

JOURNAL

OF THE

House of Representatives

OF THE

2017

GENERAL ASSEMBLY

OF THE

STATE OF NORTH CAROLINA

**SECOND EXTRA
SESSION 2018**



OFFICERS AND MEMBERS
OF THE
HOUSE OF REPRESENTATIVES
2018 SECOND EXTRA SESSION

Tim Moore, *Speaker* Kings Mountain, Cleveland County
Sarah Stevens, *Speaker Pro Tempore* Mt. Airy, Surry County
James White, *Principal Clerk* Cary, Wake County
Garland Shephard, *Sergeant-at-Arms* Tarboro, Edgecombe County

REPRESENTATIVES

- 1st District: Camden, Chowan, Currituck, Pasquotank (Part),
Perquimans, and Tyrrell.
Bob Steinburg (R) Chowan Edenton
- 2nd District: Granville (Part) and Person.
Larry Yarborough (R) Person Roxboro
- 3rd District: Beaufort (Part), Craven (Part), and Pamlico.
Michael Speciale (R) Craven New Bern
- 4th District: Duplin (Part) and Wayne (Part).
Jimmy Dixon (R) Duplin Mt. Olive
- 5th District: Bertie, Gates, Hertford, and Pasquotank (Part).
Howard J. Hunter, III (D) Hertford Ahoskie
- 6th District: Beaufort (Part), Dare, Hyde, and Washington.
Beverly G. Boswell (R) Dare Kill Devil Hills
- 7th District: Franklin (Part) and Nash (Part).
Bobbie Richardson (D) Franklin Louisburg
- 8th District: Pitt (Part) and Wilson (Part).
Susan Martin (R) Wilson Wilson
- 9th District: Pitt (Part).
Gregory F. Murphy, MD (R) ... Pitt Greenville

- 10th District: Craven (Part), Greene (Part), Lenoir (Part), and Wayne (Part).
John R. Bell, IV (R)..... Wayne.....Goldsboro
- 11th District: Wake (Part).
Duane Hall (D) Wake..... Raleigh
- 12th District: Craven (Part), Greene (Part), and Lenoir (Part).
George Graham (D) Lenoir.....Kinston
- 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 Shepard (R) Onslow.....Jacksonville
- 16th District: Onslow (Part) and Pender.
Bob Muller (R) PenderHampstead
- 17th District: Brunswick (Part).
Frank Iler (R)..... Brunswick Oak Island
- 18th District: Brunswick (Part) and New Hanover (Part).
Deb Butler (D) New Hanover Wilmington
- 19th District: New Hanover (Part).
Ted Davis, Jr. (R)..... New Hanover Wilmington
- 20th District: New Hanover (Part).
Holly Grange (R) New Hanover Wilmington
- 21st District: Duplin (Part), Sampson (Part), and Wayne (Part).
Larry M. Bell (D)..... Sampson..... Clinton
- 22nd District: Bladen (Part), Johnston (Part), and Sampson (Part).
William D. Brisson (R)..... Bladen..... Dublin
- 23rd District: Edgecombe and Martin.
Shelly Willingham (D) Edgecombe Rocky Mount

- 24th District: Pitt (Part) and Wilson (Part).
Jean Farmer-Butterfield (D)..... Wilson..... Wilson
- 25th District: Franklin (Part) and Nash (Part).
Jeff Collins (R)..... Nash Rocky Mount
- 26th District: Johnston (Part).
Donna McDowell White (R).... Johnston Clayton
- 27th District: Halifax and Northampton.
Michael H. Wray (D)..... Northampton Gaston
- 28th District: Johnston (Part).
Larry C. Strickland (R) Johnston Pine Level
- 29th District: Durham (Part).
MaryAnn Black (D)..... Durham Durham
- 30th District: Durham (Part).
Marcia Morey (D)..... Durham Durham
- 31st District: Durham (Part).
Henry M. Michaux, Jr. (D) Durham Durham
- 32nd District: Granville (Part), Vance, and Warren.
Terry E. Garrison (D) Vance Henderson
- 33rd District: Wake (Part).
Rosa U. Gill (D)..... Wake Raleigh
- 34th District: Wake (Part).
Grier Martin (D) Wake Raleigh
- 35th District: Wake (Part).
Chris Malone (R) Wake Wake Forest
- 36th District: Wake (Part).
Nelson Dollar (R) Wake Cary
- 37th District: Wake (Part).
*Linda Hunt Williams (R) Wake Apex

- 38th District: Wake (Part).
Yvonne Lewis Holley (D)..... Wake..... Raleigh
- 39th District: Wake (Part).
Darren G. Jackson (D) Wake..... Raleigh
- 40th District: Wake (Part).
Joe John (D)..... Wake..... Raleigh
- 41st District: Wake (Part).
Gale Adcock (D)..... Wake..... Cary
- 42nd District: Cumberland (Part).
Marvin W. Lucas (D)..... CumberlandSpring Lake
- 43rd District: Cumberland (Part).
Elmer Floyd (D)..... CumberlandFayetteville
- 44th District: Cumberland (Part).
William O. Richardson (D).....CumberlandFayetteville
- 45th District: Cumberland (Part).
John Szoka (R)..... CumberlandFayetteville
- 46th District: Bladen (Part), Columbus, and Robeson (Part).
Brenden H. Jones (R)..... Columbus..... Tabor City
- 47th District: Robeson (Part).
Charles Graham (D)..... RobesonLumberton
- 48th District: Hoke (Part), Richmond (Part), Robeson (Part), and
Scotland (Part).
Garland E. Pierce (D) Scotland Wagram
- 49th District: Wake (Part).
Cynthia Ball (D) Wake.....Raleigh
- 50th District: Durham (Part) and Orange (Part).
Graig R. Meyer (D).....Orange Chapel Hill
- 51st District: Harnett (Part) and Lee (Part).
John Sauls (R)..... LeeSanford

- 52nd District: Moore (Part).
James L. Boles, Jr. (R)..... Moore..... Southern Pines
- 53rd District: Harnett (Part).
David R. Lewis (R)..... HarnettDunn
- 54th District: Chatham and Lee (Part).
Robert T. Reives, II (D)..... Lee Sanford
- 55th District: Anson and Union (Part).
Mark Brody (R) Union Monroe
- 56th District: Orange (Part).
Verla Insko (D)..... Orange Chapel Hill
- 57th District: Guilford (Part).
Pricey Harrison (D)..... Guilford..... Greensboro
- 58th District: Guilford (Part).
Amos L. Quick, III (D)..... Guilford Greensboro
- 59th District: Guilford (Part).
Jon Hardister (R)..... Guilford Whitsett
- 60th District: Guilford (Part).
Cecil Brockman (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).
Stephen M. Ross (R)..... Alamance Burlington
- 64th District: Alamance (Part).
Dennis Riddell (R)..... Alamance Snow Camp
- 65th District: Caswell and Rockingham (Part).
Bert Jones (R)..... Rockingham..... Reidsville

- 66th District: Hoke (Part), Montgomery (Part), Richmond (Part), Robeson (Part), and Scotland (Part).
Ken Goodman (D) Richmond..... Rockingham
- 67th District: Montgomery (Part) and Stanly.
Justin P. Burr (R) Stanly Albemarle
- 68th District: Union (Part).
D. Craig Horn (R) Union Weddington
- 69th District: Union (Part).
Dean Arp (R) Union Monroe
- 70th District: Randolph (Part).
Pat B. Hurley (R) Randolph..... Asheboro
- 71st District: Forsyth (Part).
Evelyn Terry (D)..... Forsyth Winston-Salem
- 72nd District: Forsyth (Part).
**Vacant Seat
- 73rd District: Alexander, Wilkes (Part), and Yadkin.
Lee Zachary (R)..... Yadkin Yadkinville
- 74th District: Forsyth (Part).
Debra Conrad (R) Forsyth Winston-Salem
- 75th District: Forsyth (Part).
Donny Lambeth (R)..... Forsyth Winston-Salem
- 76th District: Cabarrus (Part) and Rowan (Part).
Carl Ford (R) Rowan..... China Grove
- 77th District: Rowan (Part).
Harry Warren (R)..... Rowan..... Salisbury
- 78th District: Moore (Part) and Randolph (Part).
Allen McNeill (R)..... Randolph..... Asheboro
- 79th District: Davie and Forsyth (Part).
Julia C. Howard (R)..... Davie..... Mocksville

- 80th District: Davidson (Part).
Sam Watford (R).....Davidson.....Thomasville
- 81st District: Davidson (Part).
Larry W. Potts (R) Davidson..... Lexington
- 82nd District: Cabarrus (Part).
Larry G. Pittman (R)..... Cabarrus..... Concord
- 83rd District: Cabarrus (Part).
Linda P. Johnson (R) Cabarrus..... Kannapolis
- 84th District: Iredell (Part).
Rena W. Turner (R) Iredell..... Olin
- 85th District: Avery, McDowell, and Mitchell.
Josh Dobson (R) McDowell Nebo
- 86th District: Burke (Part).
Hugh Blackwell (R)..... Burke Valdese
- 87th District: Caldwell.
Destin Hall (R)..... Caldwell..... Lenoir
- 88th District: Mecklenburg (Part).
Mary Belk (D)..... Mecklenburg..... Charlotte
- 89th District: Catawba (Part).
Mitchell S. Setzer (R) Catawba Catawba
- 90th District: Surry and Wilkes (Part).
Sarah Stevens (R) Surry Mt. Airy
- 91st District: Rockingham (Part) and Stokes.
Kyle Hall (R) Stokes..... King
- 92nd District: Mecklenburg (Part).
Chaz Beasley (D)..... Mecklenburg..... Charlotte
- 93rd District: Ashe and Watauga.
Jonathan C. Jordan (R) Ashe..... West Jefferson
- 94th District: Alleghany and Wilkes (Part).
Jeffrey Elmore (R) Wilkes..... North Wilkesboro

- 95th District: Iredell (Part).
John A. Fraley (R) Iredell..... Mooresville
- 96th District: Catawba (Part).
Jay Adams (R) Catawba Hickory
- 97th District: Lincoln.
Jason Saine (R) Lincoln..... Lincolnton
- 98th District: Mecklenburg (Part).
John R. Bradford, III (R) Mecklenburg Cornelius
- 99th District: Mecklenburg (Part).
Rodney W. Moore (D) Mecklenburg Charlotte
- 100th District: Mecklenburg (Part).
John Autry (D) Mecklenburg Charlotte
- 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).
Andy Dulin (R) Mecklenburg Charlotte
- 105th District: Mecklenburg (Part).
Scott Stone (R) Mecklenburg Charlotte
- 106th District: Mecklenburg (Part).
Carla D. Cunningham (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).
Dana Bumgardner (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: Burke (Part) and Rutherford.
David Rogers (R)..... Rutherford..... Rutherfordton
- 113th District: Henderson (Part), Polk, and Transylvania.
Cody Henson (R) TransylvaniaBrevard
- 114th District: Buncombe (Part).
Susan C. Fisher (D)..... Buncombe..... Asheville
- 115th District: Buncombe (Part).
John Ager (D) Buncombe..... Fairview
- 116th District: Buncombe (Part).
Brian Turner (D)..... Buncombe..... Asheville
- 117th District: Henderson (Part).
Chuck McGrady (R) Henderson..... Hendersonville
- 118th District: Haywood (Part), Madison, and Yancey.
Michele D. Presnell (R) YanceyBurnsville
- 119th District: Haywood (Part), Jackson, and Swain.
Mike Clampitt (R)..... Swain Bryson City
- 120th District: Cherokee, Clay, Graham, and Macon.
Kevin Corbin (R) Macon Franklin

*Rep. Linda Hunt Williams resigned 8/31/18.

**Rep. Edward Hanes, Jr. resigned 8/7/18. Rep. Derwin L. Montgomery appointed 8/15/18, but not seated for the 2018 Second Extra Session.

HOUSE JOURNAL

SECOND EXTRA SESSION 2018

FIRST DAY

HOUSE OF REPRESENTATIVES
Friday, August 24, 2018

In accordance with law, as set forth in the Constitution of the State of North Carolina, and pursuant to the Joint Proclamation issued August 23, 2018, upon the receipt of written request of three-fifths of all the members of the House of Representatives and the Senate, the House of Representatives of the North Carolina General Assembly convenes in Second Extra Session at the hour of 9:00 a.m. in the House Chamber of the State Legislative Building in the City of Raleigh, and is called to order by the Speaker.

Prayer is offered by Representative Jimmy Dixon.

The Speaker leads the Body in the Pledge of Allegiance.

Leaves of absence are granted Representatives Adcock, Black, Brockman, Butler, Cunningham, R. Moore, and Steinburg for today. Representatives Earle, Farmer-Butterfield, and Pierce are excused for a portion of the Session.

JOINT PROCLAMATION TO CONVENE THE GENERAL ASSEMBLY OF NORTH CAROLINA IN EXTRA SESSION

WHEREAS, Article II, Section 11(2) of the Constitution of North Carolina authorizes and requires the Speaker of the House of Representatives and the President of the Senate to convene the General Assembly in extra session by joint proclamation upon receipt of written requests signed by three-fifths of all members of the House of Representatives and the Senate, and

WHEREAS, the President of the Senate and the Speaker of the House of Representatives has each received written requests from three-fifths of all the members of the House of Representatives and the Senate,

NOW, THEREFORE, the Speaker of the House of Representatives and the President of the Senate do hereby proclaim that the General Assembly of North Carolina shall convene in extra session in the City of Raleigh, North Carolina, in the State Legislative Building at 9:00 o'clock a.m. on Friday, August 24, 2018, to consider bills concerning any matters the General Assembly elects to consider.

A copy of the Proclamation shall be delivered to each member of the House of Representatives, and the Senate, and a copy to the Governor of North Carolina and the Secretary of State.

Issued this the 23rd day of August, 2018.

S/ Dan Forest
President of the Senate

S/ Tim Moore
Speaker of the House of Representatives

After receiving 72 requests from the House Members to call an Extra Session and after having heard from the Lieutenant Governor that he had received 32 requests, the Lieutenant Governor and the Speaker issued a proclamation calling for this Extra Session. Each Member should have received a copy of this proclamation via email. These written requests are on file in the Office of the Principal Clerk and shall be retained there for a period of two years and then forwarded to Archives and History.

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

North Carolina General Assembly
House of Representatives

Representative Edward F. Hanes Jr.
District 72 Forsyth County

August 7, 2018

For Immediate Release

Hanes Announces Retirement from the General Assembly

Winston-Salem, NC - I will retire from my service in the House of Representatives and the North Carolina General Assembly effective August 7,

August 24, 2018

2018. It has been an honor and a great privilege to serve and represent my friends and neighbors in District 72. I thank my family for their support during my time of service.

I tirelessly worked across the aisle for the greater benefit of the State of North Carolina and Forsyth County in order to achieve the adoption of important legislation. I was able to remain committed to a singularly policy driven focus having come to Raleigh to create relationships and bring people together on difficult issues. I'm proud that I was able to maintain that focus while avoiding most of the politics that has created the stratified political environment that exists nationally.

It was important that I balance the very real business concerns of our State with the equally important social justice concerns of my principle constituency. I proactively worked to support the business community and their efforts to balance profit with the changing realities of our evolving workforce. You cannot have one without the other.

I leave with peace of mind as I move into the next phase of my professional life. I intend to explore interests and opportunities across a number of platforms. I will remain involved in my professional and personal life with organizations that influence public thought and further strengthen my family's long commitment to this community.

I dedicate my six years of service and offer eternal gratitude to my parents, Edward Francis and Mattie Leverne Hanes, who persevered in America with a Tubman spine and made me all that I am and all that I ever will be.

S/ Edward F. Hanes, Jr.

THE APPOINTMENT OF DERWIN L. MONTGOMERY

2017-2018

BY THE GOVERNOR OF THE STATE OF NORTH CAROLINA

A PROCLAMATION

WHEREAS, Edward Hanes, Jr., elected Representative from House District 72, 2017-2018 General Assembly, has resigned; and

WHEREAS, the provisions of N.C. Gen. Stat. § 163-11, as recodified by Session Law 2017-6, require that the vacancy created by the resignation of Representative Edward Hanes, Jr. be filled by appointment of the person recommended by the House District 72 Executive Committee; and

August 24, 2018

WHEREAS, the House District 72 Executive Committee has notified me of its recommendation of Derwin L. Montgomery of Forsyth County, North Carolina, to fill the unexpired term;

I do, by these presents appoint,

DERWIN L. MONTGOMERY

as a member of the

NORTH CAROLINA HOUSE OF REPRESENTATIVES

2017-2018 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 fifteenth day of August in the year of our Lord two thousand eighteen, and of the Independence of the United States of America the two hundred and forty-second.

S/ Roy Cooper
Governor

ATTEST:

S/ Elaine F. Marshall
Secretary of State

Representative Derwin L. Montgomery will be administered the oath of office and seated at a later date. (The text of the oath may be found in the Appendix of the 2018 Regular Session.)

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

August 9, 2018

Roy Cooper
Governor

The Honorable Tim Moore
Speaker of the House
16 W. Jones Street, Room 2304
Raleigh, NC 27601-1096

August 24, 2018

Dear Speaker Moore:

In light of the action taken on the previous nomination by House Joint Resolution 1097 on June 28, 2018, and pursuant to N.C. Gen. Stat. § 7A-45.1 (a10), I am pleased to nominate District Court Judge Craig Croom as Special Superior Court judge to fill the vacancy created on March 6, 2018.

I hereby submit his name for confirmation by the General Assembly by joint resolution.

I am grateful for Judge Croom's willingness to assume this important responsibility for the State of North Carolina. Attached is his biographical information for your review. Please feel free to call my staff for any additional information.

Sincerely,
S/ Roy Cooper
Governor

The letter is on file in the Office of the House Principal Clerk.

North Carolina General Assembly
House of Representatives

Representative Linda Hunt Williams
37th District
603 Legislative Office Building
300 N. Salisbury Street
Raleigh, NC 27603-5925

August 13, 2018

Representative Tim Moore
North Carolina General Assembly
16 West Jones Street, Room 2304
Raleigh, NC 27601-1096

Dear Speaker Moore,

This letter is to inform you that I am retiring from my District 37 seat in the North Carolina House of Representatives effective August 31, 2018. My husband Pat has accepted an employment position in Louisiana. It has been a great honor and profound privilege to serve with you and my fellow legislators, as well as, serve my friends, neighbors, and fellow citizens as their legislator in District 37.

August 24, 2018

As you know, Pat and I came to North Carolina, in 1986 from Louisiana. We were grateful to find work and lifelong friends and begin what turned out to be a 32-year rewarding and memorable stint away from our extended family and friends in New Orleans. During that time I was privileged to work for 7 years as a Town Councilwoman and 2 years as State Legislator, which enabled me to take part in growing North Carolina's population, economy, and national stature into what it is today. I am proud of what we have accomplished in a relatively short period of time! North Carolina was and is still a great place to live, work, and play.

Although it is with sadness that I close one door, I am excited about the next phase of my life. I hope to enjoy the "good life" of retirement after 51 years of almost all public service that began in the U.S. Navy in 1967 (22 years in North Carolina politics alone).

Thank you for your support and encouragement and I wish only goodness and success to my fellow legislators and the citizens of The Great State of North Carolina. With warmest personal regards

Sincerely,
S/ Linda Hunt Williams

QUORUM CALL

In order to establish a quorum, Speaker Moore directs an electronic call of the roll of the Members of the House and the following Representatives are recorded as present:

Speaker Moore; Representatives Adams, Ager, Alexander, Arp, Autry, Ball, Beasley, Belk, J. Bell, Boles, Bradford, Brawley, Brisson, Brody, Bumgardner, Burr, Carney, Clampitt, Cleveland, Collins, Conrad, Corbin, Davis, Dixon, Dobson, Dollar, Dulin, Elmore, Faircloth, Farmer-Butterfield, Ford, Fraley, Garrison, Gill, Grange, Destin Hall, K. Hall, Hardister, Harrison, Hastings, Henson, Horn, Howard, Hunter, Hurley, Iler, Johnson, Bert Jones, Brenden Jones, Lambeth, Lewis, Lucas, Malone, G. Martin, S. Martin, McElraft, McGrady, McNeill, Michaux, Muller, Murphy, Pittman, Potts, Presnell, Riddell, Rogers, Ross, Saine, Sauls, Setzer, Shepard, Speciale, Stevens, Stone, Strickland, Szoka, Torbett, B. Turner, R. Turner, Warren, Watford, White, Williams, Willingham, Wray, and Yarborough.

Eighty-seven Members having answered the call, the Speaker declares a quorum present. The House proceeds with public business.

August 24, 2018

ADOPTION OF PERMANENT RULES

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

The Speaker directs the Clerk to number the resolution and places **H.R. 1, A HOUSE RESOLUTION ADOPTING THE PERMANENT RULES OF THE 2018 SECOND EXTRA SESSION OF THE NORTH CAROLINA HOUSE OF REPRESENTATIVES**, before the Body.

Representative Jackson moves that the House recess until 10:45 a.m. The motion fails by electronic vote (34-66).

Representative Jackson offers Amendment No. 1 which fails of adoption by electronic vote (36-70).

Representative Lewis calls the previous question on the adoption of the resolution and the call is sustained by electronic vote (71-36).

The resolution is adopted, by electronic vote (73-34), and ordered printed.

COMMITTEE ASSIGNMENTS

The Speaker states that the Committees on Rules, Calendar, and Operations of the House, Ethics, Judiciary I, Judiciary II, Judiciary III, Judiciary IV, Finance, and Appropriations are activated to meet pursuant to the rules and that the committee memberships are the same as those of the 2017 Regular Session.

SPECIAL MESSAGE TO THE SENATE

The Speaker directs that a message be sent to the Senate informing that Honorable Body that the 2017 House of Representatives is organized and ready to proceed with the public business for the 2018 Second Extra Session.

SPECIAL MESSAGE FROM THE SENATE**2017 GENERAL ASSEMBLY
SECOND EXTRA SESSION 2018**

Senate Chamber
August 24, 2018

August 24, 2018

Mr. Speaker:

It is ordered that a message be sent to your honorable body with the information that the Senate is convened pursuant to the Joint Proclamation issued by the President of the Senate and the Speaker of the House on August 23, 2018, and is now organized and ready to proceed with the public business of the state in Extra Session.

Respectfully,
S/ Sarah Lang Holland
Principal Clerk

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced and read the first time:

By Representative Lewis:

H.J.R. 2, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE 2018 SECOND EXTRA SESSION.

The resolution is placed on today's Calendar.

By Representative Lewis:

H.B. 3, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO PROVIDE FOR NON-PARTISAN JUDICIAL MERIT COMMISSIONS FOR THE NOMINATION AND RECOMMENDATION OF NOMINEES WHEN FILLING VACANCIES IN THE OFFICE OF JUSTICE OR JUDGE OF THE GENERAL COURT OF JUSTICE AND TO MAKE OTHER CONFORMING CHANGES TO THE CONSTITUTION.

The bill is placed on today's Calendar.

By Representative Lewis:

H.B. 4, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO ESTABLISH A BIPARTISAN BOARD OF ETHICS AND ELECTIONS ENFORCEMENT.

The bill is placed on today's Calendar.

August 24, 2018

By Representative W. Richardson:

H.B. 5, A BILL TO BE ENTITLED AN ACT TO AMEND THE ELECTION LAWS OF THE STATE TO INCREASE THE AMOUNT OF NOTICE GIVEN BY THE COUNTY BOARD OF ELECTIONS FOR AN ELECTION, TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO INCREASE THE NUMBER OF MEMBERS OF THE GENERAL ASSEMBLY REQUIRED TO SUBMIT WRITTEN REQUESTS TO CONVENE AN EXTRA SESSION OF THE GENERAL ASSEMBLY, AND TO REQUIRE ADVANCED NOTICE OF THE EXTRA SESSION, is referred to the Committee on Rules, Calendar, and Operations of the House.

CALENDAR

Action is taken on the following:

H.J.R. 2, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE 2018 SECOND EXTRA SESSION, passes its second reading, by electronic vote (99-2), and is read a third time.

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

H.B. 4, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO ESTABLISH A BIPARTISAN BOARD OF ETHICS AND ELECTIONS ENFORCEMENT.

Representative Jackson offers Amendment No. 1 which fails of adoption by electronic vote (33-73).

The bill passes its second reading, by the following three-fifths majority vote, and is read a third time.

Those voting in the affirmative are: Speaker Moore; Representatives Adams, Arp, J. Bell, Blackwell, Blust, Boles, Bradford, Brawley, Brisson, Brody, Bumgardner, Burr, Clampitt, Cleveland, Collins, Conrad, Corbin, Davis, Dixon, Dobson, Dollar, Dulin, Elmore, Faircloth, Ford, Fraley, Grange, Destin Hall, K. Hall, Hardister, Hastings, Henson, Horn, Howard, Hurley, Iler, Johnson, Bert Jones, Brenden Jones, Jordan, Lambeth, Lewis, Malone, S. Martin, McElraft, McGrady, McNeill, Muller, Murphy, Pittman, Potts, Presnell, Riddell, Rogers, Ross, Saine, Sauls, Setzer, Shepard, Speciale, Stevens, Stone, Strickland, Szoka, Torbett, R. Turner, Warren, Watford, White, Williams, Yarborough, and Zachary - 73.

August 24, 2018

Voting in the negative: Representatives Ager, Alexander, Autry, Ball, Beasley, Carney, Fisher, Floyd, Garrison, Gill, Goodman, C. Graham, Duane Hall, Harrison, Holley, Hunter, Insko, Jackson, John, Lucas, G. Martin, Meyer, Michaux, Morey, Pierce, Quick, Reives, B. Richardson, W. Richardson, Terry, B. Turner, Willingham, and Wray - 33.

Excused absences: Representatives Adcock, Black, Brockman, Butler, Cunningham, Earle, Farmer-Butterfield, R. Moore, and Steinburg - 9.

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

Those voting in the affirmative are: Speaker Moore; Representatives Adams, Arp, J. Bell, Blackwell, Blust, Boles, Bradford, Brawley, Brisson, Brody, Bumgardner, Burr, Clampitt, Cleveland, Collins, Conrad, Corbin, Davis, Dixon, Dobson, Dollar, Dulin, Elmore, Faircloth, Ford, Fraley, Grange, Destin Hall, K. Hall, Hardister, Hastings, Henson, Horn, Howard, Hurley, Iler, Johnson, Bert Jones, Brenden Jones, Jordan, Lambeth, Lewis, Malone, S. Martin, McElraft, McGrady, McNeill, Muller, Murphy, Pittman, Potts, Presnell, Riddell, Rogers, Ross, Saine, Sauls, Setzer, Shepard, Speciale, Stevens, Stone, Strickland, Szoka, Torbett, R. Turner, Warren, Watford, White, Williams, Yarborough, and Zachary - 73.

Voting in the negative: Representatives Ager, Alexander, Autry, Ball, Beasley, Carney, Fisher, Floyd, Garrison, Gill, Goodman, C. Graham, Duane Hall, Harrison, Holley, Hunter, Insko, Jackson, John, Lucas, G. Martin, Meyer, Michaux, Morey, Pierce, Quick, Reives, B. Richardson, W. Richardson, Terry, B. Turner, Willingham, and Wray - 33.

Excused absences: Representatives Adcock, Black, Brockman, Butler, Cunningham, Earle, Farmer-Butterfield, R. Moore, and Steinburg - 9.

H.B. 3, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO PROVIDE FOR NON-PARTISAN JUDICIAL MERIT COMMISSIONS FOR THE NOMINATION AND RECOMMENDATION OF NOMINEES WHEN FILLING VACANCIES IN THE OFFICE OF JUSTICE OR JUDGE OF THE GENERAL COURT OF JUSTICE AND TO MAKE OTHER CONFORMING CHANGES TO THE CONSTITUTION.

Representative Jackson offers Amendment No. 1 which fails of adoption by electronic vote (35-71).

August 24, 2018

Representative Jackson offers Amendment No. 2 which is adopted by electronic vote (97-8).

Representative Blackwell requests and is granted leave of the House to change his vote from "no" to "aye". The adjusted vote total is (98-7).

Representative Jackson offers Amendment No. 3 which fails of adoption by electronic vote (33-73).

The bill, as amended, passes its second reading, by the following three-fifths majority vote, and is read a third time.

Those voting in the affirmative are: Speaker Moore; Representatives Adams, Arp, J. Bell, Blackwell, Boles, Bradford, Brawley, Brisson, Brody, Bumgardner, Burr, Clampitt, Cleveland, Collins, Conrad, Corbin, Davis, Dixon, Dobson, Dollar, Dulin, Elmore, Faircloth, Ford, Fraley, Grange, Destin Hall, K. Hall, Hardister, Hastings, Henson, Horn, Howard, Hurley, Iler, Johnson, Bert Jones, Brenden Jones, Jordan, Lambeth, Lewis, Malone, S. Martin, McElraft, McGrady, McNeill, Muller, Murphy, Pittman, Potts, Presnell, Riddell, Rogers, Ross, Saine, Sauls, Setzer, Shepard, Speciale, Stevens, Stone, Strickland, Szoka, Torbett, R. Turner, Warren, Watford, White, Williams, Yarborough, and Zachary - 72.

Voting in the negative: Representatives Ager, Alexander, Autry, Ball, Beasley, Blust, Carney, Fisher, Floyd, Garrison, Gill, Goodman, C. Graham, Duane Hall, Harrison, Holley, Hunter, Insko, Jackson, John, Lucas, G. Martin, Meyer, Michaux, Morey, Pierce, Quick, Reives, B. Richardson, W. Richardson, Terry, B. Turner, Willingham, and Wray - 34.

Excused absences: Representatives Adcock, Black, Brockman, Butler, Cunningham, Earle, Farmer-Butterfield, R. Moore, and Steinburg - 9.

The bill, as amended, passes its third reading, by the following three-fifths majority vote, and is ordered engrossed and sent to the Senate by Special Message.

Those voting in the affirmative are: Speaker Moore; Representatives Adams, Arp, J. Bell, Blackwell, Boles, Bradford, Brawley, Brisson, Brody, Bumgardner, Burr, Clampitt, Cleveland, Collins, Conrad, Corbin, Davis, Dixon, Dobson, Dollar, Dulin, Elmore, Faircloth, Ford, Fraley, Grange, Destin Hall, K. Hall, Hardister, Hastings, Henson, Horn, Howard, Hurley,

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Iler, Johnson, Bert Jones, Brenden Jones, Jordan, Lambeth, Lewis, Malone, S. Martin, McElraft, McGrady, McNeill, Muller, Murphy, Pittman, Potts, Presnell, Riddell, Rogers, Ross, Saine, Sauls, Setzer, Shepard, Speciale, Stevens, Stone, Strickland, Szoka, Torbett, R. Turner, Warren, Watford, White, Williams, Yarborough, and Zachary - 72.

Voting in the negative: Representatives Ager, Alexander, Autry, Ball, Beasley, Blust, Carney, Fisher, Floyd, Garrison, Gill, Goodman, C. Graham, Duane Hall, Harrison, Holley, Hunter, Insko, Jackson, John, Lucas, G. Martin, Meyer, Michaux, Morey, Pierce, Quick, Reives, B. Richardson, W. Richardson, Terry, B. Turner, Willingham, and Wray - 34.

Excused absences: Representatives Adcock, Black, Brockman, Butler, Cunningham, Earle, Farmer-Butterfield, R. Moore, and Steinburg - 9.

Pursuant to Article II, Section 18 of the North Carolina Constitution, Representative Jackson submits the following protest:

PROTEST

"Article 1, Section 12 of the North Carolina Constitution gives every North Carolinian the right to instruct their representatives. I believe this special session, with approximately 17 hours of notice to the public and to this body, violates that right. Under Article II, Section 18 of the North Carolina Constitution I am protesting this session because I think it is injurious to the public. I ask that my protest be entered into the journal."

MOTION TO SUSPEND RULES

H.B. 5, A BILL TO BE ENTITLED AN ACT TO AMEND THE ELECTION LAWS OF THE STATE TO INCREASE THE AMOUNT OF NOTICE GIVEN BY THE COUNTY BOARD OF ELECTIONS FOR AN ELECTION, TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO INCREASE THE NUMBER OF MEMBERS OF THE GENERAL ASSEMBLY REQUIRED TO SUBMIT WRITTEN REQUESTS TO CONVENE AN EXTRA SESSION OF THE GENERAL ASSEMBLY, AND TO REQUIRE ADVANCED NOTICE OF THE EXTRA SESSION.

Representative W. Richardson moves to withdraw the bill from the Committee on Rules, Calendar, and Operations of the House and place the bill on today's Calendar for immediate consideration.

The Speaker rules that the procedure to remove a bill from committee is through the discharge petition process under Rule 39.

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Representative W. Richardson moves to suspend the Rules in order to allow for the discharge of the bill from the Committee on Rules, Calendar, and Operations of the House and the placement of the bill on today's Calendar for immediate consideration.

The motion to suspend the Rules fails for lack of a two-thirds majority by electronic vote (32-66).

Representative Lewis moves, seconded by Representative Johnson, that the House adjourn at 12:43 p.m., in honor and memory of Lauren Ashley Setzer, niece of Representative Setzer, subject to the standard stipulations set forth in House Rule 15.1, to reconvene Monday, August 27, 2018 at 2:00 p.m.

The motion carries.

Nothing having been received, the House stands adjourned at 1:36 p.m.

SECOND DAY

HOUSE OF REPRESENTATIVES
Monday, August 27, 2018

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

Prayer is offered by Representative Donna McDowell White.

The Speaker leads the Body in the Pledge of Allegiance.

Representative Lewis, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of August 24 has been examined and found correct. Upon his motion, the Journal is approved as written.

A leave of absence is granted Representative Hastings for today.

ENROLLED BILLS

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

H.B. 3, AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO PROVIDE FOR NONPARTISAN JUDICIAL MERIT COMMISSIONS FOR THE NOMINATION AND RECOMMENDATION

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OF NOMINEES WHEN FILLING VACANCIES IN THE OFFICE OF JUSTICE OR JUDGE OF THE GENERAL COURT OF JUSTICE AND TO MAKE OTHER CONFORMING CHANGES TO THE CONSTITUTION.

H.B. 4, AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO ESTABLISH A BIPARTISAN BOARD OF ETHICS AND ELECTIONS ENFORCEMENT.

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

H.J.R. 2, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE 2018 SECOND EXTRA SESSION. (RESOLUTION 2018-12)

CHAPTERED BILLS

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

H.B. 3, AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO PROVIDE FOR NONPARTISAN JUDICIAL MERIT COMMISSIONS FOR THE NOMINATION AND RECOMMENDATION OF NOMINEES WHEN FILLING VACANCIES IN THE OFFICE OF JUSTICE OR JUDGE OF THE GENERAL COURT OF JUSTICE AND TO MAKE OTHER CONFORMING CHANGES TO THE CONSTITUTION. (S.L. 2018-132)

H.B. 4, AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO ESTABLISH A BIPARTISAN BOARD OF ETHICS AND ELECTIONS ENFORCEMENT. (S.L. 2018-133)

Representative Lewis moves, seconded by Representative Blust, pursuant to **H.J.R. 2**, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE 2018 SECOND EXTRA SESSION, that the House of Representatives meeting in the Second Extra Session of the 2017 General Assembly adjourn *sine die*, subject to messages from the Senate.

The motion carries.

SPECIAL MESSAGE TO THE SENATE

The Speaker orders a Special Message sent to the Senate informing that Honorable Body that the House has concluded the public business for which it was convened and stands ready to adjourn the Second Extra Session of the 2017 House of Representatives of the North Carolina General Assembly *sine die*.

August 27, 2018

The Speaker sounds the gavel and declares the Second Extra Session of the 2017 House of Representatives of the North Carolina General Assembly adjourned *sine die* at 2:58 p.m.

SPECIAL MESSAGE FROM THE SENATE

**2017 GENERAL ASSEMBLY
SECOND EXTRA SESSION 2018**

Senate Chamber
August 27, 2018

Mr. Speaker:

It is ordered that a message be sent to your honorable body respectfully advising that the Senate has concluded the business of the 2018 Second Extra Session of the 2017 General Assembly and is adjourning *sine die*, pursuant to **H.J.R. 2 (1st Edition)**, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE 2018 SECOND EXTRA SESSION.

Respectfully,
S/ Sarah Lang Holland
Principal Clerk

The House stands adjourned *sine die* at 3:23 p.m.

James White
Principal Clerk

August 27, 2018

APPENDIX
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H.R. 1, A HOUSE RESOLUTION ADOPTING THE PERMANENT RULES OF THE 2018 SECOND EXTRA SESSION OF THE NORTH CAROLINA HOUSE OF REPRESENTATIVES.

Be it resolved by the House of Representatives:

SECTION 1. The permanent rules of the 2017 Regular Session of the House of Representatives, with the following amendments, are adopted as the permanent rules of the 2018 Second Extra Session:

(1) **RULE 1 shall read as follows: "RULE 1. Convening Hour.** The House shall convene each legislative day at the hour fixed by the House. In the event the House adjourns on the preceding legislative day without having fixed an hour for reconvening, the House shall convene on the next legislative day at 10:00 A.M."

(2) Notwithstanding RULE 26, the Committee on Rules, Calendar, and Operations of the House, the Ethics Committee, the Judiciary I, II, III, and IV Committees, the Finance Committee, and the Appropriations Committee (not including the Appropriations Committees for budget specific areas) shall be comprised of the members who were appointed during the Regular Session and other members as the Speaker may appoint at the beginning of the Second Extra Session. The Chairs and Vice-Chairs of those committees shall be those who were appointed by the Speaker during the Regular Session.

(3) Notwithstanding RULE 27, the standing committees of the House are:

Committees

- a. Rules, Calendar, and Operations of the House
- b. Ethics
- c. Judiciary I
- d. Judiciary II
- e. Judiciary III
- f. Judiciary IV
- g. Finance
- h. Appropriations

All rules of the 2017 Regular Session applicable to standing committees of the House other than the committees named in this subdivision are inoperative. The Speaker may appoint select committees and fill vacancies of standing committees under RULE 26.

(4) Notwithstanding RULE 31(a), any bill or resolution shall be introduced by submitting the bill or resolution to the Principal Clerk's Office.

- (5) Notwithstanding RULES 31 and 31.1:
 - a. The only resolutions that may be introduced or considered in the House are resolutions adjourning the 2018 Second Extra Session sine die.
 - b. All bills shall be excluded from introduction or consideration in the House, other than bills proposing amendments to the North Carolina Constitution.
- (6) RULE 31.1 shall not apply to resolutions adjourning the 2018 Second Extra Session sine die and bills proposing amendments to the North Carolina Constitution.
- (7) Notwithstanding RULES 32 and 41, a resolution or bill may be placed on the calendar without being referred by the Speaker to a committee and on the same legislative day of its introduction or receipt from the Senate.
- (8) Notwithstanding RULE 36(b) and (b1), a bill reported favorably by a committee or received for concurrence may be placed on the favorable calendar on the same day it is reported and a proposed committee substitute does not have to be distributed electronically to committee members prior to being considered by the committee.
- (9) Notwithstanding RULE 41:
 - a. The first reading and reference to a standing committee of a House bill shall occur on the legislative day of its introduction. The first reading and reference to a standing committee of a Senate bill shall occur on the legislative day of its receipt on messages from the Senate. The Speaker shall give notice at each subsequent reading whether it is the second or third reading.
 - b. Except for a bill governed by Section 23 of Article II of the North Carolina Constitution, a bill may be read more than once on the same day.
- (10) Notwithstanding RULE 44(d), a conference report may be placed on the calendar for the legislative day on which the report is received.
- (11) Notwithstanding RULE 59, any member wishing to cosponsor a bill or resolution that has been introduced may do so on the day during which the bill or resolution was first read and referred, but only while the bill or resolution is in the possession of the House.

SECTION 2. This resolution is effective upon adoption.

**FINAL DISPOSITION OF BILLS
IN HOUSE COMMITTEES**

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