERANS.
- HB 1183 NORTH CAROLINA CENTER FOR THE
ADVANCEMENT OF TEACHING TEACHER
LEADERSHIP INITIATIVE/FUNDS.
- HB 1213 STATE HEALTH PLAN/ADD SCHOOL.
- SB 446 COMMUNITY COLLEGE TUITION FOR
MEMBERS OF MILITARY.
- SB 648 AMEND LAW REGARDING SCHOOL DISCIPLINE.
- SB 795 EXCELLENT PUBLIC SCHOOLS ACT.
- SB 884 WAKE TECH BOARD OF TRUSTEES.

ELECTIONS

- HB 64 RESTORE PARTISAN JUDICIAL ELECTIONS.
- HB 114 ASSISTANCE TO VOTERS IN FAMILY CARE HOMES.
- HB 363 NO FILING FOR PARTY AND UNAFFILIATED.
- HB 430 REPEAL BILINGUAL BALLOT
INSTRUCTION STATUTE.
- HB 576 VACANCY SPECIAL ELECTION.
- HB 611 POLITICAL ROBO CALLS/DO NOT CALL REGISTRY.
- HB 624 CITIZENS UNITED DISCLOSURES.
- HB 710 BOARD OF ETHICS, LOBBYING, AND
CAMPAIGN FINANCE.
- HB 783 INDEPENDENT REDISTRICTING COMMISSION.
- HB 862 ELECTION INTEGRITY/VOTER ACCESS ACT.
- HB 1230 REPORTING OF ELECTIONEERING
COMMUNICATIONS AND
INDEPENDENT EXPENDITURES.
- HB 1231 ELECTRONIC REPORTING BY
CANDIDATE COMMITTEE.
- SB 47 RESTORE PARTISAN JUDICIAL ELECTIONS.
- SB 456 CANDIDATE LIST PARTY OR
UNAFFILIATED STATUS.
- SB 712 ADJUST QUARTERLY REPORTING.
- SB 908 MATCHING FUNDS REPEAL.

ENVIRONMENT

- HB 116 COASTAL WETLAND RIPARIAN
BUFFER GRANDFATHER.
- HB 220 WACCAMAW RIVER/ISOLATED RIVER BASIN.
- HB 349 PROMOTE GREEN ROOFS ON BUILDINGS.
- HB 354 NO SUNSET FOR SOIL AND WATER
CONSERVATION DISTRICTS ANIMAL
WASTE INSPECTIONS.
- HB 621 PROTECT LANDOWNER WATER RIGHTS.

- HB 655 NUTRIENT MANAGEMENT PLAN ONLY FOR NUTRIENT SENSITIVE WATERS.
- HB 705 REPEAL PRIVATE DRINKING WATER WELL TESTING.
- HB 711 CLARIFY WATER AND WELL RIGHTS/ PRIVATE PROPERTY.
- HB 768 ADMINISTRATIVE PROCEDURE ACT RULES: FEDERAL RULE RESTRICTION CEILING.
- HB 797 LIMIT EXTRATERRITORIAL JURISDICTION.
- HB 873 AMEND JORDAN LAKE RESERVOIR WATER QUALITY RULES.
- HB 955 PROTECT DEPARTMENT OF ENVIRONMENTAL AND NATURAL RESOURCES FROM CO-APPLICANT LIABILITY.
- HB 1054 CLEAN ENERGY AND ECONOMIC SECURITY ACT.
- HB 1064 SHALE GAS/DEVELOP REGULATION PROGRAM/ LEGISLATIVE OVERSIGHT.
- HB 1184 CLARIFY UNDERGROUND INJECTION BAN.
- HB 1185 FRACKING CONTRACTS/AGAINST PUBLIC POLICY.
- HB 1187 NORTH CAROLINA TOXIC-FREE KIDS ACT.
- HB 1194 ENVIRONMENT JUSTICE/REPURPOSING EXISTING LANDFILL.
- SB 181 UNDERGROUND STORAGE TANK PROGRAM AMENDS.
- SB 279 CLARIFY RENEWABLE ENERGY RESOURCE DEFINITION.
- SB 308 STATE REGULATION OF GREENHOUSE GAS EMISSIONS.
- SB 492 PROTECT LANDOWNER WATER RIGHTS.
- SB 561 SEDIMENTATION CIVIL PENALTY CAP AND REMISSIONS.
- SB 628 WATER QUALITY PERMITTING/ WITHHELD INFORMATION.

FINANCE

- HB 53 HOSPITAL MEDICAID ASSESSMENT/ PAYMENT PROGRAM.
- HB 122 REVENUE LAWS TECHNICAL, CLARIFYING, AND ADMINISTRATIVE CHANGES.
- HB 137 TWO-THIRDS BONDS ACT OF 2011.
- HB 166 PURPLE HEART MOTORCYCLE SPECIAL PLATES.
- HB 179 EXPAND CHARITABLE PROPERTY TAX EXEMPTION.
- HB 182 CLARIFY REFUNDS OF TAX OVERPAYMENTS.
- HB 246 MODIFY HOMESTEAD PROPERTY TAX EXCLUSION.

HB 248 ESTABLISH TAX MODERNIZATION COMMISSION.
HB 285 ACTIVE NATIONAL GUARD SPECIAL
PLATE NO COST.
HB 299 SURPLUS LINES/PREMIUM TAX.
HB 315 TAXPAYER INFORMATION ACT.
HB 326 BUNCOMBE LOCAL SALES TAX FOR
COMMUNITY COLLEGES.
HB 355 SIMPLIFY TAXATION OF CERTAIN
HOMEOWNERS' ASSOCIATIONS PROPERTY.
HB 368 STATE HISTORIC SITES SPECIAL FUND.
HB 399 CAP MOTOR FUEL EXCISE TAX RATE.
HB 400 TAXPAYER TRANSPARENCY ACT.
HB 402 ARTS NORTH CAROLINA SPECIAL PLATE.
HB 449 INCREASE IN REM FORECLOSURE FEE.
HB 473 EQUAL TAX TREATMENT OF GOVERNMENT
RETIREE BENEFITS.
HB 604 EXEMPT MILITARY RETIREMENT FROM
INCOME TAX.
HB 634 ARTHRITIS FOUNDATION SPECIAL PLATE.
HB 668 INCREASE DEDUCTION: VOLUNTEER
RESCUE WORKERS.
HB 694 APPALACHIAN STATE UNIVERSITY WIND
DEMONSTRATION PROJECT.
HB 716 NATIVE AMERICAN LICENSE PLATE FEE INCREASE.
HB 734 REQUIRE PHOTO IDENTIFICATION/FOOD
STAMPS PROGRAM.
HB 791 AMEND COSMETIC ART LAW/GRANDFATHER
NATURAL HAIR CARE.
HB 818 MODIFY DISABLED VETERAN PROPERTY
TAX EXEMPTION.
HB 830 TAX AMNESTY PROGRAM.
HB 844 MOUNTAINS-TO-SEA TRAIL SPECIAL PLATE.
HB 864 MODIFY BUTNER TAX REMITTANCE.
HB 869 AURORA FOSSIL MUSEUM SPECIAL PLATE.
HB 881 STIMULATE ECONOMY AND MANUFACTURING.
HB 882 REGISTER/TITLE OFF-ROAD ALL-TERRAIN
VEHICLES AND MOTORCYCLES.
HB 888 SALES TAX FAIRNESS ACT.
HB 893 SMALL BUSINESS INCOME TAX EXEMPTION.
HB 899 PARITY IN TAX PAID BY SMALL BUSINESSES.
HB 903 PORT ENHANCEMENT ZONES.
HB 985 DRIVER EDUCATION FEE PAID WHEN
GETTING PERMIT.
HB 995 TAX ADJUSTMENT PLAN.

HB 1012 EFFECTIVE UTILIZATION OF PROGRAM
EVALUATION DIVISION.

HB 1014 REFORM OVERSIGHT OF STATE-OWNED VEHICLES.

HB 1024 UNEMPLOYMENT INSURANCE CHANGES.

HB 1026 REVENUE LAWS TECHNICAL, CLARIFYING, AND
ADMINISTRATIVE CHANGES.

HB 1027 EXPEDITED RULE MAKING FOR
FORCED COMBINATION.

HB 1030 ACCOUNTABILITY FOR TAXPAYER
INVESTMENT ACT.

HB 1082 NAGS HEAD CONVEYANCE.

HB 1104 SCHOLARSHIP FUNDING CORPORATE
TAX CREDIT.

HB 1149 NEW MARKETS JOB ACT.

HB 1167 TAX AIRPLANES/BOATS/RECREATIONAL
VEHICLES EQUAL TO AUTOMOBILES.

HB 1171 EXTEND SUNSET FOR EARNED INCOME
TAX CREDIT.

HB 1180 VIDEO SWEEPSTAKES ENTERTAINMENT TAX.

HB 1182 UNIVERSITY OF NORTH CAROLINA AND
COMMUNITY COLLEGES/SAVINGS INCENTIVES.

HB 1190 NORTH TOPSAIL BEACH OCCUPANCY
TAX CHANGE.

HB 1203 MODIFY MARTIN COUNTY OCCUPANCY TAX.

HB 1208 ROCKINGHAM LANDFILL FEE USE.

HB 1209 ROCKINGHAM LANDFILL FUND BALANCE.

SB 126 DRIVERS LICENSE/MILITARY
IDENTIFICATION VALIDITY.

SB 345 ENCOURAGE INVEST TO RETAIN
ART 3A INSTALLMENT.

SB 405 AMEND IRRIGATION CONTRACTORS'
LICENSING LAWS.

SB 463 ACCOUNTABILITY FOR TAXPAYER
INVESTMENT ACT.

SB 486 RELEASE SUBDIVIDED LOTS FROM TAX LIENS.

SB 599 RENDERING ACT AMENDMENTS.

SB 669 DIX PROPERTY-MENTAL HEALTH TRUST FUND.

SB 682 TAX DEDUCTION FOR SHARING
HEALTH CARE COSTS.

SB 730 TAXPAYER ACTION IF NO DEPARTMENT OF
REVENUE DETERMINATION.

SB 857 ADD STOKES COUNTY TO TAX CERTIFICATION
BEFORE RECORDATION.

SB 918 AMEND DURHAM COUNTY OCCUPANCY TAX USES.

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- HB 4 DISAPPROVE CLOSURE OF DOROTHEA DIX HOSPITAL.
- HB 172 ENCOURAGE MILITARY VETERAN CONTRACTOR USE.
- HB 195 EXTRATERRITORIAL JURISDICTION/CLARIFY DEFINITION OF BONA FIDE FARM.
- HB 535 JUROR PRIVACY.
- HB 544 LOCAL GOVERNMENT E-MAIL LISTS.
- HB 549 COUNTIES MAY REQUIRE SOLID WASTE SERVICES.
- HB 550 ASHEVILLE-BUNCOMBE REGIONAL PARK AUTHORITY.
- HB 685 GOVERNMENT TRANSPARENCY ACT OF 2011.
- HB 718 ALLOW ATTORNEY/CHILD SUPPORT HEARING OFFICER/ALAMANCE.
- HB 993 IREDELL REGISTER OF DEEDS SATELLITE OFFICE.
- HR 1001 EXECUTIVE ORDER/NO DEPARTMENT OF MANAGEMENT AND ADMINISTRATION.
- HB 1016 LOWER CAPE FEAR DESIGN-BUILD.
- HB 1043 EXERCISE EXTRATERRITORIAL JURISDICTION RESTRICTION.
- HB 1174 SCOTLAND COUNTY PRIVILEGE TAX FOR SWEEPSTAKES.
- HB 1198 WORKERS COMPENSATION/VOLUNTEER FIRE DEPARTMENTS.
- HB 1210 HYDE COUNTY FOX TRAPPING.
- HB 1214 SANFORD/CONVEY PROPERTY.
- SB 423 TEACHER TENURE/EDUCATION OVERSIGHT COMMITTEE STUDY.
- SB 530 PROHIBIT INVOLUNTARY ANNEXATION OF FARMS.
- SB 935 ABOLISH AVERY COUNTY CORONER.
- SB 939 FAYETTEVILLE REVIEW BOARD.

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- HB 13 BAN MEPHEDRONE.
- HB 70 COMPENSATE EUGENICS STERILIZATION SURVIVORS.
- HB 73 EUGENICS PROGRAM - SUPPORT AND EDUCATION.
- HB 75 REPORT ON TRANSFER OF COMMUNITY ALTERNATIVES PROGRAM-MENTAL RETARDATION/DEVELOPMENTAL DISABILITIES UTILIZATION REVIEW TO LOCAL MANAGEMENT ENTITIES.
- HB 76 REVISE DEVELOPMENTAL DISABILITIES WAITING LIST PROCESS.

- HB 77 APPLY FOR TRAUMATIC BRAIN INJURY MEDICAID WAIVER.
- HB 78 EVALUATE EFFICACY OF CRITICAL ACCESS BEHAVIORAL HEALTH AGENCY MODEL.
- HB 79 REPORT ON MENTAL HEALTH SERVICES PROVIDED BY HOSPITAL EMERGENCY ROOMS.
- HB 80 EVIDENCE-BASED PRACTICES IN PSYCHIATRIC HOSPITALS.
- HB 81 DEVELOP PLAN FOR ALLOCATING DEVELOPMENTAL DISABILITIES RESOURCES.
- HB 82 STEP-DOWN UNIT FOR BEHAVIORALLY ADVANCED RESIDENTIAL TREATMENT PROGRAM/FUNDS.
- HB 83 MODIFY MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES REPORTING REQUIREMENTS.
- HB 84 EXPAND INPATIENT PSYCHIATRIC BEDS/FUNDS.
- HB 85 EVALUATE DEVELOPMENTAL DISABILITIES RESIDENTIAL OPTIONS FOR CHILDREN.
- HB 86 REPORT ON NORTH CAROLINA CLUBHOUSE PROGRAMS.
- HB 104 ADULT CARE HOMES PILOT ON CRISIS INTERVENTION TRAINING.
- HB 106 DIRECT CARE WORKER WAGE AND BENEFIT STUDY.
- HB 107 GERIATRIC/ADULT MENTAL HEALTH SPECIALTY TEAMS TRAINING PILOT.
- HB 108 DEPARTMENT OF HEALTH AND HUMAN SERVICES STUDY OF INSTITUTE OF MEDICINE TASK FORCE RECOMMENDATION 3.1.
- HB 109 EXTEND REPORTING ON BABY BOOMER PREPARATIONS.
- HB 110 TASK FORCE ON FRAUD AGAINST OLDER ADULTS.
- HB 126 NORTH CAROLINA HEALTH BENEFIT EXCHANGE ACT.
- HB 127 ALLOW EXPANSION OF CAPITATED WAIVER.
- HB 238 STATE HEALTH PLAN/REPEAL PENALTIES.
- HB 287 MENTAL HEALTH WORKERS' BILL OF RIGHTS.
- HB 337 SMART CARD BIOMETRICS AGAINST MEDICAID FRAUD.
- HB 347 NOTIFICATION TO TREAT MINORS/12 OR YOUNGER.
- HB 424 ADDITIONAL SECTION 1915 MEDICAID WAIVER SITES.
- HB 425 MEDICAID BILLING BY LOCAL HEALTH DEPARTMENTS.
- HB 429 ESTABLISH MUSIC THERAPY PRACTICE ACT.
- HB 444 EXPAND PHARMACISTS' IMMUNIZING AUTHORITY.

- HB 487 EXEMPT BOARD CERTIFICATION BEHAVIOR ANALYST/PSYCHOLOGY PRACTICE.
- HB 522 MIDWIFERY LICENSING ACT.
- HB 540 REMOVE ADULT CARE HOMES FROM CERTIFICATE OF NEED REVIEW.
- HB 580 LOCAL HUMAN SERVICES ADMINISTRATION.
- HB 599 PATIENT'S RIGHT/NOTICE OF PROFESSIONAL LIABILITY INSURANCE.
- HB 630 CLARIFY LAW/OLDER ADULTS AND LONG-TERM SERVICES.
- HB 639 CLINICAL EXERCISE PHYSIOLOGIST LICENSURE.
- HB 743 EQUAL TREATMENT UNDER STATE MEDICAL FACILITIES PLAN.
- HB 812 HOSPITAL AUTHORITY TERRITORIAL JURISDICTION.
- HB 826 COVERAGE FOR TREATMENT OF AUTISM DISORDERS.
- HB 847 NATUROPATHIC DOCTORS LICENSING ACT.
- HB 848 ESTABLISH HEALTH AND HUMAN SERVICES OVERSIGHT COMMITTEE.
- HB 866 TRANSITION RESIDENTIAL SCHOOLS TO DEPARTMENT OF PUBLIC INSTRUCTION.
- HB 876 INCREASE FEES/PSYCHOLOGY PRACTICE ACT.
- HB 923 LOCAL INPATIENT PSYCHIATRIC BED ASSESSMENT.
- HB 1157 BEHAVIOR ANALYSIS PRACTICE ACT.
- SB 246 EXPAND PHARMACISTS' IMMUNIZING AUTHORITY.
- SB 401 ADULT CARE HOMES PILOT ON CRISIS INTERVENTION TRAINING.
- SB 421 GERIATRIC/ADULT SPECIALTY TEAMS TRAINING PILOT.
- SB 450 DIRECT CARE WORKER WAGE AND BENEFIT STUDY.
- SB 451 EXTEND REPORTING ON BABY BOOMER PREPARATIONS.
- SB 465 LOCAL MANAGEMENT ENTITIES GOVERNANCE/PROGRAM EVALUATION DIVISION STUDY.
- SB 508 CLARIFY VACCINE EXEMPTIONS/EMERGENCY MANAGEMENT ACT.
- SB 552 INCENTIVE PROGRAM FOR PUBLIC HEALTH IMPROVEMENT.

- SB 617 FOOD ALLERGY AND ANAPHYLAXIS
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- SB 675 REQUIRE COMMUNITY SERVICE/
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- SB 696 ADDRESS PRIMARY CARE SHORTAGE.
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- HB 924 ARTICLE 3J TAX CREDIT FOR HIRING VETERANS.

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- SB 435 CIVIL PROCEEDINGS/REQUIRE
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- HB 155 MEDICAL MALPRACTICE INSURANCE COVERAGE.
- HB 496 INSURANCE CO-PAYS FOR
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- HB 820 BEACH PLAN/STUDY.
- HB 834 REDUCE OVERPOPULATION OF
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- HB 1053 IMPROVE PROPERTY INSURANCE RATE MAKING.
- SB 744 TRANSPARENCY IN THE COST OF HEALTH CARE.

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- HB 356 PSYCHOLOGICAL COUNSELING FOR JURORS.
- HB 375 CHECKING STATIONS UNLAWFUL.
- HB 390 REPEAL PISTOL/CROSSBOW TRANSFER PERMIT.
- HB 395 STRENGTHEN PROHIBITION ON COCKFIGHTING.
- HB 445 PREVENT REAL ID IMPLEMENTATION.
- HB 784 THREE-FIFTHS VOTE TO LEVY TAXES.
- HB 807 TRANSFER STANLY COUNTY TO DISTRICT 20B.
- HB 907 COMMUNITY INCLUSION AND DEVELOPMENT ACT.
- HB 913 AMEND CONSTITUTION/STATE SAVINGS FUND.
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- HB 1220 LEGISLATIVE TERM LIMITS.
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- HB 52 THE CASTLE DOCTRINE.
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- HB 74 CASTLE DOCTRINE.
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- HB 154 REFORM MEDICAL MALPRACTICE
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- HB 184 CONCEALED CARRY PERMIT/ELECTED OFFICIALS.
- HB 188 TAXPAYER BILL OF RIGHTS.
- HB 241 NORTH CAROLINA FIREARMS FREEDOM ACT.
- HB 249 UPDATE ARCHAIC DISABILITY TERMS.
- HB 251 DEVISEE/DEVISE/STATUTORY CONSTRUCTION.
- HB 343 SUPPORT LAW ENFORCEMENT/
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- HB 475 ENGLISH THE OFFICIAL LANGUAGE.
- HB 497 CLARIFY DEFINITION OF GENERAL CONTRACTOR.
- HB 530 CONFORMING CHANGES/PERSONS
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- HB 551 DISCOVERY/MEDICAL PEER REVIEW.
- HB 669 ALLOW OUT OF STATE CERTIFIED PUBLIC
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- HB 683 BORN ALIVE INFANT PROTECTION ACT.
- HB 684 UNIFORM CHILD ABDUCTION PREVENTION ACT.
- HB 691 CHIEF MAGISTRATE.
- HB 712 QUALIFIED RETIRED LAW ENFORCEMENT
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- HB 746 CITIZEN PARTICIPATION ACT.
- HB 782 RECEIVERSHIP/PRIORITY, SALE OF COLLATERAL.
- HB 969 DEPARTMENT OF PUBLIC SAFETY/TECHNICAL
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- HB 1002 BILL OF RIGHTS/DEAF/HEARING IMPAIRED.
- SB 205 NO BENEFITS FOR ILLEGAL ALIENS.
- SB 659 WORKERS' COMPENSATION/TAXI DRIVER/
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- HB 28 DEPARTMENT OF HEALTH AND HUMAN SERVICES
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- HB 259 EXPAND JURISDICTION OF COMPANY POLICE.
- HB 308 ADMISSION TICKET REFORM ACT.
- HB 426 CHAMBERLIN'S LAW.
- HB 502 PRESERVE BIOLOGICAL EVIDENCE/
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HB 602 LAW ENFORCEMENT OFFICER FAIRNESS ACT.
HB 615 NO DISCRIMINATORY PURPOSE IN
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HB 632 JUVENILE AGE TO 18.
HB 674 AMEND HABITUAL FELON LAW.
HB 675 AMEND EXPUNCTION LAW.
HB 725 IGNITION INTERLOCK REQUIRED/ALL
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HB 726 MANDATE USE OF CONTROLLED SUBSTANCES
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HB 756 SPECTRAL FLUORESCENCE SIGNATURE
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HB 776 SELLING MOTOR VEHICLE
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HB 905 IMPOSE FEE/VOLUNTARY DISMISSAL/50B ORDERS.
HB 1188 CASINO NIGHT FOR NONPROFITS.
SB 517 FREEDOM TO NEGOTIATE HEALTH CARE RATES.
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HB 178 DOMESTIC VIOLENCE/FUNDING AMENDMENTS.
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HB 631 POSTCONVICTION RELEASE BONDS.
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HB 798 FRAUDULENT FIREARM PURCHASE
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 HB 431 REPEAL SENATE BILL 3 OF THE 2007 SESSION.
 HB 464 SANITARY DISTRICTS/PUBLIC UTILITY.
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 HB 771 LANDLORD/TENANT/ELECTRIC AND GAS SERVICE.
 HB 789 ENERGY EFFICIENCY REQUIRED FOR
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 HB 31 UNLAWFUL TO USE MOBILE PHONES
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HB 214 ALAMANCE/ORANGE BOUNDARY.
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HB 307 LOCAL ELECTRONIC NOTICE.
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- SB 149 LENOIR AND GREENE VOTER IDENTIFICATION/
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- SB 270 HUNTERSVILLE E-MAIL LISTS/
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S 929 FIREMEN'S RELIEF RETIREMENT FUND/ BOARD MEMBERSHIP (Ch. SL 2012-45)	212, 269, 309, 322, 400.
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H 843 MODERNIZE NORTH CAROLINA EMERGENCY MANAGEMENT ACT (Ch. SL 2012-12)	179, 189, 200, 247.
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BILLS INTRODUCED - 941, 942, 946, 947, 948, 966, 970, 971, 972,
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BILLS INTRODUCED - 946, 947, 948, 966, 984, 1045, *1061, *1062,
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EXCUSED ABSENCES NONE.

JOHNSON, LINDA P.

BILLS INTRODUCED -*964, *965, *966, 1024, 1058, *1112, *1113,
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JORDAN, JONATHAN C.

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BILLS INTRODUCED - 947, *964, *965, 966, 971, 975, 981, 982, 983, *1000, *1002, 1035, 1042, 1043, *1084, 1093, *1146, *1227.	
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S.B. 42	429.
EXCUSED ABSENCES	NONE.

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S	847	GENERAL STATUTES COMMISSION TECHNICAL CORRECTIONS/OTHER CHANGES (Ch. SL 2012-194)	504, 557, 565, 571, 582, 583, 596, 599, 610.
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H	950	MODIFY 2011 APPROPRIATIONS ACT (Vetoed 6/29/12, Ch. SL 2012-142)	40, 125, 139, 143, 144, 298, 302, 364, 374, 381, 383, 523, 559, 577, 600.

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- S 133 MODERNIZE JURY LIST PROCEDURES (Ch. SL 2012-180)369, 404, 426, 448, 509, 606.
- H 707 REGISTER OF DEEDS/DIRECTED TRUSTEES/ESTATES (Ch. SL 2012-18)179, 189, 191, 199, 248.

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- BILLS INTRODUCED - *1000, *1084, *1105, *1133, *1154, *1169, *1170.
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- H 969 DEPARTMENT OF PUBLIC SAFETY/TECHNICAL AND OTHER CHANGES (Judiciary Subcommittee A) 44, 105.
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- H 843 MODERNIZE NORTH CAROLINA EMERGENCY MANAGEMENT ACT (Ch. SL 2012-12)179, 189, 200, 247.
- H 950 MODIFY 2011 APPROPRIATIONS ACT (Vetoed 6/29/12, Ch. SL 2012-142)..... 40, 125, 139, 143, 144, 298, 302, 364, 374, 381, 383, 523, 559, 577, 600.
- S 881 TRANSFER EVIDENCE WAREHOUSE TO DEPARTMENT OF PUBLIC SAFETY (Ch. SL 2012-83)227, 300, 319, 333, 371, 482.
- H 340 UTILITIES COMMISSION/CRIMINAL RECORDS CHECK (Ch. SL 2012-9)..... 146, 214.

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- H 235 AMEND GROUNDS/TERMINATION OF PARENTAL RIGHTS (Ch. SL 2012-40)227, 234, 235, 246, 400.
- H 969 DEPARTMENT OF PUBLIC SAFETY/TECHNICAL AND OTHER CHANGES (Judiciary Subcommittee A) 44, 105.

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- H 853 END COURT ORDERS/ESTABLISH LOCAL INTAKE PROCEDURES (Ch. SL 2012-172)395, 420, 465, 496, 498, 510, 516, 605.
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- S 847 GENERAL STATUTES COMMISSION TECHNICAL CORRECTIONS/OTHER CHANGES (Ch. SL 2012-194)504, 557, 565, 571, 582, 583, 596, 599, 610.
- S 434 JUVENILE AGE TO 18 (Appropriations)..... 360.
- S 910 SALE OF A MINOR/FELONY OFFENSE (Ch. SL 2012-153)234, 444, 463, 492, 539, 564, 567, 589, 598, 602.
- S 881 TRANSFER EVIDENCE WAREHOUSE TO DEPARTMENT OF PUBLIC SAFETY (Ch. SL 2012-83)227, 300, 319, 333, 371, 482.

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KEEVER, PATSY

- BILLS INTRODUCED - 946, 947, 948, 971, 972, 974, 975, 976, 978, 980, 984, 990, 996, 997, 998, 999, *1001, 1010, 1011, 1020, 1023, 1033, 1045, *1141, 1156, 1157, 1159, 1160, 1161, 1165, 1166, 1167, 1168, 1171, 1183, 1187, 1189, 1194, *1201, 1213, *1217.
- EXCUSED ABSENCES NONE.

KILLIAN, RIC

- BILLS INTRODUCED - *1033, *1168.
- EXCUSED ABSENCES 14, 25, 27, 29, 31.

KOZEL, KAREN

- (Replaced Representative Stephen A. LaRoque August 29, 2012)
- APPOINTMENT - See APPENDIX
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KRAWIEC, JOYCE

- (Replaced Representative Larry R. Brown October 10, 2012)
- APPOINTMENT - See APPENDIX
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- S 847 GENERAL STATUTES COMMISSION TECHNICAL
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- H 493 LANDLORD TENANT LAW CHANGES
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- S 77 RENTAL PROPERTY/LITHIUM BATTERY SMOKE
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LANGDON, JAMES H., JR.

- BILL INTRODUCED - *1063.
- EXCUSED ABSENCES NONE.

LAROQUE, STEPHEN A. (Resigned August 1, 2012)

- APPROVAL OF VOTE CHANGE
S.B. 910, AMENDMENT NO. 2 492.
- BILLS INTRODUCED - *940, *974, *975, *976, *977, *978, *1043,
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LEE, BARBARA

(Replaced Representative William L. Wainwright August 6, 2012)

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LEWIS, DAVID R.

APPROVAL OF VOTE CHANGE

H.B. 947, AMENDMENT NO. 2 172.

S.B. 910, AMENDMENT NO. 2 492.

BILLS INTRODUCED - *988, 1134, *1230, *1231.

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H.B. 54 555.

H.B. 950 298.

S.B. 187 517.

S.B. 847 572.

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- S 426 PUBLIC FINANCE LAWS/MUNICIPAL SERVICE DISTRICTS (Ch. SL 2012-156)326, 351, 406, 410, 425, 475, 603.

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- H 843 MODERNIZE NORTH CAROLINA EMERGENCY MANAGEMENT ACT (Ch. SL 2012-12)179, 189, 200, 247.

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- S 847 GENERAL STATUTES COMMISSION TECHNICAL CORRECTIONS/OTHER CHANGES (Ch. SL 2012-194)504, 557, 565, 571, 582, 583, 596, 599, 610.

LUCAS, MARVIN W.

- APPROVAL OF VOTE CHANGE
 - H.B. 54, CONFERENCE REPORT 592.
- BILLS INTRODUCED - 941, 942, *946, 947, 948, 957, 959, 960, 966, 970, 972, 978, 980, 984, 996, 997, 998, 999, 1003, 1004, *1005, 1006, 1010, 1011, 1012, 1013, 1014, 1020, 1023, 1033, 1045, *1046, *1047, 1053, 1057, 1058, 1066, 1067, 1072, *1111, *1116, *1117, *1118, 1150, 1151, 1157, *1159, 1160, 1161, 1162, 1164, 1165, 1168, 1171, 1175, 1177, 1179, 1180, 1183, 1187, 1211, 1218, 1219.
- EXCUSED ABSENCES NONE.

LUEBKE, PAUL

- APPROVAL OF VOTE CHANGE
 - S.B. 847, CONFERENCE REPORT 597.

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BILLS INTRODUCED - 946, 947, 948, 980, 984, 1045, 1046, 1057, 1072, 1083, 1100, 1101, 1112, 1113, 1120, *1123, 1136, *1139, 1140, 1144, *1152, *1153, 1156, 1160, 1164, 1165, *1166, *1167, *1171, 1184, 1185, 1187, 1201, *1213, 1218, 1219, 1223, 1224.

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BILLS INTRODUCED - 947, 970, 971, 972, 973, 980, 987, 1006, *1033, 1044, *1046, *1140, 1159, 1171, 1187, 1225, 1226, *1230, *1231.

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S.B. 707 507.

EXCUSED ABSENCES NONE.

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MCCOMAS, DANIEL F. (Resigned September 2, 2012)

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BILLS INTRODUCED - 1134, *1149.

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MCCORMICK, DARRELL G.

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EXCUSED ABSENCES	NONE.
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H 945 MARION LEGISLATIVE ANNEXATION

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BILLS INTRODUCED - 958, 1053, *1131, *1181.

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H.B. 819, Chair.....	340.
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BILLS INTRODUCED - 941, 946, 947, 958, 960, 961, *1017, 1084,
1104, 1168, *1180, *1200.

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EXCUSED ABSENCES	NONE.
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MCGRADY, CHUCK

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H.B. 1179, AMENDMENT NO. 1	464.
S.B. 910, AMENDMENT NO. 2.....	492.

BILLS INTRODUCED - 952, 966, 975, 976, 977, *1009, 1096, 1097, 1098,
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MCGUIRT, FRANK

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 *986, 990, 996, 997, 998, 999, 1002, 1006, 1007, 1010, 1011, 1013,
 1020, 1033, 1039, 1040, 1045, 1047, *1048, 1066, 1072, 1083, 1092,
 1093, 1094, 1095, 1098, 1101, 1103, *1110, 1111, 1113, 1116, 1117,
 1118, *1166, *1204.
 EXCUSED ABSENCES NONE.

MCLAWHORN, MARIAN N.

APPROVAL OF VOTE CHANGE
 H.B. 1023, AMENDMENT NO. 5 332.
 BILLS INTRODUCED - 941, 942, *946, 947, 996, 997, 998, *999,
 *1010, *1011, 1033, *1045, 1072, 1083, *1092, 1100, 1101, 1102,
 1112, 1113, 1116, 1117, 1118, *1151, *1159, *1160, 1161, 1162, 1164,
 1165, 1168, 1176, *1223.
 EXCUSED ABSENCES NONE.

MCNEILL, ALLEN

(Replaced Representative Harold J. Brubaker August 13, 2012)
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 464, 541, 547, 556, 558, 605.
 H 614 ENACT VOLUNTEER HEALTH CARE SERVICES ACT
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 H 1195 GOVERNOR'S BUDGET
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 S 191 LOCAL MANAGEMENT ENTITIES GOVERNANCE
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 545, 569, 570, 578, 583, 587, 602.
 H 1075 LOCAL MANAGEMENT ENTITIES/MANAGED CARE
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- H 914 AUTOMATIC EXTERNAL DEFIBRILLATORS
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- H 837 COMPLETION OF CPR BY STUDENTS REQUIRED
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- S 655 DENTISTRY MANAGEMENT ARRANGEMENTS
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