JOURNAL
OF THE
House of Representatives
OF THE
1975
GENERAL ASSEMBLY
OF THE
STATE OF NORTH CAROLINA

SECOND
SESSION 1976
OFFICERS AND MEMBERS
OF THE
House of Representatives
SECOND SESSION 1976

JAMES C. GREEN, Speaker.................................Clarkton, Bladen County
C. KITCHIN JOSEY, Speaker Pro Tempore...Scotland Neck, Halifax County
GRACE A. COLLINS, Principal Clerk........Fuquay-Varina, Wake County
SAM J. BURROW, JR., Reading Clerk..........Asheboro, Randolph County
C. GRAHAM TART, Sergeant-at-Arms..........Clinton, Sampson County

REPRESENTATIVES

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### HOUSE JOURNAL

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### HOUSE JOURNAL

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## REPRESENTATIVES — Continued

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<tr>
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<td>45th (1) Cherokee Clay Graham Macon</td>
<td>Jeff H. Enloe, Jr. (D)</td>
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In accordance with the adjournment motion of June 26, 1975, the House is called to order by the Speaker at 12:00 noon on Monday, May 3, 1976.

Prayer is offered by Dr. Albert G. Edwards, House Chaplain.

A leave of absence is granted Representative Hunt for May 3-5.

The Speaker announces that Representative John J. Hunt of the 40th House District resigned on April 14, 1976. Mrs. Edith Lutz was appointed on May 3, 1976, by the Governor to fill his unexpired term. The following oath of office is administered to Mrs. Lutz by The Honorable Thad Eure, Secretary of State.

"I, Edith Lutz, do solemnly swear that I will support and maintain the Constitution and the laws of the United States.

"I, Edith Lutz, do solemnly and sincerely swear 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 and laws of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability.

"I, Edith Lutz, do solemnly swear that I will faithfully discharge my duties as a member of the House of Representatives of the 1975 General Assembly of the State of North Carolina to the best of my skill and ability, according to law, so help me, God."

The courtesies of the floor are extended to the family of Mrs. Lutz.

It is announced by the Speaker that Representatives David M. Blackwell and James E. Long, of the 22nd House District, resigned as members of the House of Representatives on July 31, 1975. Appointed by the Governor on August 18, 1975, to fill these vacancies were Conrad Riley Duncan and Bertha Merrill Holt, respectively. Oath of office was administered to Mr. Duncan on August 28, 1975, and to Mrs. Holt on August 29, 1975. The Speaker orders that these oaths be entered into today's Journal.

"I, Conrad Riley Duncan, do solemnly swear that I will support and maintain the Constitution and the laws of the United States.
"I, Conrad Riley Duncan, do solemnly and sincerely swear 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 and laws of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability.

"I, Conrad Riley Duncan, do solemnly swear that I will faithfully discharge my duties as a member of the House of Representatives of the 1975 General Assembly of the State of North Carolina to the best of my skill and ability, according to law, so help me, God."

"I, Bertha Merrill Holt, do solemnly swear that I will support and maintain the constitution and the laws of the United States.

"I Bertha Merrill Holt, do solemnly and sincerely swear 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 and laws of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability.

"I, Bertha Merrill Holt, do solemnly swear that I will faithfully discharge my duties as a member of the House of Representatives of the 1975 General Assembly of the State of North Carolina to the best of my skill and ability, according to law, so help me, God."

The Speaker announces that due to the untimely death of Representative Art W. Thomas, of the 33rd House District, his wife, Mrs. Betty Dorton Thomas was appointed by the Governor on October 21, 1975, to fill his unexpired term. Mrs. Thomas took her oath of office on October 29, 1975, and the Speaker orders that this oath be entered into today's Journal.

"I, Betty Dorton Thomas, do solemnly swear that I will support the Constitution and laws of the United States; and,

"I, Betty Dorton Thomas, do solemnly swear 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 and laws of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; and,

"I, Betty Dorton Thomas, do solemnly swear that I will faithfully discharge my duties as a member of the House of Representatives of the General Assembly of the State of North Carolina, to the best of my skill and ability, so help me, God."

Due to the resignation of Representative Richard Lane Brown III, of the 32nd House District, on January 26, 1976, the Governor appointed Mrs. Janet W. Pickler to fill his vacancy on February 25, 1976. Oath of office was administered to Mrs. Pickler on March 12, 1976, and the Speaker orders that her oath be entered into today's Journal.
"I, Janet W. Pickler, do solemnly swear that I will support and maintain the Constitution and the laws of the United States.

"I, Janet W. Pickler, do solemnly and sincerely swear 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 and laws of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability.

"I, Janet W. Pickler, do solemnly swear that I will faithfully discharge my duties as a member of the House of Representatives of the 1975 General Assembly of the State of North Carolina to the best of my skill and ability, according to law, so help me, God."

Representatives Duncan, Holt, Thomas, and Pickler are recognized by the Speaker.

COMMITTEE APPOINTMENTS


The Speaker appoints Representative Duncan to the following committees: Highway Safety, Judiciary No. 3, Professional Law Enforcement Personnel and Practice, Appropriations, Courts and Judicial Districts, Mental Health, University Board of Governor's Nominating Committee.

The Speaker appoints Representative Thomas to the following committees: State Properties, Appropriations, Insurance, Local Government No. 1, State Personnel, Transportation.

The Speaker appoints Representative Pickler to the following committees: Courts and Judicial Districts, Judiciary No. 1, Commissions and Institutions for Blind and Deaf, Election Laws, Finance, State Government.

The Speaker appoints Representative Lutz to the following committees: Commissions and Institutions for Blind and Deaf, Manufacturers and Labor, Public Libraries, Base Budget, Highway Safety, Military and Veterans' Affairs, Wildlife.

The following new appointments are made by the Speaker:

Representative Phillips is appointed Chairman of State Properties Committee.

Representative Ward is appointed Vice Chairman of State Properties Committee.

Representative Ellis is appointed Vice Chairman of Professional Law Enforcement Personnel and Practice.
Representative Rountree is appointed Vice Chairman of Courts and Judicial Districts Committee.

Representative Revelle is appointed Vice Chairman of Judiciary No. 1 Committee.

Representative Short is appointed Vice Chairman of Judiciary No. 3 Committee.

Representative Edwards is appointed Vice Chairman of Highway Safety Committee.

Representative Woodard is appointed Vice Chairman of State Personnel Committee.


A quorum having been established, the House proceeds with its business.

Representative Stevens, for the Committee on Rules and Operation of the House reports the Journal of Thursday, June 26, 1975, has been examined and found correct. Upon his motion, the Journal is approved as written.

Representative Stevens explains that the House adjourned in 1975 pursuant to H. J. R. 1283 which governs the procedure to be followed this legislative session: “Sec. 2 That when the Senate and House reconvene pursuant to Section 1 of this resolution, they shall consider only bills and resolutions directly affecting the budget for the fiscal year 1976-1977; provided, that after ratification of a joint resolution passed by a two-thirds majority in each body, the Senate and House may also consider any matters authorized by that resolution.”

According to House Rule 32(a), bills and resolutions are filed in the Principal Clerk’s Office on the legislative day prior to first reading and reference to committee.

During this legislative session bills pertaining to subjects other than budget must be preceded by enabling legislation. Enabling resolutions will follow the filing procedure; however, the principal bills may be filed with
the Principal Clerk but will remain there until their enabling resolutions are ratified.

BILLS FILED WITH PRINCIPAL CLERK

The following bills and resolutions are filed in the Office of the Principal Clerk:

By Representatives Quinn, Erwin, and Plyler:


By Representatives Quinn and Plyler:

H. J. R. 1286, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF ARTHUR WEBSTER THOMAS, JR., A FORMER MEMBER OF THE GENERAL ASSEMBLY FROM CABARRUS COUNTY.

By Representative Hyde:

H. J. R. 1287, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL ALLOWING FIRE PROTECTION TAX LEVIES TO BE APPROPRIATED IN ORDER TO SUPPLY RESCUE AND AMBULANCE SERVICES.

By Representative Hyde:

H. B. 1288, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE APPROPRIATION OF FUNDS RAISED FROM TAXES LEVIED IN RURAL FIRE PROTECTION DISTRICTS TO BE APPLIED IN PROVIDING RESCUE AND AMBULANCE SERVICES WITHIN SAID DISTRICTS, AND TO VALIDATE ANY SUCH FUNDS PREVIOUSLY SO APPROPRIATED.


H. J. R. 1289, A JOINT RESOLUTION AUTHORIZING THE 1975 GENERAL ASSEMBLY, SECOND SESSION 1976, TO CONSIDER THE RECOMMENDATIONS OF THE NORTH CAROLINA PROFESSIONAL LIABILITY INSURANCE STUDY COMMISSION AND BILLS ON THAT SUBJECT.
On motion of Representative Stevens the rules are suspended in order that H. J. R. 1285, H. J. R. 1287, and H. J. R. 1289, filed with the Principal Clerk on Friday, April 30, 1976, a non-legislative day, may be referred to committee today.

FIRST READING AND REFERENCE TO COMMITTEE

The following bills and resolutions are read the first time and referred to committee:

By Representatives Quinn, Erwin, and Plyler:


By Representative Hyde:

H. J. R. 1287, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL ALLOWING FIRE PROTECTION TAX LEVIES TO BE APPROPRIATED IN ORDER TO SUPPLY RESCUE AND AMBULANCE SERVICES, is referred to the Committee on Rules and Operation of the House.


READING OF PAPERS ADDRESSED TO THE HOUSE

The Speaker calls for the reading of the following letter.

June 27, 1975

The Honorable James C. Green
Speaker of the House of Representatives
North Carolina General Assembly
The Legislative Bldg.
Raleigh, North Carolina

Dear Mr. Speaker:

For five consecutive terms I have been honored in being elected Sergeant-at-Arms of the House of Representatives. My association and experience with officers and members of each session has been most pleasant and rewarding.

I have decided and now elect to retire from public life, and in doing so, I tender my resignation as Sergeant-at-Arms of the 1975 House of Representatives, to be effective immediately.

This action is taken now for the benefit of all persons who may be interested in seeking the position.

I appreciate all the courtesies you have shown me.

Sincerely,

S/ Archie T. Lane, Sr.

The Speaker and members of the House accept with regret the resignation of the Sergeant-at-Arms.

The Speaker announces that nominations are in order for Sergeant-at-Arms.

Representative Soles places the name of Mr. C. Graham Tart, a former member of the House of Representatives, in nomination for Sergeant-at-Arms. This nomination is seconded by Representative Josey.

Representative Josey moves that the nominations be closed and that Mr. Tart be elected by acclamation.

The Speaker declares the election of Mr. Tart to be unanimous.

The Honorable Thad Eure administers the following oath of office to the Sergeant-at-Arms:

"I, C. GRAHAM TART, do solemnly swear that I will support and maintain the Constitution and laws of the United States; and,

"I do solemnly and sincerely swear 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 and laws of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; and,

"I do solemnly swear that I will faithfully discharge my duties as Sergeant-at-Arms of the 1975 House of Representatives of the General Assembly of the State of North Carolina to the best of my skill and ability; so help me, God."

On motion of Representative Stevens, seconded by Representative Lutz, the House adjourns to reconvene May 4, 1976 at 9:00 a.m.

**ONE HUNDRED NINETEENTH DAY**

**HOUSE OF REPRESENTATIVES**

**Tuesday, May 4, 1976**

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Dr. Albert G. Edwards, House Chaplain.

Representative Stevens, for the Committee on Rules and Operation of the House, reports the Journal of May 3 has been examined and found correct. Upon his motion, the Journal is approved as written.

A leave of absence is granted Representative Joy Johnson for May 4 and 5.

The Speaker appoints Representative Neal Smith as Vice Chairman of the Committee on Public Libraries.

**REPORT OF COMMITTEES**

The following reports from standing committees are presented:

By Representative Stevens for the Committee on Rules and Operation of the House:


On motion of Representative Stevens and on two-thirds majority vote of the membership, the rules are suspended and the resolution is placed on today's Calendar.
The following bills and resolutions are filed in the Office of the Principal Clerk:

By Representative Love:

H. B. 1290, A BILL TO BE ENTITLED AN ACT TO MODIFY CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS FOR NORTH CAROLINA STATE GOVERNMENT FOR THE FISCAL YEAR 1976-77, AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATION OF THE STATE.

By Representatives Ramsey, and Neal Smith:

H. B. 1291, A BILL TO BE ENTITLED AN ACT TO CHANGE THE QUARTERLY SYSTEM OF REMITTING STATE PERSONAL INCOME TAX WITHHELD BY EMPLOYERS TO A MONTHLY SYSTEM FOR LARGE EMPLOYERS AND TO PROVIDE FOR UNIFORM MONTHLY FILING DATES.

By Representative Messer:

H. B. 1292, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA TO SECURE LIABILITY INSURANCE OR TO ACT AS A SELF-INSURER FOR HEALTH-CARE PROVIDERS.

By Representatives Messer, DeRamus, and Dorsey:

H. B. 1293, A BILL TO BE ENTITLED AN ACT TO REVISE AND PROVIDE FOR PROCEDURAL AND SUBSTANTIVE LAWS GOVERNING CLAIMS FOR PROFESSIONAL MALPRACTICE: TO REVISE THE STATUTE OF LIMITATIONS FOR ADULTS AND MINORS; TO PROVIDE FOR A STANDARD OF CARE, A DOCTRINE OF INFORMED CONSENT, AN EXTENSION OF THE GOOD SAMARITAN LAW, AND THE ELIMINATION OF THE AD DAMNUM CLAUSE.

By Representatives Lawing, Foster, Helms and Tison:

H. J. R. 1294, A JOINT RESOLUTION AUTHORIZING THE 1975 GENERAL ASSEMBLY, SECOND SESSION 1976, TO CONSIDER A BILL PROHIBITING RAFFLES AND BINGO IN MECKLENBURG COUNTY.

FIRST READING AND REFERENCE TO COMMITTEE

The following bills and resolutions are read the first time and referred to committee:

By Representative Love:

H. B. 1290, A BILL TO BE ENTITLED AN ACT TO MODIFY CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS
FOR NORTH CAROLINA STATE GOVERNMENT FOR THE FISCAL YEAR 1976-77, AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATION OF THE STATE, is referred to the Committee on Appropriations.

By Representatives Ramsey, and Neal Smith:

H. B. 1291, A BILL TO BE ENTITLED AN ACT TO CHANGE THE QUARTERLY SYSTEM OF REMITTING STATE PERSONAL INCOME TAX WITHHELD BY EMPLOYERS TO A MONTHLY SYSTEM FOR LARGE EMPLOYERS AND TO PROVIDE FOR UNIFORM MONTHLY FILING DATES, is referred to the Committee on Finance.

By Representatives Lawing, Foster, Helms, and Tison:

H. J. R. 1294, A JOINT RESOLUTION AUTHORIZING THE 1975 GENERAL ASSEMBLY, SECOND SESSION 1976, TO CONSIDER A BILL PROHIBITING RAFFLES AND BINGO IN MECKLENBURG COUNTY, is referred to the Committee on Rules and Operation of the House.

CALENDAR

Action is taken on the following:

H. J. R. 1289, A JOINT RESOLUTION AUTHORIZING THE 1975 GENERAL ASSEMBLY, SECOND SESSION 1976, TO CONSIDER THE RECOMMENDATIONS OF THE NORTH CAROLINA PROFESSIONAL LIABILITY INSURANCE STUDY COMMISSION AND BILLS ON THAT SUBJECT.

Representative Erwin offers an amendment.

Representative Harris calls for the “ayes” and “noes”, and the call is sustained.

Representative Erwin calls the previous question. The call is sustained.

The amendment fails to pass by the following vote:


Voting in the negative: Representatives Auman, Baker, Barker, Barnes, Beard, Bell, Bright, Bumgardner, Bundy, Chase, Collins, Cullipher, Davis, DeBruhl, Dorsey, Enloe, Falls, Foster, Gamble, Gardner, Gentry, Gregory, Heer, Charles Holt, Hunter, Hurst, Huskins, James, Jernigan, Jones, Jordan, Josey, Lilley, Love, Lutz, Mason, Messer, Morris, Nash, Nesbitt, Parnell,

To establish a two-thirds majority, the roll is called on second reading. The resolution passes its second reading by the following vote.


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

Representative Messer moves to suspend the rules to the end that the bill may be read a third time.

To establish a two-thirds majority, the roll is called. The motion to suspend the rules carries by the following vote.


Representative Erwin offers an amendment.
Representative Erwin calls the previous question. The call is sustained.

Representative Messer calls for the "ayes" and "noes", and the call is sustained.

The amendment fails by the following vote:


Representative Frye offers an amendment which fails.

Representative Messer calls the previous question on the bill and the call is sustained.

The resolution passes its third reading by voice vote and the Speaker declares a two-thirds majority. The bill is ordered sent to the Senate by Special Messenger.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S. J. R. 955, A JOINT RESOLUTION AUTHORIZING THE 1975 GENERAL ASSEMBLY, SECOND SESSION 1976, TO CONSIDER NOMINATIONS BY THE GOVERNOR TO FILL VACANCIES ON THE NORTH CAROLINA UTILITIES COMMISSION, is read the first time and is referred to the Committee on Rules and Operation of the House.

On motion of Representative Miller, rule 32(a) is suspended in order that a resolution may be introduced. This motion carries by a two-thirds majority.

By Representative Miller:

H. J. R. 1295, A JOINT RESOLUTION AUTHORIZING THE 1975 GENERAL ASSEMBLY, SECOND SESSION 1976, TO CONSIDER NOMINATIONS BY THE GOVERNOR TO FILL VACANCIES ON THE NORTH CAROLINA UTILITIES COMMISSION, is referred to the Committee on Rules and Operation of the House.
On motion of Representative Stevens the House recesses until 4:30 P.M.

RECESS

Pursuant to recess, the House is called to order by the Speaker.

ENROLLED BILLS

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

H. J. R. 1289, A JOINT RESOLUTION AUTHORIZING THE 1975 GENERAL ASSEMBLY, SECOND SESSION 1976, TO CONSIDER THE RECOMMENDATIONS OF THE NORTH CAROLINA PROFESSIONAL LIABILITY INSURANCE STUDY COMMISSION AND BILLS ON THAT SUBJECT.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Stevens for the Committee on Rules and Operation of the House:


On motion of Representative Stevens, the rules are suspended by a two-thirds majority and the resolution is placed on today's Calendar.

S. J. R. 955, A JOINT RESOLUTION AUTHORIZING THE 1975 GENERAL ASSEMBLY, SECOND SESSION 1976, TO CONSIDER NOMINATIONS BY THE GOVERNOR TO FILL VACANCIES ON THE NORTH CAROLINA UTILITIES COMMISSION, with a favorable report.

On motion of Representative Stevens, the rules are suspended by a two-thirds majority and the resolution is placed on today's Calendar.

H. J. R. 1289, A JOINT RESOLUTION AUTHORIZING THE 1975 GENERAL ASSEMBLY, SECOND SESSION 1976, TO CONSIDER THE RECOMMENDATIONS OF THE NORTH CAROLINA PROFESSIONAL LIABILITY INSURANCE STUDY COMMISSION AND BILLS ON THAT SUBJECT, having been ratified, the rules are suspended by a two-thirds majority and the following bills are read the first time and referred to committee.

By Representatives Messer, Bell, DeRamus, Dorsey, Gamble, and Schwartz:

H. B. 1292, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA
TO SECURE LIABILITY INSURANCE OR TO ACT AS A SELF-IN-SURER FOR HEALTH-CARE PROVIDERS, is referred to the Committee on Insurance.

By Representatives Messer, Bell, Chase, DeRamus, Dorsey, Falls, Foster, Gamble, James, Lutz, Nesbitt, Ramsey, Ray, Schwartz, White, and Woodard:

H. B. 1293, A BILL TO BE ENTITLED AN ACT TO REVISE AND PROVIDE FOR PROCEDURAL AND SUBSTANTIVE LAWS GOVERNING CLAIMS FOR PROFESSIONAL MALPRACTICE: TO REVISE THE STATUTE OF LIMITATIONS FOR ADULTS AND MINORS; TO PROVIDE FOR A STANDARD OF CARE, A DOCTRINE OF INFORMED CONSENT, AN EXTENSION OF THE GOOD SAMARITAN LAW, AND THE ELIMINATION OF THE AD DAMNUM CLAUSE, is referred to the Committee on Insurance.

CALENDAR

Action is taken on the following:

H. J. R. 1295, A JOINT RESOLUTION AUTHORIZING THE 1975 GENERAL ASSEMBLY, SECOND SESSION 1976, TO CONSIDER NOMINATIONS BY THE GOVERNOR TO FILL VACANCIES ON THE NORTH CAROLINA UTILITIES COMMISSION.

On motion of Representative Stevens, the resolution is temporarily displaced in order that S. J. R. 955 may be considered at this time.

S. J. R. 955, A JOINT RESOLUTION AUTHORIZING THE 1975 GENERAL ASSEMBLY, SECOND SESSION 1976, TO CONSIDER NOMINATIONS BY THE GOVERNOR TO FILL VACANCIES ON THE NORTH CAROLINA UTILITIES COMMISSION, passes its second and third readings, by a two-thirds majority vote, and is ordered enrolled.

On motion of Representative Stevens, H. J. R. 1295 is placed on tomorrow's Calendar.

On motion of Representative Stevens, seconded by Representative Pickler, the House adjourns to reconvene May 5, 1976 at 9:00 A.M.

ONE HUNDRED TWENTIETH DAY

HOUSE OF REPRESENTATIVES
Wednesday, May 5, 1976

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Dr. Albert G. Edwards, House Chaplain.

Representative Stevens for the Committee on Rules and Operation of the House, reports the Journal of May 4, 1976, has been examined and found correct. Upon his motion, the Journal is approved as written.
Representative Hunter sends forth a report and minority report of the Committee on Research and Development in Public Education in North Carolina which is filed in the Principal Clerk's Office.

**BILLS FILED WITH PRINCIPAL CLERK**

The following bills and resolutions are filed in the Office of the Principal Clerk:

**H. J. R. 1296, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL TO REWRITE THE CHARTER OF THE CITY OF CONOVER, NORTH CAROLINA.**

**H. J. R. 1297, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL TO AMEND G. S. 147-45 PERTAINING TO DISTRIBUTION OF COPIES OF SESSION LAWS AND OTHER STATE PUBLICATIONS BY THE SECRETARY OF STATE AND THE ADMINISTRATIVE OFFICER OF THE COURTS.**

**H. J. R. 1298, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 147-45 PERTAINING TO DISTRIBUTION OF COPIES OF SESSION LAWS AND OTHER STATE PUBLICATIONS BY THE SECRETARY OF STATE AND THE ADMINISTRATIVE OFFICER OF THE COURTS.**

**FIRST READING AND REFERENCE TO COMMITTEE**

The following bills and resolutions are read the first time and referred to committee:

By Representative Setzer:

**H. J. R. 1296, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL TO REWRITE THE CHARTER OF THE CITY OF CONOVER, NORTH CAROLINA,** is referred to the Committee on Rules and Operation of the House.

By Representative Adams:

**H. J. R. 1297, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL TO AMEND G. S. 147-45 PERTAINING TO DISTRIBUTION OF COPIES OF SESSION LAWS AND OTHER STATE PUBLICATIONS BY THE SECRETARY OF STATE AND THE ADMINISTRATIVE OFFICER OF THE COURTS,** is referred to the Committee on Rules and Operation of the House.

**ENROLLED BILLS**

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

**S. J. R. 955, A JOINT RESOLUTION AUTHORIZING THE 1975 GENERAL ASSEMBLY, SECOND SESSION 1976, TO CONSIDER NOMINATIONS BY THE GOVERNOR TO FILL VACANCIES ON THE NORTH CAROLINA UTILITIES COMMISSION.**
Action is taken on the following:

H. J. R. 1295, A JOINT RESOLUTION AUTHORIZING THE 1975 GENERAL ASSEMBLY, SECOND SESSION 1976, TO CONSIDER NOMINATIONS BY THE GOVERNOR TO FILL VACANCIES ON THE NORTH CAROLINA UTILITIES COMMISSION.

On motion of Representative Miller the resolution is postponed indefinitely.

On motion of Representative Stevens, the House recesses until 4:30 p.m.

RECESS

Pursuant to recess, the House is called to order by the Speaker.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Messer for the Committee on Insurance:

H. B. 1292, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA TO SECURE LIABILITY INSURANCE OR TO ACT AS A SELF-INSURER FOR HEALTH-CARE PROVIDERS, with a favorable report.

H. B. 1293, A BILL TO BE ENTITLED AN ACT TO REVISE AND PROVIDE FOR PROCEDURAL AND SUBSTANTIVE LAWS GOVERNING CLAIMS FOR PROFESSIONAL MALPRACTICE: TO REVISE THE STATUTE OF LIMITATIONS FOR ADULTS AND MINORS; TO PROVIDE FOR A STANDARD OF CARE, A DOCTRINE OF INFORMED CONSENT, AN EXTENSION OF THE GOOD SAMARITAN LAW, AND THE ELIMINATION OF THE AD DAMNUM CLAUSE, with a favorable report, as amended.

On the motion of Representative Stevens, seconded by Representative Duncan, the House adjourns to reconvene May 6, 1976.

ONE HUNDRED TWENTY-FIRST DAY

House of Representatives
Thursday, May 6, 1976

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Dr. Albert G. Edwards, House Chaplain.
Representative Stevens, for the Committee on Rules and Operation of the House, reports the Journal of May 5, 1976 has been examined and found correct. Upon his motion, the Journal is approved as written.

A leave of absence is granted Representative Lawing for May 6 and 7.

BILLS FILED WITH PRINCIPAL CLERK

The following bills and resolutions are filed in the Office of the Principal Clerk:

By Representatives Davenport and Ramsey:

H. B. 1299, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 7A-304 AND G. S. 7A-305 TO INCREASE THE COSTS OF COURT IN THE SUPERIOR COURT AND DISTRICT COURT DIVISIONS OF THE GENERAL COURT OF JUSTICE.

By Representative Jones:

H. J. R. 1300, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL TO AMEND CHAPTER 263 OF THE 1975 SESSION LAWS TO DELETE POLK COUNTY FROM THE MODIFIED SUBDIVISION CONTROL ORDINANCE.

By Representative Jones:

H. B. 1301, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 263 OF THE 1975 SESSION LAWS TO DELETE POLK COUNTY FROM THE MODIFIED SUBDIVISION CONTROL ORDINANCE.

By Representative Setzer:

H. B. 1302, A BILL TO BE ENTITLED AN ACT TO REVISE, CONSolidATE AND RESTATE THE CHARTER OF THE CITY OF CONOVER AND TO REPEAL ALL PRIOR CHARTER ACTS.

By Representatives Davenport and Ramsey:

H. B. 1303, A BILL TO BE ENTITLED AN ACT TO INCREASE FEE FOR RECEIVING SERVICE OF PROCESS AS STATUTORY AGENT OF A CORPORATION TO RECOVER COST.

By Representative Cook:

H. J. R. 1304, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL TO AMEND ARTICLE 7 OF CHAPTER 110 OF THE GENERAL STATUTES, ENTITLED "DAY-CARE FACILITIES" TO PROVIDE CHANGES IN THE DEFINITION OF DAY CARE AND TO PROVIDE THAT THE COMMISSION SHALL HAVE THE POWER TO SEEK INJUNCTIVE RELIEF.

By Representative Cook:

H. B. 1305, A BILL TO BE ENTITLED AN ACT TO AMEND ARTI-CLE 7 OF CHAPTER 110 OF THE GENERAL STATUTES, ENTITLED
“DAY-CARE FACILITIES” TO PROVIDE CHANGES IN THE DEFINITION OF DAY CARE AND TO PROVIDE THAT THE COMMISSION SHALL HAVE THE POWER TO SEEK INJunctive RELIEF.

By Representative Sawyer:

H. B. 1306, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A SIXTEEN PERCENT (16%) INCREASE IN THE SALARIES OF PROFESSIONAL EMPLOYEES IN THE PUBLIC SCHOOLS, COMMUNITY COLLEGES, TECHNICAL INSTITUTES AND INSTITUTIONS OF HIGHER EDUCATION.

By Representative Miller:

H. J. R. 1307, A JOINT RESOLUTION PROVIDING FOR A JOINT SESSION OR SESSIONS OF THE SENATE AND HOUSE OF REPRESENTATIVES TO ACT ON CONFIRMATION OF APPOINTMENTS MADE BY THE GOVERNOR TO MEMBERSHIP ON THE NORTH CAROLINA UTILITIES COMMISSION.

FIRST READING AND REFERENCE TO COMMITTEE

The following bills and resolutions are read the first time and referred to committee:

By Representatives Davenport and Ramsey:

H. B. 1299, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 7A-304 AND G. S. 7A-305 TO INCREASE THE COSTS OF COURT IN THE SUPERIOR COURT AND DISTRICT COURT DIVISIONS OF THE GENERAL COURT OF JUSTICE, is referred to the Committee on Finance.

By Representative Jones:

H. J. R. 1300, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL TO AMEND CHAPTER 263 OF THE 1975 SESSION LAWS TO DELETE POLK COUNTY FROM THE MODIFIED SUBDIVISION CONTROL ORDINANCE, is referred to the Committee on Rules and Operation of the House.

By Representatives Davenport and Ramsey:

H. B. 1303, A BILL TO BE ENTITLED AN ACT TO INCREASE FEE FOR RECEIVING SERVICE OF PROCESS AS STATUTORY AGENT OF A CORPORATION TO RECOVER COST, is referred to the Committee on Finance.

By Representatives Cook, Adams, Creech, DeRamus, Erwin, Farmer, Hutchins, Joseph Johnson, Miller, Ramsey, Ned Smith, Wade Smith, and Tennille:

H. J. R. 1304, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL TO AMEND ARTICLE 7 OF CHAPTER 110 OF THE GENERAL STATUTES, ENTITLED “DAY-CARE FACILITIES” TO PROVIDE CHANGES IN THE DEFINITION OF DAY CARE
AND TO PROVIDE THAT THE COMMISSION SHALL HAVE THE POWER TO SEEK INJUNCTIVE RELIEF, is referred to the Committee on Rules and Operation of the House.

By Representatives Sawyer, Dorsey, Jones, Miller, and Ned Smith:

H. B. 1306, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A SIXTEEN PERCENT (16%) INCREASE IN THE SALARIES OF PROFESSIONAL EMPLOYEES IN THE PUBLIC SCHOOLS, COMMUNITY COLLEGES, TECHNICAL INSTITUTES AND INSTITUTIONS OF HIGHER EDUCATION, is referred to the Committee on Appropriations.

By Representative Miller:

H. J. R. 1307, A JOINT RESOLUTION PROVIDING FOR A JOINT SESSION OR SESSIONS OF THE SENATE AND HOUSE OF REPRESENTATIVES TO ACT ON CONFIRMATION OF APPOINTMENTS MADE BY THE GOVERNOR TO MEMBERSHIP ON THE NORTH CAROLINA UTILITIES COMMISSION, is referred to the Committee on Public Utilities.

CALENDAR

Action is taken on the following:

H. B. 1292, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA TO SECURE LIABILITY INSURANCE OR TO ACT AS A SELF-INSURER FOR HEALTH-CARE PROVIDERS.

Representative Ramsey offers an amendment.

A division having been called, the amendment fails with 43 members voting in the affirmative and 63 members voting in the negative.

Representative Messer calls the previous question. The call is sustained.

Representative Messer calls for the “ayes” and “noes”, and the call is sustained.

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


Voting in the negative: None.

Representative Hightower offers an amendment.

On motion of Representative Soles, seconded by Representative Eagles, the amendment is tabled.

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

H. B. 1293, A BILL TO BE ENTITLED AN ACT TO REVISE AND PROVIDE FOR PROCEDURAL AND SUBSTANTIVE LAWS GOVERNING CLAIMS FOR PROFESSIONAL MALPRACTICE: TO REVISE THE STATUTE OF LIMITATIONS FOR ADULTS AND MINORS; TO PROVIDE FOR A STANDARD OF CARE, A DOCTRINE OF INFORMED CONSENT, AN EXTENSION OF THE GOOD SAMARITAN LAW, AND THE ELIMINATION OF THE AD DAMNUM CLAUSE.

On motion of Representative Messer, Chairman of the Insurance Committee, the Committee amendment is withdrawn.

Representative Harris offers an amendment which is adopted.

Representative Miller offers an amendment which is adopted.

Representative Harris offers an amendment which is adopted.

Representative Soles offers an amendment.

On motion of Representative Ramsey, seconded by Representative Gregory, the amendment is tabled.

Representative Messer calls the previous question. The call is sustained.

Representative Messer calls for the “ayes” and “noes”, and the call is sustained.

Representative Miller requests that he be excused from voting on this bill under Rule 23 (b) and on vote of the membership this request is granted.

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


Voting in the negative: Representatives Frye, Stevens, and Webb — 3.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S. J. R. 960, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL TO PROVIDE THAT THE DAILY SUBSISTENCE ALLOWANCE OF THE MEMBERS OF THE GENERAL ASSEMBLY FOR ATTENDANCE AT THE 1975 GENERAL ASSEMBLY, SECOND SESSION 1976, SHALL TERMINATE EFFECTIVE MAY 15, 1976, is read the first time and is referred to the Committee on Rules and Operation of the House.

On motion of Representative Stevens, seconded by Representative Oxendine, the House adjourns to reconvene May 7, 1976 at 9:00 a.m.

ONE HUNDRED TWENTY-SECOND DAY

HOUSE OF REPRESENTATIVES
Friday, May 7, 1976

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Charles W. Phillips.

Representative Stevens, for the Committee on Rules and Operation of the House, reports the Journal of May 6, 1976 has been examined and found correct. Upon his motion, the Journal is approved as written.

On motion of Representative Stevens, the rules are suspended, and the Honorable John Boyce, Mayor of Guildford, England, and his wife, Mayoress Joan Boyce, are invited to approach the well of the House to present the following resolution passed by the Council of Borough of Guildford:

"Resolution passed by the Council of the Borough of Guildford at a meeting held on Wednesday, 28th April 1976.

Resolved: That the Council and citizens of the Borough of Guildford in the County of Surrey extend their good wishes to the citizens of Raleigh and of the State of North Carolina and express their appreciation for the arrangements made for the Mayor and Mayoress to meet the House of Representatives during their visit to North Carolina for the United States Bicentennial Year Celebrations of the American Independence."
REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Stevens for the Committee on Rules and Operation of the House:


On motion of Representative Stevens, the rules are suspended on a unanimous vote and the resolution is placed before the House for immediate consideration.

The resolution passes its second and third readings, by a two-thirds majority, and is ordered sent to the Senate by Special Message.


H. J. R. 1304, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL TO AMEND ARTICLE 7 OF CHAPTER 110 OF THE GENERAL STATUTES, ENTITLED "DAY-CARE FACILITIES" TO PROVIDE CHANGES IN THE DEFINITION OF DAY CARE AND TO PROVIDE THAT THE COMMISSION SHALL HAVE THE POWER TO SEEK INJUNCTIVE RELIEF, with an indefinite postponement report.

By Representative Miller for the Committee on Public Utilities:

H. J. R. 1307, A JOINT RESOLUTION PROVIDING FOR A JOINT SESSION OR SESSIONS OF THE SENATE AND HOUSE OF REPRESENTATIVES TO ACT ON CONFIRMATION OF APPOINTMENTS MADE BY THE GOVERNOR TO MEMBERSHIP ON THE NORTH CAROLINA UTILITIES COMMISSION, with a favorable report.

BILLS FILED WITH PRINCIPAL CLERK

The following bills and resolutions are filed in the Office of the Principal Clerk:

By Representatives Revelle, Adams, Ballenger, Barnes, Beard, Bell, Breece, Bright, Campbell, Chapin, Chase and Collins:

H. J. R. 1308, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL TO EFFECT CHANGES IN THE ORGANIZATION AND ADMINISTRATION OF THE NORTH CAROLINA MOTOR VEHICLE REINSURANCE FACILITY.
By Representatives Revelle and Beard:

H. B. 1309, A BILL TO BE ENTITLED AN ACT TO AMEND ARTICLE 25A OF CHAPTER 58 OF THE GENERAL STATUTES TO MAKE NECESSARY IMPROVEMENTS IN THE ORGANIZATION AND ADMINISTRATION OF THE NORTH CAROLINA MOTOR VEHICLE REINSURANCE FACILITY.

By Representatives Creech, Adams, Cook, Farmer, and Joseph Johnson:

H. B. 1310, A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM SALES TAX CERTAIN MEALS SOLD TO ELDERLY AND INCAPACITATED PERSONS.

By Representatives Messer and Lilley:

H. B. 1311, A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA HEALTH CARE EXCESS LIABILITY FUND.

By Representatives Hutchins, Ballenger, Bissell, Dorsey, George Holmes, Mathis, Rhodes, and Spoon:

H. B. 1312, A BILL TO BE ENTITLED AN ACT TO RAISE SALARIES AND WAGES BY TEN PERCENT (10%) FOR ALL NORTH CAROLINA TEACHERS AND STATE EMPLOYEES, AND FOR CERTAIN STATE OFFICIALS.

By Representative Adams:

H. B. 1313, A BILL TO BE ENTITLED AN ACT TO REQUIRE CORPORATIONS TO MAKE DECLARATIONS OF ESTIMATED INCOME TAX AND INSTALLMENT PAYMENTS OF ESTIMATED INCOME TAX.

FIRST READING AND REFERENCE TO COMMITTEE

The following bills and resolutions are read the first time and referred to committee:


H. J. R. 1308, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL TO EFFECT CHANGES IN THE ORGANIZATION AND ADMINISTRATION OF THE NORTH CAROLINA MOTOR VEHICLE REINSURANCE FACILITY.
Representative Beard moves to suspend the rules to the end that this resolution may be placed on today's Calendar. This motion carries by a two-thirds majority, by the following vote, and the resolution is placed on the Calendar.


By Representatives Creech, Adams, Cook, Farmer, and Joseph Johnson:

H. B. 1310, A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM SALES TAX CERTAIN MEALS SOLD TO ELDERLY AND INCAPACITATED PERSONS, is referred to the Committee on Finance.

By Representatives Messer and Lilley:

H. B. 1311, A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA HEALTH CARE EXCESS LIABILITY FUND, is referred to the Committee on Insurance.

By Representatives Hutchins, Ballenger, Bissell, DeRamus, Dorsey, Erwin, George Holmes, Mathis, Rhodes, Ned Smith, and Spoon:

H. B. 1312, A BILL TO BE ENTITLED AN ACT TO RAISE SALARIES AND WAGES BY TEN PERCENT (10%) FOR ALL NORTH CAROLINA TEACHERS AND STATE EMPLOYEES AND FOR CERTAIN STATE OFFICIALS, is referred to the Committee on Appropriations.

By Representatives Adams, Cook, Creech, Farmer, Joseph Johnson, Wade Smith, Davis, Harris, Hunt, Ned Smith, Tally, and Webb:

H. B. 1313, A BILL TO BE ENTITLED AN ACT TO REQUIRE CORPORATIONS TO MAKE DECLARATIONS OF ESTIMATED INCOME TAX AND INSTALLMENT PAYMENTS OF ESTIMATED INCOME TAX, is referred to the Committee on Finance.

MESSAGES FROM THE SENATE

The following are received from the Senate:

H. B. 1292, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA TO SECURE LIABILITY INSURANCE OR TO ACT AS A
SELF-INSURER FOR HEALTH-CARE PROVIDERS, is returned for concurrence in three Senate amendments.

On motion of Representative Messer, the House concurs in the Senate amendments, and the bill is ordered enrolled.

CALENDAR

Action is taken on the following:

H. B. 1293, A BILL TO BE ENTITLED AN ACT TO REVISE AND PROVIDE FOR PROCEDURAL AND SUBSTANTIVE LAWS GOVERNING CLAIMS FOR PROFESSIONAL MALPRACTICE: TO REVISE THE STATUTE OF LIMITATIONS FOR ADULTS AND MINORS; TO PROVIDE FOR A STANDARD OF CARE, A DOCTRINE OF INFORMED CONSENT, AN EXTENSION OF THE GOOD SAMARITAN LAW, AND THE ELIMINATION OF THE AD DAMNUM CLAUSE.

Representative Hyde offers an amendment.

Representative Messer calls for the “ayes” and “noes”, and the call is sustained.

The amendment fails by the following vote.


Representative DeRamus offers an amendment which is adopted.

Representative Huskins offers an amendment.

Representative Gamble calls for the “ayes” and “noes”, and the call is sustained.

The amendment is adopted by the following vote.

Those voting in the affirmative are: Representatives Adams, Auman, Ballenger, Barbee, Barker, Barnes, Breece, Bright, Campbell, Chapin, Cook, Creech, Davenport, DeBruhl, DeRamus, Diamont, Duncan, Eagles, Edwards, Ellis, Enloe, Erwin, Foster, Frye, Gardner, Gentry, Gilmore, Hairston,


Representative Stevens presiding, not voting.

Representative Erwin offers an amendment.

Representative James moves, seconded by Representative Quinn, to table the amendment.

Representative Harris calls for the “ayes” and “noes”, and the call is sustained.

The amendment is tabled by the following vote.


Representative Davenport offers two amendments which are adopted.

Representative Davenport offers a third amendment.

On motion of Representative Messer, seconded by Representative Quinn, this amendment is tabled.

Representative Messer moves to reconsider the vote by which Representative DeRamus’ amendment was adopted.

Representative DeRamus moves, seconded by Representative Lachot, to table Representative Messer’s motion.

Representative Messer calls for the “ayes” and “noes”, and the call is sustained.
The motion to table Representative Messer’s motion fails by the following vote.


Now the question is the motion by Representative Messer to reconsider the vote by which Representative DeRamus’ amendment was adopted.

Representative Erwin calls for the “ayes” and “noes”, and the call is sustained.

The motion to reconsider carries by the following vote.


Representative Messer moves, seconded by Representative Quinn, to table Representative DeRamus’ amendment.

Representative Messer calls for the “ayes” and “noes”, and the call is sustained.

The motion to table the amendment carries by the following vote.

Those voting in the affirmative are: Representatives Auman, Baker, Barbee, Barker, Barnes, Beard, Bell, Bright, Bumgardner, Bundy, Campbell,
Representative Davenport's amendment was tabled be reconsidered.

Representative Harris moves to recommit the bill to a Judiciary Committee.

On motion of Representative Davenport, seconded by Representative Quinn, this motion is tabled.

Now the question is the motion of Representative Campbell to reconsider the vote by which Representative Davenport's amendment was tabled. The Chair rules the motion carries by a two-thirds majority.

Representative Messer calls for the "ayes" and "noes", on Representative Davenport's amendment, and the call is sustained.

The amendment is adopted by the following vote.


Representative Barnes offers an amendment which fails.

Representative Joseph Johnson offers an amendment which is adopted.

Representative Harris offers an amendment which is adopted.
Representative Messer calls the previous question and the call is sustained.

Representative Messer calls for the "ayes" and "noes", and the call is sustained.

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


Voting in the negative: None.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S. J. R. 964, A JOINT RESOLUTION PROVIDING FOR A JOINT SESSION OR SESSIONS OF THE SENATE AND HOUSE OF REPRESENTATIVES TO ACT ON CONFIRMATION OF APPOINTMENTS MADE BY THE GOVERNOR TO MEMBERSHIP ON THE NORTH CAROLINA UTILITIES COMMISSION, is read the first time and is referred to the Committee on Rules and Operation of the House.

S. B. 959, A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA HEALTH CARE EXCESS LIABILITY FUND, is read the first time and referred to the Committee on Insurance.

S. B. 956, A BILL TO BE ENTITLED AN ACT TO REVISE AND PROVIDE FOR PROCEDURAL AND SUBSTANTIVE LAWS GOVERNING CLAIMS FOR PROFESSIONAL MALPRACTICE: TO REVISE THE STATUTE OF LIMITATIONS FOR ADULTS AND MINORS; TO PROVIDE FOR A STANDARD OF CARE, A DOCTRINE OF INFORMED CONSENT, AN EXTENSION OF THE GOOD SAMARITAN LAW, AND THE ELIMINATION OF THE AD DAMNUM CLAUSE, is read the first time and is referred to the Committee on Insurance.

On motion of Representative Stevens, seconded by Representative Ramsey, the House adjourns to reconvene Monday, May 10, 1976 at 9:00 a.m.
The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Dr. Albert G. Edwards, House Chaplain.

Representative Stevens for the Committee on Rules and Operation of the House, reports the Journal of May 7, 1976 has been examined and found correct. Upon his motion, the Journal is approved as written.

A leave of absence is granted Representative Breece for May 10, 1976.

The following bills and resolutions are filed in the Office of the Principal Clerk:

By Representative Miller:

H. J. R. 1314, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL TO AMEND CHAPTER 657, SESSION LAWS OF 1975 SO AS TO PROVIDE A PROCEDURE FOR A NONPARTISAN ELECTION AND RUN-OFF ELECTION FOR THE DURHAM COUNTY BOARD OF EDUCATION.

By Representative Sawyer:

H. B. 1315, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A ONE THOUSAND SEVEN HUNDRED DOLLAR ($1,700) INCREASE IN THE SALARIES OF ALL STATE EMPLOYEES AND EMPLOYEES OF PUBLIC SCHOOLS, COMMUNITY COLLEGES, TECHNICAL INSTITUTES AND COLLEGES AND UNIVERSITIES OF THE STATE UNIVERSITY SYSTEM.

By Representative Wade Smith:


By Representative Wade Smith:

H. B. 1317, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 346 OF THE 1973 SESSION LAWS TO MAKE SAID CHAPTER APPLY TO THE CITY OF RALEIGH.

By Representative Miller:

H. B. 1318, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 657 OF THE SESSION LAWS OF 1975, PROVIDING FOR THE ELEC-
TION OF MEMBERS OF THE DURHAM COUNTY BOARD OF EDUCATION BY THE QUALIFIED VOTERS OF THE COUNTY COMMENCING IN 1976 AND QUADRENNIALLY THEREAFTER.

By Representative George Holmes:

H. J. R. 1319, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL TO PROVIDE FOR THE NOMINATION, ELECTION AND TERMS OF THE BOARD OF COUNTY COMMISSIONERS OF YADKIN COUNTY.

By Representative George Holmes:

H. B. 1320, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE NOMINATION AND ELECTION OF COUNTY COMMISSIONERS IN YADKIN COUNTY, AND TO STAGGER THEIR TERMS OF OFFICE.

FIRST READING AND REFERENCE TO COMMITTEE

The following bills and resolutions are read the first time and referred to committee:

By Representative Miller:

H. J. R. 1314, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL TO AMEND CHAPTER 657, SESSION LAWS OF 1975 SO AS TO PROVIDE A PROCEDURE FOR A NONPARTISAN ELECTION AND RUN-OFF ELECTION FOR THE DURHAM COUNTY BOARD OF EDUCATION, is referred to the Committee on Rules and Operation of the House.

By Representative Sawyer:

H. B. 1315, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A ONE THOUSAND SEVEN HUNDRED DOLLAR ($1,700) INCREASE IN THE SALARIES OF ALL STATE EMPLOYEES AND EMPLOYEES OF PUBLIC SCHOOLS, COMMUNITY COLLEGES, TECHNICAL INSTITUTES AND COLLEGES AND UNIVERSITIES OF THE STATE UNIVERSITY SYSTEM, is referred to the Committee on Appropriations.

By Representatives Wade Smith, Cook, Creech, Farmer and Joe Johnson:


By Representatives George Holmes and Edwards:

H. J. R. 1319, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL TO PROVIDE FOR THE NOMINATION, ELECTION AND TERMS OF THE BOARD OF COUNTY COMMISSIONERS OF YADKIN COUNTY.
On motion of Representative George Holmes, the rules are suspended by a two-thirds majority and the resolution is placed before the House for immediate consideration.

The resolution passes its second and third readings, by a two-thirds majority vote, and is ordered sent to the Senate by Special Message.

ENROLLED BILLS

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

H. B. 1292, AN ACT TO AUTHORIZE THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA TO SECURE LIABILITY INSURANCE OR TO ACT AS A SELF-INSURER FOR HEALTH-CARE PROVIDERS.

CALENDAR

Action is taken on the following:

H. J. R. 1307, A JOINT RESOLUTION PROVIDING FOR A JOINT SESSION OR SESSIONS OF THE SENATE AND HOUSE OF REPRESENTATIVES TO ACT ON CONFIRMATION OF APPOINTMENTS MADE BY THE GOVERNOR TO MEMBERSHIP ON THE NORTH CAROLINA UTILITIES COMMISSION, passes its second and third readings, by a two-thirds majority vote, and is ordered sent to the Senate by Special Message.

H. J. R. 1308, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL TO EFFECT CHANGES IN THE ORGANIZATION AND ADMINISTRATION OF THE NORTH CAROLINA MOTOR VEHICLE REINSURANCE FACILITY, passes its second and third readings, by a two-thirds majority vote, and is ordered sent to the Senate by Special Message.

On motion of Representative Stevens the House recesses until 4:00 P.M.

RECESS

Pursuant to recess, the House is called to order by the Speaker.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Ramsey for the Committee on Finance:

H. B. 1291, A BILL TO BE ENTITLED AN ACT TO CHANGE THE QUARTERLY SYSTEM OF REMITTING STATE PERSONAL INCOME TAX WITHHELD BY EMPLOYERS TO A MONTHLY SYSTEM FOR LARGE EMPLOYERS AND TO PROVIDE FOR UNIFORM MONTHLY FILING DATES, with an unfavorable report as to bill, favorable as to committee substitute bill.
On motion of Representative Ramsey, the substitute bill is adopted and is placed on the Calendar and the original bill is placed on the Unfavorable Calendar.


The Chair rules the committee amendment to be material. On motion of Representative Ramsey, the amendment is adopted and the bill is placed on tomorrow's Calendar for its second reading.

H. B. 1303, A BILL TO BE ENTITLED AN ACT TO INCREASE FEE FOR RECEIVING SERVICE OF PROCESS AS STATUTORY AGENT OF A CORPORATION TO RECOVER COST, with a favorable report.

H. B. 1310, A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM SALES TAX CERTAIN MEALS SOLD TO ELDERLY AND INCAPACITATED PERSONS, with a favorable report.

By Representative Messer for the Committee on Insurance:

S. B. 959, A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA HEALTH CARE EXCESS LIABILITY FUND, with a favorable report, as amended.

On motion of Representative Lachot, the rules are suspended, by a two-thirds majority, and the bill is placed before the House for immediate consideration.

On motion of Representative Messer, the six committee amendments are adopted.

Representative DeRamus offers an amendment which fails.

Representative Ramsey offers an amendment which is adopted.

Representative Helms offers an amendment.

On motion of Representative Messer, seconded by Representative Lilley, the amendment is tabled.

Representative Messer calls the previous question and the call is sustained.

Representative Messer calls for the "ayes" and "noes" and the call is sustained.

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, Auman, Baker, Ballenger, Barbee, Barker, Barnes, Beard, Bell, Bright, Bumgardner, Bundy, Campbell, Chapin, Chase, Collins, Cook, Creech, Cullipher, Davenport, Davis, DeBruhl, DeRamus, Diamont, Dorsey, Duncan, Eagles, Edwards,
Voting in the negative: Representative Cobb.

On motion of Representative Stevens, seconded by Representative Gardner, the House adjourns to reconvene May 11, 1976 at 9:00 A.M.

ONE HUNDRED TWENTY-FOURTH DAY

House of Representatives
Tuesday, May 11, 1976

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Dr. Albert G. Edwards, House Chaplain.

Representative Stevens, for the Committee on Rules and Operation of the House, reports the Journal of May 10, 1976 has been examined and found correct. Upon his motion, the Journal is approved as written.

BILLS FILED WITH PRINCIPAL CLERK

The following bills and resolutions are filed in the Office of the Principal Clerk:

By Representatives McMillan, Barnes, Cobb, Duncan, Charles Holt, Lachot, Plyler, Ramsey, Rountree, Sandlin, Wade Smith, and Stewart:

H. J. R. 1321, A JOINT RESOLUTION AUTHORIZING THE 1975 GENERAL ASSEMBLY, SECOND SESSION 1976, TO CONSIDER A BILL TO REMOVE UNJUSTIFIED PAPERWORK IN THE ADMINISTRATION OF CRIMINAL PROCEDURE.

By Representatives Sawyer, Davis, DeBruhl, Enloe, Erwin, Gregory, Phillips, Varner, and Webb:

H. J. R. 1322, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL TO AMEND THE CONSTITUTION TO CREATE ELECTED COMMISSIONERS OF UTILITIES.
By Representatives Sawyer, Davis, DeBruhl, Enloe, Erwin, Gregory, Phillips, Varner, and Webb:

H. B. 1323, A BILL TO BE ENTITLED AN ACT TO AMEND ARTICLE III OF THE CONSTITUTION OF NORTH CAROLINA TO CREATE ELECTED COMMISSIONERS OF UTILITIES.

By Representative Neal Smith:

H. B. 1324, A BILL TO BE ENTITLED AN ACT TO INCREASE THE TAX ON CIGARETTES TO FOUR CENTS PER PACK AND TO PROVIDE ADDITIONAL REVENUE FOR THE GENERAL FUND.

FIRST READING AND REFERENCE TO COMMITTEE

The following bills and resolutions are read the first time and referred to committee:

By Representatives McMillan, Barnes, Cobb, Duncan, Charles Holt, Lachot, Plyler, Ramsey, Rountree, Sandlin, Wade Smith, and Stewart:

H. J. R. 1321, A JOINT RESOLUTION AUTHORIZING THE 1975 GENERAL ASSEMBLY, SECOND SESSION 1976, TO CONSIDER A BILL TO REMOVE UNJUSTIFIED PAPERWORK IN THE ADMINISTRATION OF CRIMINAL PROCEDURE.

On motion of Representative McMillan, the rules are suspended on a two-thirds majority vote, and the resolution is placed on today's Calendar.

By Representatives Sawyer, Davis, DeBruhl, Enloe, Erwin, Gregory, Phillips, Varner, and Webb:

H. J. R. 1322, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL TO AMEND THE CONSTITUTION TO CREATE ELECTED COMMISSIONERS OF UTILITIES, is referred to the Committee on Rules and Operation of the House.

By Representatives Neal Smith, Bissell, Edwards, Mathis, Nesbitt, Phillips, and Spoon:

H. B. 1324, A BILL TO BE ENTITLED AN ACT TO INCREASE THE TAX ON CIGARETTES TO FOUR CENTS PER PACK AND TO PROVIDE ADDITIONAL REVENUE FOR THE GENERAL FUND, is referred to the Committee on Finance.

On motion of Representative Cook, the vote by which H. J. R. 1304, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL TO AMEND ARTICLE 7 OF CHAPTER 110 OF THE GENERAL STATUTES, ENTITLED "DAY-CARE FACILITIES" TO PROVIDE CHANGES IN THE DEFINITION OF DAY CARE AND TO PROVIDE THAT THE COMMISSION SHALL HAVE THE POWER TO SEEK INJUNCTIVE RELIEF, was placed on the Unfavorable Calendar is reconsidered on a two-thirds majority vote.
On motion of Representative Cook, the rules are suspended, and the bill is placed on today's Calendar.

ENROLLED BILLS

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


H. J. R. 1307, A JOINT RESOLUTION PROVIDING FOR A JOINT SESSION OR SESSIONS OF THE SENATE AND HOUSE OF REPRESENTATIVES TO ACT ON CONFIRMATION OF APPOINTMENTS MADE BY THE GOVERNOR TO MEMBERSHIP ON THE NORTH CAROLINA UTILITIES COMMISSION.

CALENDAR

Action is taken on the following:

Committee Substitute for H. B. 1291, A BILL TO BE ENTITLED AN ACT TO CHANGE THE QUARTERLY SYSTEM OF REMITTING STATE PERSONAL INCOME TAX WITHHELD BY EMPLOYERS TO A MONTHLY SYSTEM FOR LARGE EMPLOYERS AND TO PROVIDE FOR UNIFORM MONTHLY FILING DATES, passes its second reading, by the following vote, and remains on the Calendar.


Voting in the negative: Representatives Bell, Bumgardner, Dorsey, Griffin, and Hutchins — 5.

H. B. 1299, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 7A-304 AND G. S. 7A-305 TO INCREASE THE COSTS OF COURT IN
THE SUPERIOR COURT AND DISTRICT COURT DIVISIONS OF THE GENERAL COURT OF JUSTICE.

Representative Ramsey calls the previous question. The call is sustained.

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


Voting in the negative: Representatives Cobb, Charles Holt, and Hutchins — 3.

H. B. 1303, A BILL TO BE ENTITLED AN ACT TO INCREASE FEE FOR RECEIVING SERVICE OF PROCESS AS STATUTORY AGENT OF A CORPORATION TO RECOVER COST, passes its second reading, by the following vote, and remains on the Calendar.


Voting in the negative: None.

H. B. 1310, A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM SALES TAX CERTAIN MEALS SOLD TO ELDERLY AND INCAPACITATED PERSONS, passes its second reading, by the following vote, and remains on the Calendar.

Voting in the negative: None.

S. B. 959, A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA HEALTH CARE EXCESS LIABILITY FUND.

Representative Miller offers an amendment.

Representative Messer calls for the “ayes” and “noes”, and the call is sustained.

The amendment fails to pass by the following vote.


Representative Campbell offers an amendment.

Representative Messer calls for the “ayes” and “noes”, and the call is sustained.

The amendment fails to pass by the following vote.

Those voting in the affirmative are: Representatives Ballenger, Barbee, Beard, Bell, Bissell, Bumgardner, Campbell, Collins, Davenport, Diamont, Dorsey, Eagles, Edwards, Erwin, Griffin, Helms, George Holmes, Charles
Holt, Hutchins, Jones, Lawing, Mathis, Miller, Morris, Oxendine, Parnell, Setzer, Spoon, Stevens, Tison, and Wright — 31.


Representative Hightower offers an amendment.

A division having been called, the amendment is adopted with 56 members voting in the affirmative and 34 members voting in the negative.

Representative Messer offers an amendment.

Representative Soles moves, seconded by Representative Joseph Johnson, that the amendment do lie upon the table. Representative Messer calls for the “ayes” and “noes”, and the call is sustained. This motion fails by the following vote.


Representative Messer calls the previous question on his amendment and the call is sustained.

Representative Messer calls for the “ayes” and “noes”, and the call is sustained.

The amendment is adopted by the following vote.

Those voting in the affirmative are: Representatives Ballenger, Barbee, Barker, Barnes, Beard, Bell, Breece, Bright, Bumgardner, Bundy, Campbell, Chapin, Chase, Collins, Cook, Cullipher, DeBruhl, DeRamus, Dorsey, Duncan, Eagles, Edwards, Ellis, Enloe, Foster, Gamble, Gardner, Gentry, Gilmore,
PROVIDE THAT GENERAL THE INJUNCTIVE SEEK CHANGES


Representative Messer offers an amendment which is adopted.

Representative Messer calls the previous question on the bill, and the call is sustained.

Representative Messer calls for the “ayes” and “noes”, and the call is sustained.

The bill, as amended, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House amendments.


Voting in the negative: Representative Cobb.

A motion by Representative Ward that the vote by which H. B. 417, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF NAVASSA IN BRUNSWICK COUNTY AND TO CALL A SPECIAL ELECTION ON THE QUESTION OF INCORPORATION, was placed on the Unfavorable Calendar be reconsidered, fails.

H. J. R. 1304, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL TO AMEND ARTICLE 7 OF CHAPTER 110 OF THE GENERAL STATUTES, ENTITLED “DAY-CARE FACILITIES” TO PROVIDE CHANGES IN THE DEFINITION OF DAY CARE AND TO PROVIDE THAT THE COMMISSION SHALL HAVE THE POWER TO SEEK INJUNCTIVE RELIEF.
Representative Cook calls for the "ayes" and "noes", and the call is sustained.

The resolution passes its second reading, by the following vote.


Voting in the negative: None.

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

H. J. R. 1321, A JOINT RESOLUTION AUTHORIZING THE 1975 GENERAL ASSEMBLY, SECOND SESSION 1976, TO CONSIDER A BILL TO REMOVE UNJUSTIFIED PAPERWORK IN THE ADMINISTRATION OF CRIMINAL PROCEDURE, passes its second and third readings and is ordered sent to the Senate by Special Message.

On motion of Representative Stevens, the House recesses until 4:30 p.m.

RECESS

Pursuant to recess, the House is called to order by the Speaker.

MESSAGES FROM THE SENATE

The following are received from the Senate:

H. B. 1293, A BILL TO BE ENTITLED AN ACT TO REVISE AND PROVIDE FOR PROCEDURAL AND SUBSTANTIVE LAWS GOVERNING CLAIMS FOR PROFESSIONAL MALPRACTICE: TO REVISE THE STATUTE OF LIMITATIONS FOR ADULTS AND MINORS; TO PROVIDE FOR A STANDARD OF CARE, A DOCTRINE OF INFORMED CONSENT, AN EXTENSION OF THE GOOD SAMARITAN LAW, AND THE ELIMINATION OF THE AD DAMNUM CLAUSE, is returned for concurrence in six Senate amendments.

On motion of Representative Messer, the House concurs in five Senate amendments.

Representative Messer moves concurrence in the sixth amendment. He calls for the "ayes" and "noes", and the call is sustained.
The House concurs in the sixth Senate amendment, by the following vote, and the bill is ordered enrolled.


REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Stevens for the Committee on Rules and Operation of the House:

H. J. R. 1287, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL ALLOWING FIRE PROTECTION TAX LEVIES TO BE APPROPRIATED IN ORDER TO SUPPLY RESCUE AND AMBULANCE SERVICES, with a favorable report, as amended.


H. J. R. 1300, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL TO AMEND CHAPTER 263 OF THE 1975 SESSION LAWS TO DELETE POLK COUNTY FROM THE MODIFIED SUBDIVISION CONTROL ORDINANCE, with a favorable report.

H. J. R. 1314, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL TO AMEND CHAPTER 657, SESSION LAWS OF 1975 SO AS TO PROVIDE A PROCEDURE FOR A NONPARTISAN ELECTION AND RUN-OFF ELECTION FOR THE DURHAM COUNTY BOARD OF EDUCATION, with a favorable report.

H. J. R. 1322, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL TO AMEND THE CONSTITUTION TO CREATE ELECTED COMMISSIONERS OF UTILITIES, with an unfavorable report.


S. J. R. 964, A JOINT RESOLUTION PROVIDING FOR A JOINT SESSION OR SESSIONS OF THE SENATE AND HOUSE OF REPRESENTATIVES TO ACT ON CONFIRMATION OF APPOINTMENTS MADE BY THE GOVERNOR TO MEMBERSHIP ON THE NORTH CAROLINA UTILITIES COMMISSION, with an unfavorable report.

On motion of Representative Stevens, seconded by Representative Tison, the House adjourns to reconvene May 12, 1976 at 9:00 a.m.

ONE HUNDRED TWENTY-FIFTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, May 12, 1976

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Dr. Albert G. Edwards, House Chaplain.

Representative Stevens for the Committee on Rules and Operation of the House, reports the Journal of May 11, 1976 has been examined and found correct. Upon his motion, the Journal is approved as written.

BILLS FILED WITH PRINCIPAL CLERK

The following bills and resolutions are filed in the Office of the Principal Clerk:

By Representatives Jones, Hunt, and Revelle:

H. B. 1325, A BILL TO BE ENTITLED AN ACT TO REDUCE FROM FOUR PERCENT (4%) TO THREE PERCENT (3%) THE DISCOUNT ALLOWED WHOLESALE DISTRIBUTORS AND IMPORTERS WHO COLLECT THE TAX ON BEER AND WINE.

By Representatives Erwin, DeRamus, Ned Smith, and Tennille:

H. J. R. 1326, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL TO EXCLUDE SOCIAL SECURITY BENE-
FITS FROM THE DEFINITION OF DISPOSABLE INCOME FOR CERTAIN AD VALOREM TAX PURPOSES.

By Representatives Erwin, DeRamus, Ned Smith, and Tennille:

H. B. 1327, A BILL TO BE ENTITLED AN ACT TO EXCLUDE SOCIAL SECURITY FROM THE DEFINITION OF DISPOSABLE INCOME FOR CERTAIN AD VALOREM TAX PURPOSES.

By Representative Miller:

H. J. R. 1328, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL TO AMEND THE CHARTER OF RALEIGH-DURHAM AIRPORT AUTHORITY TO RAISE THE RATE OF COMPENSATION OF MEMBERS.

By Representative Miller:

H. B. 1329, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF RALEIGH-DURHAM AIRPORT AUTHORITY TO RAISE THE RATE OF COMPENSATION OF MEMBERS.

By Representatives Cook, Adams, Hunt, and Joe Johnson:

H. B. 1330, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 105-60 CONCERNING THE PRIVILEGE LICENSE TAX FOR A DAY-CARE FACILITY.

By Representative Ward:

H. J. R. 1331, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL TO INCORPORATE THE TOWN OF NAVASSA IN BRUNSWICK COUNTY.

By Representatives McMillan, Barnes, DeRamus, Enloe, Erwin, Lachot, Ramsey, Rountree, Sandlin, Short, Ned Smith, Stewart, Varner, and Ward:

H. B. 1332, A BILL TO BE ENTITLED AN ACT TO REMOVE UNJUSTIFIED PAPERWORK IN THE ADMINISTRATION OF CRIMINAL PROCEDURE.

By Representative Ward:

H. B. 1333, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF NAVASSA IN BRUNSWICK COUNTY.

By Representative Stevens:

H. B. 1334, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN INHERITANCE TAX EXEMPTION FOR THE PROPERTY OF A DECEDENT DYING DUE TO COMBAT SERVICE.

FIRST READING AND REFERENCE TO COMMITTEE

The following bills and resolutions are read the first time and referred to committee:
By Representative Jones, Hunt, and Revelle:

H. B. 1325, A BILL TO BE ENTITLED AN ACT TO REDUCE FROM FOUR PERCENT (4%) TO THREE PERCENT (3%) THE DISCOUNT ALLOWED WHOLESALE DISTRIBUTORS AND IMPORTERS WHO COLLECT THE TAX ON BEER AND WINE, is referred to the Committee on Finance.

By Representatives Erwin, DeRamus, Ned Smith, and Tennille:

H. J. R. 1326, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL TO EXCLUDE SOCIAL SECURITY BENEFITS FROM THE DEFINITION OF DISPOSABLE INCOME FOR CERTAIN AD VALOREM TAX PURPOSES, is referred to the Committee on Rules and Operation of the House.

By Representative Miller:

H. J. R. 1328, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL TO AMEND THE CHARTER OF RALEIGH-DURHAM AIRPORT AUTHORITY TO RAISE THE RATE OF COMPENSATION OF MEMBERS, is referred to the Committee on Rules and Operation of the House.

By Representatives Cook, Adams, Hunt, and Joe Johnson:

H. B. 1330, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 105-60 CONCERNING THE PRIVILEGE LICENSE TAX FOR A DAY-CARE FACILITY, is referred to the Committee on Finance.

By Representative Ward:

H. J. R. 1331, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL TO INCORPORATE THE TOWN OF NAVASSA IN BRUNSWICK COUNTY, is referred to the Committee on Rules and Operation of the House.

By Representative Stevens:

H. B. 1334, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN INHERITANCE TAX EXEMPTION FOR THE PROPERTY OF A DECEDED Dying DUE TO COMBAT SERVICE, is referred to the Committee on Finance.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
May 11, 1976

Mr. Speaker:

It is ordered that a message be sent your Honorable Body with the information that the Senate fails to concur in the House amendment No. 12 to S. B. 959, A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA HEALTH CARE EXCESS LIABILITY FUND, and requests conferees. The President has appointed Senators Barker, Britt,
and Jernigan on the part of the Senate to confer with a like committee appointed by the House to the end that the differences arising may be adjusted.

Respectfully,
S/ Roy Rowe
Principal Clerk

The Speaker appoints Representatives Lilly, Gamble, and Hightower as conferees on the part of the House and the Senate is so notified by Special Message.

CALENDAR

Action is taken on the following:

Committee Substitute for H. B. 1291, A BILL TO BE ENTITLED AN ACT TO CHANGE THE QUARTERLY SYSTEM OF REMITTING STATE PERSONAL INCOME TAX WITHHELD BY EMPLOYERS TO A MONTHLY SYSTEM FOR LARGE EMPLOYERS AND TO PROVIDE FOR UNIFORM MONTHLY FILING DATES, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.


Voting in the negative: Representatives Bell, Bumgardner, Dorsey, Griffin, George Holmes, and Hutchins — 6.

H. B. 1299, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 7A-304 AND G. S. 7A-305 TO INCREASE THE COSTS OF COURT IN THE SUPERIOR COURT AND DISTRICT COURT DIVISIONS OF THE GENERAL COURT OF JUSTICE.

The bill, as amended, passes its third reading, by the following vote, and is ordered sent to the Senate, without engrossment, by Special Message.

Those voting in the affirmative are: Representatives Adams, Auman, Baker, Ballenger, Barbee, Barker, Barnes, Bell, Bissell, Breece, Bright, Bumgardner, Bundy, Campbell, Chapin, Chase, Collins, Cook, Creech, Cullipher, Davenport, Davis, DeBruhl, DeRamus, Diamont, Dorsey, Duncan, Eagles, Edwards, Ellis, Enloe, Erwin, Falls, Farmer, Foster, Frye, Gamble,

Voting in the negative: Representatives Charles Holt, and Hutchins — 2.

H. B. 1303, A BILL TO BE ENTITLED AN ACT TO INCREASE FEE FOR RECEIVING SERVICE OF PROCESS AS STATUTORY AGENT OF A CORPORATION TO RECOVER COST, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.


Voting in the negative: None.

H. B. 1310, A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM SALES TAX CERTAIN MEALS SOLD TO ELDERLY AND INCAPACITATED PERSONS, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.


Voting in the negative: None.

H. J. R. 1287, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL ALLOWING FIRE PROTECTION TAX LEVIES TO BE APPROPRIATED IN ORDER TO SUPPLY RESCUE AND AMBULANCE SERVICES.

On motion of Representative Stevens, the committee amendment is withdrawn.

Representative Hyde offers an amendment which is adopted.

Representative Hyde calls the previous question. The call is sustained.

The bill, as amended, passes its second and third readings, by a two-thirds majority vote, and is ordered sent to the Senate, without engrossment, by Special Message.

On motion of Representative Ward, the rules are suspended and H. J. R. 1331, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL TO INCORPORATE THE TOWN OF NAVASSA IN BRUNSWICK COUNTY, is removed from the Committee on Rules and Operation of the House and is placed on the Calendar for immediate consideration on a two-thirds majority vote.

The bill passes its second and third readings, by a two-thirds majority vote, and is ordered sent to the Senate by Special Message.

H. J. R. 1300, A JOINT RESOLUTION AUTHORIZING THE Consideration of a Bill to Amend Chapter 263 of the 1975 Session Laws to Delete Polk County from the Modified Subdivision Control Ordinance, passes its second and third readings, by a two-thirds majority vote, and is ordered sent to the Senate by Special Message.

H. J. R. 1314, A JOINT RESOLUTION AUTHORIZING THE Consideration of a Bill to Amend Chapter 657, Session Laws of 1975 so as to Provide a Procedure for a Nonpartisan Election and Run-Off Election for the Durham County Board of Education, passes its second and third readings, by a two-thirds majority vote, and is ordered sent to the Senate by Special Message.

H. J. R. 1316, A JOINT RESOLUTION AUTHORIZING THE 1975 General Assembly, Second Session 1976, to Amend Chapter 346 of the 1973 Session Laws to Make Said Chapter Apply to the City of Raleigh, passes its second and third readings, by a two-thirds majority vote, and is ordered sent to the Senate by Special Message.

On motion of Representative Stevens, the House recesses until 4:30 p.m.
RECESS

Pursuant to recess, the House is called to order by the Speaker.

ENROLLED BILLS

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

H. B. 1293, AN ACT TO REVISE AND PROVIDE FOR PROCEDURAL AND SUBSTANTIVE LAWS GOVERNING CLAIMS FOR PROFESSIONAL MALPRACTICE: TO REVISE THE STATUTE OF LIMITATIONS FOR ADULTS AND MINORS; TO PROVIDE FOR A STANDARD OF CARE, A DOCTRINE OF INFORMED CONSENT, AN EXTENSION OF THE GOOD SAMARITAN LAW, AND THE ELIMINATION OF THE AD DAMNUM CLAUSE.

Representative Lilley sends forth the following Conference Report and moves its adoption.

CONFERENCE REPORT

Senate Bill 959

To the President of the Senate and the Speaker of the House of Representatives:

We, your conferees appointed to resolve the differences arising between the Senate and House of Representatives on Senate Bill 959, A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA HEALTH CARE EXCESS LIABILITY FUND, wish to report as follows:

AMENDMENT 12. (Representative Hightower — amends the bill on page 5, lines 6 through 8.)

The Conference Committee recommends joint acceptance of modification of the amendment to be rewritten as follows:

Amend the bill on page 5 line 5, by inserting between the word "Commissioner" and the word "and", the words "the State Auditor,"

To this end, the conferees recommend that the Senate and House of Representatives adopt the foregoing report.

This the 12th day of May, 1976.

Conferees for the Senate
S/ BOB L. BARKER
S/ LUTHER J. BRITT, JR.
S/ GLENN R. JERNIGAN
The Conference Report is adopted and the Senate is so notified by Special Message.

On motion of Representative Stevens, seconded by Representative Collins, the House adjourns to reconvene May 13, 1976 at 9:00 a.m.

ONE HUNDRED TWENTY-SIXTH DAY

House of Representatives
Thursday, May 13, 1976

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Dr. Albert G. Edwards, House Chaplain.

Representative Stevens, for the Committee on Rules and Operation of the House, reports the Journal of May 12, 1976 has been examined and found correct. Upon his motion, the Journal is approved as written.

The Speaker appoints Mr. Emory D. Stephens of Charlotte, North Carolina to serve as a member of the newly created House Movers Licensing Board, effective May 13, 1976 through June 30, 1977.

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

Representative Ned Smith sends forth a Resolution from the North Carolina Fifth District Democratic Convention, and the Speaker orders that it be filed in the Office of the Principal Clerk.

BILLS FILED WITH PRINCIPAL CLERK

The following bills and resolutions are filed in the Office of the Principal Clerk:

By Representatives Gentry, Collins and Diamont:

H. J. R. 1335, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL TO AMEND G. S. 14-111.1, 14-111.2, AND 14-111.3 CONCERNING AMBULANCE SERVICES, TO INCLUDE ASHE COUNTY.

By Representatives Gentry, Collins and Diamont:
H. B. 1336, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 14-111.1, 14-111.2 AND 14-111.3 CONCERNING AMBULANCE SERVICES, TO INCLUDE ASHE COUNTY.

By Representative Jordan:

H. J. R. 1337, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL TO RAISE THE MINIMUM WAGE TO TWO DOLLARS AND THIRTY CENTS ($2.30) PER HOUR.

By Representatives Jordan and Duncan:

H. B. 1338, A BILL TO BE ENTITLED AN ACT TO RAISE THE MINIMUM WAGE TO TWO DOLLARS AND THIRTY CENTS ($2.30) PER HOUR.

FIRST READING AND REFERENCE TO COMMITTEE

The following bills and resolutions are read the first time and referred to committee:

By Representatives Gentry, Collins and Diamont:

H. J. R. 1335, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL TO AMEND G. S. 14-111.1, 14-111.2, AND 14-111.3 CONCERNING AMBULANCE SERVICES, TO INCLUDE ASHE COUNTY.

Representative Gentry moves to suspend the rules to the end that the resolution may be placed on the Calendar for immediate consideration.

A division having been called, the motion carries by a two-thirds majority, with 62 members voting in the affirmative and 24 members voting in the negative.

The resolution passes its second and third readings, by a two-thirds majority vote, and is ordered sent to the Senate by Special Message.

By Representatives Jordan and Duncan:

H. J. R. 1337, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL TO RAISE THE MINIMUM WAGE TO TWO DOLLARS AND THIRTY CENTS ($2.30) PER HOUR.

A motion by Representative Jordan to suspend the rules to the end that the resolution may be placed on the Calendar for immediate consideration, fails.

The resolution is referred to the Committee on Finance.

A motion of Representative Erwin to suspend the rules in order that H. J. R. 1326, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL TO EXCLUDE SOCIAL SECURITY BENEFITS FROM THE DEFINITION OF DISPOSABLE INCOME FOR CERTAIN AD VALOREM TAX PURPOSES, be removed from the Committee on Rules
and Operation of the House and placed on the Calendar for immediate consideration, fails.

On motion of Representative Stevens, the House recesses until 2:00 p.m.

RECESS

Pursuant to recess, the House is called to order by the Speaker.

SPECIAL MESSAGE FROM THE SENATE

Senate Chamber
May 13, 1976

Mr. Speaker:

Pursuant to your message that the House of Representatives has adopted the report of the Conferees on S. B. 959, A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA HEALTH CARE EXCESS LIABILITY FUND, the Senate, having taken a similar action, orders the bill enrolled.

Respectfully,
S/ Roy Rowe
Principal Clerk

ENROLLED BILLS

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

S. B. 959, AN ACT TO CREATE THE NORTH CAROLINA HEALTH CARE EXCESS LIABILITY FUND.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Messer for the Committee on Insurance:

H. B. 425, A BILL TO BE ENTITLED AN ACT TO BE KNOWN AS THE NORTH CAROLINA MOTOR VEHICLE ACCIDENT REPARATIONS AND NO-FAULT INSURANCE ACT, with an indefinite postponement report.

H. B. 1311, A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA HEALTH CARE EXCESS LIABILITY FUND, with an indefinite postponement report.

S. B. 956, A BILL TO BE ENTITLED AN ACT TO REVISE AND PROVIDE FOR PROCEDURAL AND SUBSTANTIVE LAWS GOVERNING CLAIMS FOR PROFESSIONAL MALPRACTICE: TO REVISE THE STATUTE OF LIMITATIONS FOR ADULTS AND MINORS; TO PROVIDE FOR A STANDARD OF CARE, A DOCTRINE OF INFORMED
CONSENT, AN EXTENSION OF THE GOOD SAMARITAN LAW, AND THE ELIMINATION OF THE AD DAMNUM CLAUSE, with an indefinite postponement report.

On motion of Representative Stevens, the House recesses until 4:00 p.m.

RECESS

Pursuant to recess, the House is called to order by the Speaker.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
May 13, 1976

Mr. Speaker:

Pursuant to H. J. R. 1307, A JOINT RESOLUTION PROVIDING FOR A JOINT SESSION OR SESSIONS OF THE SENATE AND HOUSE OF REPRESENTATIVES TO ACT ON CONFIRMATION OF APPOINTMENTS MADE BY THE GOVERNOR TO MEMBERSHIP ON THE NORTH CAROLINA UTILITIES COMMISSION, the Senate stands ready to repair to the Hall of the House, there to sit in today's Joint Session with your Honorable Body.

Respectfully,
S/ Roy Rowe
Principal Clerk

The Speaker orders a message sent to the Senate advising that Honorable Body that the House stands ready to receive them in Joint Session.

JOINT SESSION

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

The Joint Assembly is called to order by the President. The Clerk of the Senate calls the roll of the Senate to establish a quorum and the following members answer the call:


The Clerk of the House of Representatives calls the roll of the House to establish a quorum and the following members answer the call:

A quorum of each House being declared present, the Joint Session proceeds with the business for which it has convened.

The President orders the following letter read:

May 3, 1976

The Honorable James B. Hunt, Jr.
President of the Senate
North Carolina General Assembly
Raleigh, North Carolina

The Honorable James C. Green
Speaker of the House of Representatives
North Carolina General Assembly

Gentlemen:

Pursuant to G. S. 62-10(f), I submit my appointments to fill vacancies on the State Utilities Commission, for confirmation by the General Assembly in joint session:

1. W. Lester Teal, Jr.
   Raleigh, North Carolina
   (To fill an unexpired term created by the resignation of Commissioner George W. Clark, effective June 30, 1976, for a term to expire June 30, 1981.)

2. Winfield Scott Harvey
   Raleigh, North Carolina
   (To fill a vacancy created by the resignation of W. Lester Teal, Jr. to fill a 1981 term, the term to expire June 30, 1977.)
3. Ms. Patricia Shaver Locke  
   Box 4363  
   Charlotte, North Carolina  
   (To fill a vacancy created by the resignation of Commissioner Marvin R. Wooten, the term to expire June 30, 1977.)

   Sincerely,  
   S/ JAMES E. HOLSHouser, JR.  
   Governor

Senator Webster, Chairman of the Senate Committee on Public Utilities, is recognized and he submits the following report:

Mr. President:

In compliance with the provisions of Chapter 243 of the 1975 Session Laws that nominees to fill positions on the Utilities Commission shall be subject to confirmation by the General Assembly in Joint Session, Governor Holshouser has submitted for confirmation by the General Assembly the following names:

   Mr. W. Lester Teal, Jr. (To fill an unexpired term created by the resignation of Commissioner George W. Clark, effective June 30, 1976, for a term to expire June 30, 1981)

   Mr. Winfield Scott Harvey (To fill a vacancy created by the resignation of W. Lester Teal, Jr. to fill a 1981 term, the term to expire June 30, 1977)

   Ms. Patricia Shaver Locke (To fill a vacancy created by the resignation of Commissioner Marvin R. Wooten, the term to expire June 30, 1977)

Pursuant to H. J. R. 1307 the Senate Committee on Public Utilities has considered the nominees and makes the following recommendation to this Joint Session:

   That the nomination of Mr. W. Lester Teal, Jr. to fill an unexpired term created by the resignation of Commissioner George W. Clark not be confirmed.

   That since the position for which Mr. Harvey was nominated will not be vacated, that is the position being held by Mr. Teal, the Committee takes no action as to Mr. Harvey.

   That the nomination of Ms. Patricia Shaver Locke not be confirmed.

Respectfully submitted.  
S/ WESLEY D. WEBSTER

Representative Miller, Chairman of the House Committee on Public Utilities, is recognized and he submits the following report:
Mr. President:

In compliance with the provisions of Chapter 243 of the 1975 Session Laws that nominees to fill positions on the Utilities Commission shall be subject to confirmation by the General Assembly in Joint Session, Governor Holshouser has submitted for confirmation by the General Assembly the following names:

Mr. W. Lester Teal, Jr. (To fill an unexpired term created by the resignation of Commissioner George W. Clark, effective June 30, 1976, for a term to expire June 30, 1981)

Mr. Winfield Scott Harvey (To fill a vacancy created by the resignation of W. Lester Teal, Jr. to fill a 1981 term, the term to expire June 30, 1977)

Ms. Patricia Shaver Locke (To fill a vacancy created by the resignation of Commissioner Marvin R. Wooten, the term to expire June 30, 1977)

Pursuant to H. J. R. 1307 the House Committee on Public Utilities has considered the nominees and makes the following recommendation to this Joint Session:

That the nomination of Mr. W. Lester Teal, Jr. to fill an unexpired term created by the resignation of Commissioner George W. Clark not be confirmed.

That since the position for which Mr. Harvey was nominated will not be vacated, that is the position being held by Mr. Teal, the Committee takes no action as to Mr. Harvey.

That the nomination of Ms. Patricia Shaver Locke not be confirmed.

Respectfully submitted,

S/ George W. Miller, Jr.
Chairman
House Public Utilities Committee

Senator Webster moves that the nomination of W. Lester Teal, Jr., not be confirmed.

Representative Miller moves that the nomination of W. Lester Teal, Jr., not be confirmed.

The President announces that the rolls of both Houses will be called and that the totals will not be announced until after both bodies have voted.

The motion that the nomination of W. Lester Teal not be confirmed carries by the following vote of the Senate membership:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Bahakel, Barker, Britt, Childers, Combs, Daniels, Davis, Garrison, Gudger, Hardison, Harrington, Harris, Henley, Hill, Jernigan, Kirby, Lackey, Marion, McDuffie, Nye, Odom, Palmer, Renfrow, Royall, Scott, Sebo, Lynwood Smith, William Smith, Stallings, Strickland, Suddarth, Totherow, Vickery, Walker, Walsh, Webster, Whichard, White, and Winters — 42.
Voting in the negative — None.

The motion that the nomination of W. Lester Teal not be confirmed carries by the following vote of the House membership:


Voting in the negative: Representatives Ballenger, Bell, Bissell, George Holmes, Hutchins, Mathis, Rhodes, and Spoon — 8.

The President rules that no action is required on the appointment of Winfield Scott Harvey as no vacancy is created as the result of the previous vote taken by the Senate and House on confirmation of W. Lester Teal, Jr.

Senator Webster moves that the nomination of Patricia Shaver Locke not be confirmed.

Representative Miller moves that the nomination of Patricia Shaver Locke not be confirmed.

The motion of Senator Webster that the nomination of Patricia Shaver Locke not be confirmed carries by the following vote of the Senate membership:


Voting in the negative: Senators Bahakel, Davis, Harris, Sebo, and Strickland — 5.

The motion of Representative Miller that the nomination of Patricia Shaver Locke not be confirmed carries by the following vote of the House membership.

Those voting in the affirmative are: Representatives Adams, Auman, Baker, Barbee, Barker, Barnes, Beard, Bell, Breece, Bright, Bumgardner, Bundy, Campbell, Chapin, Chase, Collins, Cook, Creech, Cullipher, Davenport,


The President orders a message be sent to the Governor advising him of the action of this Joint Session.

On motion of Senator Henley, the Joint Session is dissolved and the Senate returns to the Senate Chamber.

On motion of Representative Stevens, seconded by Representative Lilley, the House adjourns to reconvene May 14, 1976, at 9:00 a.m.

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ONE HUNDRED TWENTY-SEVENTH DAY

HOUSE OF REPRESENTATIVES
Friday, May 14, 1976

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Dr. Albert G. Edwards, House Chaplain.

Representative Stevens for the Committee on Rules and Operation of the House, reports the Journal of May 13, 1976, has been examined and found correct. Upon his motion, the Journal is approved as written.

BILLS FILED WITH PRINCIPAL CLERK

The following bills and resolutions are filed in the Office of the Principal Clerk:

By Representative Green:

H. J. R. 1339, A JOINT RESOLUTION HONORING THE 1976 MASTERS GOLF TOURNAMENT CHAMPION, NORTH CAROLINIAN RAYMOND FLOYD.
By Representative Jordan:

H. J. R. 1340, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL TO LIMIT THE ANNUAL INCREASE IN THE NUMBER OF STATE EMPLOYEES.

By Representative Jordan:

H. B. 1341, A BILL TO BE ENTITLED AN ACT TO LIMIT THE ANNUAL INCREASE IN THE NUMBER OF STATE EMPLOYEES.

FIRST READING AND REFERENCE TO COMMITTEE

The following bills and resolutions are read the first time and referred to committee:

By Representatives Quinn, and Plyler:

H. J. R. 1286, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF ARTHUR WEBSTER THOMAS, JR., A FORMER MEMBER OF THE GENERAL ASSEMBLY FROM CABARRUS COUNTY.

On motion of Representative Quinn, the rules are suspended by a two-thirds majority vote, and the resolution is placed before the House for immediate consideration.

The resolution passes its second and third readings, by a two-thirds majority vote, and is ordered sent to the Senate by Special Message.

Representative Quinn moves that when the House adjourns it do so in honor and memory of Art Thomas.

The Speaker orders the following poem entered into today's Journal.

ON THE RESOLUTION HONORING THE
LATE ART THOMAS, FORMER MEMBER OF THE HOUSE

From Buncombe to Cabarrus,
Moved a man that we called Art,
An active, energetic legislator
Who kept the horse before the cart.

He devoted his attention
To economic matters,
And was not particularly known
For saying things that flatters.

He could see through an issue,
And digest it well.
And if there were flaws in his opinion,
You knew that he would tell.

And though we all shall miss him,
I know that we are ready
To move on to even greater things
With the aid of his wife, Betty.

She'll take her place in
These hallowed halls,
And vote her conscience too;
An inspiration, we hope, to all of us,
A better job to do.

By Representative Henry E. Frye
May 14, 1976

First Reading and Reference to Committee (continued)

The following bills and resolutions are read the first time and referred to committee:

By Representative Green:

H. J. R. 1339, A Joint Resolution Honoring the 1976 Masters Golf Tournament Champion, North Carolinian Raymond Floyd, is referred to the Committee on Rules and Operation of the House.

By Representative Jordan:

H. J. R. 1340, A Joint Resolution Authorizing the Consideration of a Bill to Limit the Annual Increase in the Number of State Employees, is referred to the Committee on Rules and Operation of the House.

Enrolled Bills

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

H. B. 1291, An Act to Change the Quarterly System of Remitting State Personal Income Tax Withheld by Employers to a Monthly System for Large Employers and to Provide for Uniform Monthly Filing Dates.

H. B. 1299, An Act to Amend G. S. 7A-304 and G. S. 7A-305 to Increase the Costs of Court in the Superior Court and District Court Divisions of the General Court of Justice.


H. B. 1310, An Act to Exempt from Sales Tax Certain Meals Sold to Elderly and Incapacitated Persons.

On motion of Representative Stevens, the House recesses until 2:00 p.m. or upon the call of the Chair.
Pursuant to recess the House is called to order by the Speaker at 1:00 p.m.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Love for the Committee on Appropriations:

Committee Substitute for H. B. 1290, A BILL TO BE ENTITLED AN ACT TO MODIFY CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS FOR NORTH CAROLINA STATE GOVERNMENT FOR THE FISCAL YEAR 1976-77, AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATION OF THE STATE, with an unfavorable report as to bill, favorable as to committee substitute bill.

On motion of Representative Love, the substitute bill is adopted.

On motion of Representative Love, the rules are suspended and the bill is placed before the House for immediate consideration.

Representative Nesbitt offers an amendment.

Representative Nesbitt calls for the “ayes” and “noes”, and the call is sustained.

The amendment fails by the following vote:


Representative Michaux offers an amendment.

On motion of Representative Love, seconded by Representative Lachot, the amendment is tabled.

On motion of Representative Love, H. B. 1290 is temporarily displaced in order that a Message from the Senate may be read.
MESSAGES FROM THE SENATE

The following are received from the Senate:

Committee Substitute for S. B. 954, A BILL TO BE ENTITLED AN ACT TO MODIFY CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS FOR NORTH CAROLINA STATE GOVERNMENT FOR THE FISCAL YEAR 1976-77, AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATION OF THE STATE, is read the first time.

On motion of Representative Love the rules are suspended, and the bill is placed before the House for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

Representative Dorsey requests that he be recorded as voting "no" on this bill.

On motion of Representative Love, H. B. 1290 is postponed indefinitely.

FIRST READING AND REFERENCE TO COMMITTEE

The following bills and resolutions are read the first time and referred to committee:

By Representative Stevens:

H. J. R. 1342, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE GENERAL ASSEMBLY ON FRIDAY, MAY 14, 1976, AT 4:00 P.M.

On motion of Representative Stevens, the rules are suspended, by a two-thirds majority vote, and the resolution is placed before the House for immediate consideration.

The resolution passes its second and third readings, by a two-thirds majority vote, and is ordered sent to the Senate by Special Message.

ENROLLED BILLS

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

S. B. 954, AN ACT TO MODIFY CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS FOR NORTH CAROLINA STATE GOVERNMENT FOR THE FISCAL YEAR 1976-77, AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATION OF THE STATE.

H. J. R. 1287, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL ALLOWING FIRE PROTECTION TAX LEVIES TO BE APPROPRIATED IN ORDER TO SUPPLY RESCUE AND AMBULANCE SERVICES.
On motion of Representative Hyde, the rules are suspended, by a two-thirds majority vote, and H. B. 1288, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE APPROPRIATION OF FUNDS RAISED FROM TAXES LEVIED IN RURAL FIRE PROTECTION DISTRICTS TO BE APPLIED IN PROVIDING RESCUE AND AMBULANCE SERVICES WITHIN SAID DISTRICTS, AND TO VALIDATE ANY SUCH FUNDS PREVIOUSLY SO Appropriated, is placed before the House for immediate consideration.

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

ENROLLED BILLS (CONTINUED)

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

H. J. R. 1286, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF ARTHUR WEBSTER THOMAS, JR., A FORMER MEMBER OF THE GENERAL ASSEMBLY FROM CABARRUS COUNTY.

H. J. R. 1342, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE GENERAL ASSEMBLY ON FRIDAY, MAY 14, 1976, AT 4:00 P.M.

REMARKS BY SPEAKER JAMES C. GREEN

“At this time on the Chair’s own motion, I should like to express my gratitude to all of you for your having allowed me to serve as your Speaker in what has been not only a most pleasing assignment, but a great challenge. I sincerely thank each of you for the opportunity that has been mine. I commend each of you, individually, and I commend you collectively, for the very keen, and very rare, dedication of your labors on behalf of all of the people of our great State of North Carolina. At the outset of the 1975-76 Session, I stood here and I insisted that all of the Committee Chairmen deal with every matter that came before their respective committees firmly, fairly and expeditiously. I stand here again today to commend all of you for having competently discharged those responsibilities most admirably.

“The very gracious and generous manner in which you have dealt with me as your Speaker certainly has been heartwarming and gratifying, to say the least.

“Today, again I thank you on behalf of my entire family for your generosity which you expressed so beautifully on Wednesday night of this week at our Love Feast. We shall always treasure and enjoy the handsome and very elegant silver service which you presented to us. I personally will enjoy wearing the very smart, colorful and patriotic coats and ties which were given me by you as soon as Craig Lawing gets the right size.
“I want you to know, too, that I shall always treasure each and every kind word and words of encouragement that have been spoken to me by you, as well as the many nice letters and notes I have received from you members during this Session. I know, you must know, that they mean very much to me.

“In chatting with the Honorable Secretary of State, Thad Eure, he has estimated that since I first came to the General Assembly in 1961, I have served with some 450 or more separate individuals from across this great State. This has been a most rewarding experience for me. Having heard some comments from other members today, along these lines, I guess the full realization is just beginning to strike me, that today, barring any unforeseen difficulties which might require a Special Session of this General Assembly, this, May the Fourteenth, 1976, will be the final day of my service as a member of this General Assembly, since after 16 years I did indeed finally state publicly that I would not be a candidate for re-election to the House of Representatives from the 19th House District in North Carolina. I do hope and expect, however, to continue the fast friendships which I have had the privilege and honor of enjoying here.

“I say thank you — and I thank you for all of your support — all of your help — all of your love — and, yes, for all of your constructive criticism which has served to spur me to try to be what you would expect and want your Speaker to be.

“I shall continue to walk humbly with my God, with the hope that we may all continue to be blessed, beyond our ability to ask. Thank you.”

The Speaker orders a message sent to the Senate informing that Honorable Body that the House of Representatives has concluded its business.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
May 14, 1976

Mr. Speaker:

You are respectfully advised that the business of the Senate has been concluded and that Body will be ready to open the doors of the Senate immediately upon receipt of information from your Honorable Body that you are ready to open your doors, that the gavels may fall simultaneously and adjournment may be declared sine die.

Respectfully,

S/ Roy Rowe
Principal Clerk

On motion of Representative Stevens, seconded by Representative Quinn, and pursuant to the information contained in the exchange of messages between the Senate and the House of Representatives and the joint resolution heretofore passed, and in memory of Arthur Webster Thomas, Jr., the doors of the House are ordered opened.
The President of the Senate is perceived standing, ready to let fall the gavel. The Speaker sounds the gavel and declares the House of Representatives of the 1975-76 Session of the General Assembly of North Carolina adjourned sine die.

Grace A. Collins
Principal Clerk
Eternal Father, without Whom nothing is holy and no one is internally strong, we thank Thee for the ancient promise, “In thy going out and coming in I will be with thee.” As these men and women have come once more to the assembly room of legislative actions Thou knowest the responsibilities which confront them. We know that to give employees what they deserve is impossible, for the State could never pay what some deserve, and if others get what they deserve they could not exist. Grant wisdom to these Legislators that they may therefore do what is just but what is also in keeping with our state’s financial resources. A difficult decision, Lord, for these men and women to make, but prove again that man’s extremity is God’s opportunity. In Jesus’ Name. Amen.

Almighty God, it’s mostly the same old faces, but that can’t be all bad, for we remember that you are the same God and there is comfort in the constant. Because You are the same and there is no variance or change, as we look ahead we gain confidence from remembrance of the past; a remembrance which recalls to mind Thy steadfast mercies, and enables us to say with the Prophet Jeremiah, “This I recall to mind and therefore I have hope.”

The prayer we offer in our Saviour’s name, Amen.

Sovereign God, Thou who art able to do exceedingly more than we can ever ask or think, empower these men and women to be

- cheerful when things go wrong
- serene when things are irritating
- perservering when things are difficult
- hopeful when things are disappointing
- resourceful when others are at their wits’ end, and alert when others are dull and dozy.

It seems like a lot to ask, our Father, but can we ever ask too much from One who brought from the dead our Saviour and Lord, Jesus Christ?

In His Name we pray. Amen.
Loving God and helpful Father, if ever there was a virtue for whose possession we need to pray, is it not the virtue of understanding.

Our prayer is that these men and women may understand why some employees of the state clamor for greater compensation. They are human and needs and wants ever multiply and increase and money is the prime source of satisfaction; and yet we never get enough for enough is always just a little more than we now have.

We ask understanding, our Father, by employees of the State, that they may come to see that a State cannot give what it does not have without inviting fiscal disaster or jeopardizing needed services that other agencies render.

Great God, restore within all of us the spirit of the Apostle who said, "I have learned in whatsoever state I am therewith to be content," and help us to discover that this is possible when we know that when we have enough to live for we are not too concerned about what we have to live on. In Jesus' Name, Amen.

Gracious and most generous God we receive much for which we do not work — gifts such as the unfailing recurrence of night and day. Yet we know that for most of us the night is for the rest and the day is for work; and again these men and women return to work, and with Thy help may it be with renewed strength, keen minds and warm hearts. As they listen, ponder, and participate may they remember that in a democracy the elected representatives are the servants and not the masters of the people.

Our prayer we offer in the name of the Christ who came to serve all mankind, Amen.

Great God, our help in ages past, our hope for years to come, and our life and strength for this present day, we thank Thee that we assemble in a place which is a marvelous monument to man's dreams and skills and labors.

Our earnest prayer would be that what happens in this place may be a magnificent monument to the vision, honesty, and selflessness of the men and women who represent here the citizens of this State.

In the name of Jesus. Amen.

O matchless God, whose truth endureth to all generations, there are times when we wish we could vote to suspend the moral rules of the universe so that we could sow and not worry about the crop. However, we do live in a world where we are accountable not only for our deeds but also for our
words; so help these men and women to choose well their words and determine wisely their actions that on the day of ultimate accountability it will be possible to say to them, "Well done, faithful servant."

Our prayer is offered in the name of the servant Christ, Amen.

Thursday, May 13, 1976

We thank You, Father in Heaven, that our prayers do not have to go through the Senate for they might be killed before they get to You.

We thank You that we come to you through Jesus Christ; this Jesus who knew

the strain of daily toil
the burden of decision making
the loneliness of honesty,

but who also knew the joy of being able to say to You, "I have glorified your name."

To all in this House who seek that same joy may there be granted the companionship and the encouragement of this Jesus.

In His Name we pray, Amen.

Friday, May 14, 1976

Matchless and Almighty God, we recall the words: "The earth is the Lord's and the fullness thereof, the world and they that dwell therein."

But these men and women are more than tenants they are also trustees; trustees of place and power given them by the citizens of their districts.

As they confront the issues of a new day they will discover anew that there are no simple solutions only intelligent choices. By their honest, unselfish and intelligent choices may they prove anew to the people of their State that they are not as dumb as some people say they are.

We pray in the name of Him who once was considered dumb, but whom time has proved to be wise, Jesus the Christ, Amen.
BILLS AND RESOLUTIONS INTRODUCED
BY MEMBERS 1976

ADAMS, ALLEN
Nos. 1286, 1297, 1304, 1308, 1310, 1313, 1330.

AUMAN, T. CLYDE
No. 1289.

BAKER, T. J.
Nos. 1286, 1289.

BALLenger, T. CASS
Nos. 1286, 1289, 1308, 1312.

BARBEE, ALLEN C.
Nos. 1286, 1289.

BARKER, CHRIS S., JR.
Nos. 1286, 1289.

BARNES, HENSON, P.
Nos. 1286, 1308, 1321.

BEARD, R. D.
Nos. 1286, 1289, 1308.

BELL, E. GRAHAM
Nos. 1286, 1289, 1292, 1293, 1308.

BISSELL, MARILYN R.
Nos. 1289, 1312, 1324.

BREECE, GEORGE W.
Nos. 1286, 1289, 1308.

BRIGHT, JOE L.
No. 1308.

BUMGARDNER, DAVID W. JR.
Nos. 1286, 1289.

BUNDY, SAM D.
No. 1286.

CAMPBELL, A. HARTWELL
Nos. 1286, 1289, 1308.

CHAPIN, HOWARD B.
Nos. 1286, 1289, 1308.

CHASE, MRS. NANCY
Nos. 1286, 1289, 1293, 1308.

COBB, LAURENCE A.
No. 1321.
APPENDIX

COLLINS, P. C., JR.
Nos. 1289, 1308, 1335.

COOK, RUTH E.
Nos. 1286, 1304, 1308, 1310, 1313, 1316, 1330.

CREECH, WILLIAM A.
Nos. 1289, 1304, 1308, 1310, 1313, 1316.

CULLIPHER, GEORGE P.
Nos. 1286, 1289, 1308.

DAVENPORT, JOHN ED
Nos. 1286, 1299, 1303.

DAVIS, GILBERT R.
Nos. 1286, 1289, 1308, 1313, 1322.

DEBRUHL, CLAIRE
Nos. 1289, 1308, 1322.

DERAMUS, JUDSON D., JR.
Nos. 1293, 1304, 1308, 1312, 1326.

DIAMONT, DAVID H.
No. 1335.

DORSEY, FRED R.
Nos. 1286, 1293, 1306, 1308, 1312.

DUNCAN, CONRAD R.
Nos. 1289, 1308, 1321, 1337.

EAGLES, LARRY P.
No 1286.

EDWARDS, JAMES H.
Nos. 1286, 1289, 1308, 1319, 1324.

ELLIS, T. W., JR.
Nos. 1286, 1308.

ENLOE, JEFF H., JR.
Nos. 1286, 1308, 1322.

ERWIN, RICHARD C.
Nos. 1285, 1286, 1304, 1308, 1322, 1326.

FALLS, ROBERT Z.
Nos. 1286, 1293, 1308.

FARMER, ROBERT L.
Nos. 1304, 1310, 1313, 1316.

FOSTER, JO GRAHAM
Nos. 1286, 1289, 1293, 1294, 1308.

FRYE, HENRY E.
No. 1286.
Gamble, John R., Jr.
Nos. 1286, 1289, 1292, 1293.

Gardner, J. M.
Nos. 1286, 1289, 1308.

Gentry, J. Worth
Nos. 1289, 1308, 1335.

Gilmore, Thomas O.
No. 1286.

Gregory, Carson
Nos. 1289, 1308, 1322.

Griffin, Mrs. Dillard
Nos. 1286, 1308.

Green, James C.
Nos. 1286, 1339.

Hairston, Peter W.
No. 1286.

Harris, W. S., Jr.
Nos. 1286, 1308, 1313.

Heer, Leo
No. 1286.

Helms, H. Parks
Nos. 1286, 1294, 1308.

Hightower, Foyle
No. 1286.

Holmes, Edward S.
No. 1289.

Holmes, George M.
Nos. 1286, 1289, 1308, 1312, 1319.

Holt, Bertha
No. 1308.

Holt, Charles
Nos. 1286, 1289, 1308, 1321.

Hunt, Patricia S.
Nos. 1308, 1313, 1325, 1330.

Hunter, Thomas B.
Nos. 1286, 1289.

Hurst, Wilda
Nos. 1286, 1289, 1308.
HUSKINS, J. P.
Nos. 1286, 1289.

HUTCHINS, FRED S., JR.
Nos. 1304, 1308, 1312.

HYDE, HERBERT L.
Nos. 1287, 1288, 1308.

JAMES, VERNON G.
Nos. 1286, 1289, 1293, 1308.

JERNIGAN, ROBERTS H., JR.
Nos. 1286, 1289, 1308.

JOHNSON, JOY J.
Nos. 1289, 1313.

JOHNSON, JOSEPH E.
Nos. 1286, 1304, 1308, 1310, 1313, 1316, 1330.

JONES, ROBERT A.
Nos. 1289, 1300, 1306, 1308, 1325.

JORDAN, JOHN M.
Nos. 1337, 1340.

JOSEY, C. KITCHIN
Nos. 1286, 1289.

LACHOT, W. H., JR.
Nos. 1286, 1308, 1321.

LAWING, CRAIG
Nos. 1286, 1294, 1308.

LEONARD, LARRY E.
No. 1286.

LILLEY, DANIEL T.
Nos. 1286, 1289, 1308, 1311.

LOVE, JIMMY L.
Nos. 1290, 1308.

LUTZ, MRS. EDITH
Nos. 1286, 1293, 1308.

McMILLAN, WILLIAM H.
No. 1321.

MASON, RONALD E.
Nos. 1289, 1308.

MATHIS, CAROLYN
Nos. 1312, 1324.
MESSER, ERNEST B.
Nos. 1289, 1292, 1293, 1311.

MICHAUX, H. M., JR.
No. 1308.

MILLER, GEORGE
Nos. 1292, 1295, 1304, 1306, 1307, 1308, 1314, 1328.

MORRIS, GLENN A.
Nos. 1286, 1289, 1308.

NASH, ROBIE L.
Nos. 1286, 1289.

NESBITT, MARY C.
Nos. 1289, 1293, 1308, 1324.

OXENDINE, HENRY WARD
No. 1308

PARNELL, DAVID R.
Nos. 1286, 1308.

PHILLIPS, CHARLES W.
Nos. 1286, 1308, 1322.

PICKLER, MRS. JANET
Nos. 1289, 1308.

PLYLER, AARON W.
Nos. 1285, 1286, 1321.

PRESTWOOD, RALPH
Nos. 1286, 1289, 1308.

PUGH, J. T.
No. 1286.

QUINN, DWIGHT W.
Nos. 1286, 1289.

RAMSEY, LISTON B.
Nos. 1286, 1289, 1291, 1293, 1299, 1303, 1304, 1308, 1321.

RAY, HECTOR
Nos. 1286, 1289, 1293, 1308.

REVELLE, J. GUY, SR.
Nos. 1289, 1308, 1325.

RHODES, S. THOMAS
Nos. 1286, 1312.

ROGERS, BOBBY W.
Nos. 1286, 1308.
ROUNTREE, H. HORTON  
Nos. 1286, 1308, 1321.

SANDLIN, HUGH C.  
Nos. 1286, 1289, 1308, 1321.

SAWYER, THOMAS B.  
Nos. 1286, 1289, 1306, 1308, 1315, 1322.

SCHWARTZ, B. D.  
Nos. 1286, 1289, 1292, 1293, 1308.

SETZER, FRANCES E.  
Nos. 1286, 1296.

SHORT, W. M.  
No. 1286.

SMITH, NED R.  
Nos. 1304, 1306, 1308, 1313, 1326.

SMITH, A. NEAL  
Nos. 1289, 1291, 1324.

SMITH, WADE  
Nos. 1289, 1304, 1308, 1313, 1316, 1321.

SOLES, R. C., JR.  
Nos. 1289, 1308.

SPOON, ROY  
Nos. 1289, 1308, 1312, 1324.

STEVENS, JOHN S.  
No. 1342.

STEWART, CARL  
Nos. 1286, 1289, 1308, 1321.

TALLY, LURA  
Nos. 1289, 1308, 1313.

TENNILLE, MARGARET  
Nos. 1289, 1304, 1308, 1326.

THOMAS, BETTY DORTON  
Nos. 1289, 1308.

TISON, BEN  
Nos. 1289, 1294, 1308.

VARNER, JOHN  
Nos. 1286, 1289, 1308, 1322.

WARD, ALLEN C.  
Nos. 1286, 1308, 1331.
WATKINS, WILLIAM T.  
   Nos. 1286, 1289, 1308.

WEBB, CHARLIE  
   Nos. 1286, 1313, 1322.

WHITE, W. STANFORD  
   Nos. 1286, 1308.

WISEMAN, MYRTLE E.  
   Nos. 1289, 1308.

WOODARD, BARNEY PAUL  
   Nos. 1286, 1289, 1293, 1308.

WRIGHT, RICHARD  
   No. 1289.

ADDENDUM

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 had 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.

Grace A. Collins  
Principal Clerk
## APPOINTMENTS MADE BY SPEAKER OF THE
## HOUSE OF REPRESENTATIVES
## JAMES C. GREEN — 1975-1976

| 1. ADVISORY BUDGET COMMISSION — G. S. 143-4 |
| Rep. Liston B. Ramsey | 2/24/75 | Not specified |
| Rep. William T. Watkins | 2/24/75 | Not specified |
| Rep. Sam D. Bundy     | 2/24/75 | Not specified |

| 2. AGING, COUNCIL ON — G. S. 143B-181 |
| Rep. Leo Heer          | 5/28/75 | 6/30/76 |
| (Reappointed)          | 7/1/76  | 6/30/80 |
| Mrs. Lila C. Melvin    | 5/28/75 | 6/30/78 |

| 3. ARCHAEOLOGICAL ADVISORY COMMITTEE — G. S. 143B-66 |
| Rep. Richard Wright    | 8/25/75 | Four years |

| 4. AREA INMATE LABOR COMMISSION — SB 605 |
| Rev. J. Edwin Wayland  | 1/15/76 | Four years |
| Mr. Kyle Grasty        | 1/15/76 | Four years |
| Ferd Harrison          | 1/15/76 | Four years |
| Mrs. Mary Faye Shires  | 1/15/76 | Four years |
| I. Murchison Biggs     | 1/15/76 | Four years |
| Joe Pell               | 1/15/76 | Four years |

| 5. CAPITAL BUILDING AUTHORITY — G. S. 129-40 |
| Rep. William A. Creech | 9/3/75 | Two years |

| 6. CAPITAL PLANNING COMMISSION — G. S. 129-31 |
| Rep. Roberts H. Jernigan, Jr. | 8/25/75 | Two years |
| Rep. Wade M. Smith          | 8/25/75 | Two years |
| Rep. Thomas B. Sawyer       | 8/25/75 | Two years |
| Rep. James Edwards          | 12/1/75 | Two years |
| (appointed to fill the unexpired term of Rep. Art Thomas) |

<p>| 7. CHILDREN WITH SPECIAL NEEDS, COMMISSION ON — G. S. 120-58 |
| Rep. Benjamin D. Schwartz  | 7/21/75 | Until successor appointed |
| Rep. Clyde Auman          | 7/21/75 | Until successor appointed |
| Rep. Vernon G. James      | 7/21/75 | Until successor appointed |</p>
<table>
<thead>
<tr>
<th>No.</th>
<th>Name of Commission/Task Force</th>
<th>Appointed</th>
<th>Term</th>
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<tbody>
<tr>
<td>8.</td>
<td>CHILDREN AND YOUTH COUNCIL,</td>
<td></td>
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<tr>
<td></td>
<td>GOVERNOR'S ADVOCACY —</td>
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<td></td>
<td>G.S. 143B-187</td>
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<td></td>
<td>Rep. Patricia Hunt</td>
<td>8/4/75</td>
<td>Two years</td>
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<tr>
<td></td>
<td>Rep. Lura S. Tally</td>
<td>8/4/75</td>
<td>Two years</td>
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<td>9.</td>
<td>COMPUTER CENTERS (STUDY FEASIBILITY OF STATE-OPERATED COMPUTER CENTERS FOR COUNTY &amp; CITY GOVERNMENTS) — HJR 338</td>
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<tr>
<td></td>
<td>Rep. W. Craig Lawing</td>
<td>8/5/75</td>
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<td>10.</td>
<td>CRIME STUDY COMMISSION —</td>
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<tr>
<td></td>
<td>G.S. 143-521</td>
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<td></td>
<td>Rep. Ben Tison</td>
<td>8/26/75</td>
<td>Two years</td>
</tr>
<tr>
<td></td>
<td>Perry Martin</td>
<td>8/26/75</td>
<td>Two years</td>
</tr>
<tr>
<td></td>
<td>Rep. E. Graham Bell</td>
<td>8/26/75</td>
<td>Two years</td>
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<td>11.</td>
<td>CRIMINAL JUSTICE EDUCATION AND TRAINING COUNCIL — SB 534</td>
<td></td>
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<tr>
<td></td>
<td>Rep. R. C. Soles, Jr.</td>
<td>8/27/75</td>
<td>One year</td>
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<tr>
<td>12.</td>
<td>DISCIPLINARY HEARING COMMISSION — G.S. 84-28.1</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>Phillip I. Ellen</td>
<td>7/24/75</td>
<td>One year</td>
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<td>13.</td>
<td>DRUG COMMISSION, NORTH CAROLINA — HB 1247</td>
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<td></td>
<td>Rep. Chris S. Barker, Jr.</td>
<td>7/18/75</td>
<td>Two years</td>
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<td>14.</td>
<td>EDUCATION COMMISSION OF THE STATES — G.S. 115-349</td>
<td></td>
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<tr>
<td></td>
<td>Rep. Jo Graham Foster</td>
<td>8/22/75</td>
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<td>15.</td>
<td>EDUCATIONAL SERVICES FOR EXCEPTIONAL CHILDREN, COUNCIL ON — G.S. 115.11.7</td>
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<tr>
<td></td>
<td>Rep. E. Graham Bell</td>
<td>7/1/76</td>
<td>Two years</td>
</tr>
<tr>
<td></td>
<td>Rep. Addison Neal Smith</td>
<td>7/1/76</td>
<td>Two years</td>
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<tr>
<td>16.</td>
<td>ELECTRONIC VOTING</td>
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<tr>
<td></td>
<td>Rep. Pat Griffin</td>
<td>6/3/76</td>
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<td>17.</td>
<td>ENERGY POLICY COUNCIL — SB 943</td>
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<td></td>
<td>Rep. Jack Gardner</td>
<td>7/16/75</td>
<td>1/31/77</td>
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<td></td>
<td>Rep. Charles Holt</td>
<td>7/16/75</td>
<td>1/31/77</td>
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<td>18.</td>
<td>GENERAL STATUTES COMMISSION</td>
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<td></td>
<td>— G.S. 164-14</td>
<td></td>
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<td></td>
<td>Rep. Robert L. Farmer</td>
<td>8/27/75</td>
<td>Two years</td>
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19. GOVERNMENTAL OPERATIONS, JOINT LEGISLATIVE COMMISSION ON — SB 773

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<tbody>
<tr>
<td>Rep. W. Craig Lawing</td>
<td>8/19/75</td>
<td>Two years</td>
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<tr>
<td>Rep. Marilyn Bissell</td>
<td>8/19/75</td>
<td>Two years</td>
</tr>
<tr>
<td>Rep. Liston B. Ramsey</td>
<td>8/19/75</td>
<td>Two years</td>
</tr>
<tr>
<td>Rep. William T. Watkins</td>
<td>8/19/75</td>
<td>Two years</td>
</tr>
<tr>
<td>Rep. John Ed Davenport</td>
<td>8/19/75</td>
<td>Two years</td>
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20. BOARD OF GOVERNORS — NORTH CAROLINA HEALTH CARE EXCESS LIABILITY FUND — G.S. 58-254.23

<table>
<thead>
<tr>
<th>Name</th>
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<th>Term</th>
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<tbody>
<tr>
<td>Mr. Ralph E. Jennings, Director</td>
<td>6/10/76</td>
<td>Four years</td>
</tr>
<tr>
<td>Memorial Mission Hospital</td>
<td></td>
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<tr>
<td>Richard G. Roach, Administrator</td>
<td>6/10/76</td>
<td>Two years</td>
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<tr>
<td>Betsy Johnson Memorial Hospital</td>
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</table>

21. HOUSE MOVERS LICENSING BOARD — G.S. 136-44.30

<table>
<thead>
<tr>
<th>Name</th>
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</thead>
<tbody>
<tr>
<td>Frazier Cartret</td>
<td>7/1/75</td>
<td>6/30/77</td>
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<tr>
<td>Emory D. Stephens</td>
<td>5/13/76</td>
<td>6/30/77</td>
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<tr>
<td>(Appointed to serve the unexpired term of George D. Beam, Jr.)</td>
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22. HOUSING FINANCE AGENCY BOARD OF DIRECTORS — G.S. 122A-4

<table>
<thead>
<tr>
<th>Name</th>
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</thead>
<tbody>
<tr>
<td>Williams E. Arant, Jr.</td>
<td>7/18/75</td>
<td>Four years</td>
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<tr>
<td>Rep. W. S. Harris, Jr.</td>
<td>5/12/75</td>
<td>6/12/76</td>
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<tr>
<td>(Reappointed)</td>
<td></td>
<td>Two years</td>
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<tr>
<td>Rep. E. Graham Bell</td>
<td>5/12/75</td>
<td>6/12/76</td>
</tr>
<tr>
<td>(Reappointed)</td>
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<td>Two years</td>
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<tr>
<td>A. P. Carlton</td>
<td>7/1/76</td>
<td>6/30/80</td>
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23. HUMAN TISSUE DONATION PROGRAM — G.S. 130-235.2

<table>
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<tbody>
<tr>
<td>Rep. Nancy Chase</td>
<td>8/28/75</td>
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24. INAUGURAL CEREMONIES COMMITTEE — HB 1228

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<thead>
<tr>
<th>Name</th>
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<tbody>
<tr>
<td>Rep. Allen Barbee</td>
<td>7/1/76</td>
<td>Inaugural planning period</td>
</tr>
<tr>
<td>Rep. Wade Smith</td>
<td>7/1/76</td>
<td>Inaugural planning period</td>
</tr>
<tr>
<td>Rep. William T. Watkins</td>
<td>7/1/76</td>
<td>Inaugural planning period</td>
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APPENDIX

<table>
<thead>
<tr>
<th>Council/Committee</th>
<th>Rep.</th>
<th>Appointed</th>
<th>Term</th>
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<tbody>
<tr>
<td>25. INTERSTATE COOPERATION, COUNCIL ON — G.S. 143-178</td>
<td>Rep. Larry P. Eagles</td>
<td>8/14/75</td>
<td>Two years</td>
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<tr>
<td></td>
<td>Rep. W. Craig Lawing</td>
<td>8/14/75</td>
<td>Two years</td>
</tr>
<tr>
<td></td>
<td>Rep. John S. Stevens</td>
<td>8/14/75</td>
<td>Two years</td>
</tr>
<tr>
<td></td>
<td>Rep. H. Parks Helms</td>
<td>7/23/75</td>
<td>Two years</td>
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<tr>
<td>28. LEGISLATIVE ETHICS COMMITTEE SB 147</td>
<td>Rep. LeRoy P. Spoon, Jr.</td>
<td>7/18/75</td>
<td>Until expiration of General Assembly terms</td>
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<tr>
<td></td>
<td>Rep. Fred S. Hutchins, Jr.</td>
<td>7/18/75</td>
<td>Until expiration of General Assembly terms</td>
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<tr>
<td></td>
<td>Rep. Robert Z. Falls</td>
<td>7/18/75</td>
<td>Until expiration of General Assembly terms</td>
</tr>
<tr>
<td></td>
<td>Rep. John Ed Davenport</td>
<td>7/18/75</td>
<td>Until expiration of General Assembly terms</td>
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<tr>
<td></td>
<td>Rep. J. Guy Revelle, Sr.</td>
<td>8/4/75</td>
<td>Until 1977 Session</td>
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<tr>
<td>Appendix</td>
<td>Appointed</td>
<td>Term</td>
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<td><strong>30. LEGISLATIVE SERVICES COMMISSION — G.S. 120-31</strong></td>
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<tr>
<td>Rep. John Ed Davenport</td>
<td>6/9/76</td>
<td>Until successor appointed</td>
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<tr>
<td><strong>31. MENTAL HEALTH CARE STUDY COMMISSION — SB 508</strong></td>
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<tr>
<td>Rep. Chris S. Barker, Jr.</td>
<td>8/15/75</td>
<td>7/1/77</td>
<td></td>
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<tr>
<td>Rep. Robie L. Nash</td>
<td>8/15/75</td>
<td>7/1/77</td>
<td></td>
</tr>
<tr>
<td>Rep. Nancy Chase</td>
<td>8/15/75</td>
<td>7/1/77</td>
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<td><strong>32. MILK COMMISSION — G.S. 106-266.7</strong></td>
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<tr>
<td>F. Rockwell Poisson</td>
<td>4/22/75</td>
<td>6/30/78</td>
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<tr>
<td>Russell Davenport</td>
<td>4/22/75</td>
<td>6/30/79</td>
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<td><strong>33. MOTOR VEHICLE DEALERS’ ADVISORY BOARD — G.S. 20-305.4</strong></td>
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<tr>
<td>David K. Clark</td>
<td>8/20/75</td>
<td>Three years</td>
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<tr>
<td>Roy Mashburn</td>
<td>8/20/75</td>
<td>Three years</td>
<td></td>
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<tr>
<td>Carl L. Stewart</td>
<td>10/3/75</td>
<td>6/30/76</td>
<td></td>
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<tr>
<td>(Reappointed)</td>
<td>7/1/76</td>
<td>Three years</td>
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<tr>
<td><strong>34. PROFESSIONAL LIABILITY INSURANCE STUDY COMMISSION — G.S. 623 (HB 567)</strong></td>
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<tr>
<td>Rep. Benjamin D. Schwartz</td>
<td>9/23/75</td>
<td>Until termination of Commission</td>
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<tr>
<td>Rep. Thomas B. Sawyer</td>
<td>9/23/75</td>
<td>Until termination of Commission</td>
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<td>Commission</td>
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<td>PROFESSIONAL LIABILITY INSURANCE STUDY COMMISSION — G.S. 623 (HB 567) (Continued)</td>
<td>9/23/75</td>
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<td>9/23/75</td>
<td>Until termination of Commission</td>
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<tr>
<td>Robert R. Martin</td>
<td></td>
<td>Four years</td>
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<tr>
<td>Bernard H. Parker</td>
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<td>PROPERTY TAX COMMISSION — G.S. 143B-223</td>
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<td>C. Don Langston</td>
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<td>PROPERTY TAX SYSTEM STUDY COMMISSION — HJR 1074</td>
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<td>Rep. J. Worth Gentry</td>
<td>11/13/75</td>
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<tr>
<td>Harold Long</td>
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<td>Roy Stewart</td>
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<td>David Drummond</td>
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<td>Dr. W. E. Robbins</td>
<td>11/13/75</td>
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<td>PUBLIC SCHOOL ADMINISTRATION STUDY COMMISSION — G.S. 875</td>
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<td>Rep. E. Graham Bell</td>
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<td>Rep. George Cullipher</td>
<td>9/5/75</td>
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<td>Rep. Thomas B. Hunter</td>
<td>9/5/75</td>
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<td>Howard Manning, Sr.</td>
<td>9/5/75</td>
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<td>Rep. Mary C. Nesbitt</td>
<td>9/5/75</td>
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<td>Dr. Jerry Paschal, Supt.</td>
<td>9/5/75</td>
<td>Not specified</td>
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<td>Dean B. Westmoreland</td>
<td>9/5/75</td>
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<td>RETIREMENT SYSTEM'S BOARD OF TRUSTEES — G.S. 135-6</td>
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<tr>
<td>Rep. Claude DeBruhl</td>
<td>1/28/75</td>
<td>1/11/77</td>
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<tr>
<td>SCHOOL LAWS RECODIFICATION COMMISSION — SB 533</td>
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<tr>
<td>Rep. Wilda H. Hurst</td>
<td>8/11/75</td>
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<tr>
<td>Rep. Ned R. Smith</td>
<td>12/1/75</td>
<td>Not specified</td>
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<tr>
<td>Rep. A. Hartwell Campbell</td>
<td>8/11/75</td>
<td>Not specified</td>
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<td>SMALL BUSINESS STUDY COMMISSION — SJR 575</td>
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<tr>
<td>Paul Morgan</td>
<td>1/29/76</td>
<td>2/1/77</td>
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<tr>
<td>L. D. Jones</td>
<td>2/25/76</td>
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### 41. Solid Waste Recycling, Advisory Council on —  
G. S. 130-166.35  
<table>
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<tr>
<td>Rep. Charles Holt</td>
<td>8/21/75</td>
</tr>
<tr>
<td>Lee Carey</td>
<td>8/21/75</td>
</tr>
<tr>
<td>Charles F. Green</td>
<td>8/21/75</td>
</tr>
<tr>
<td>Robert S. Hopson</td>
<td>8/21/75</td>
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<tr>
<td>Humbert H. Rand</td>
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### 42. Southern Growth Policies Board — G. S. 143-492  
<table>
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<tbody>
<tr>
<td>Rep. Ronald Earl Mason</td>
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### 43. State Ports Authority — G. S. 143-216  
<table>
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<tbody>
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### 44. Tax Study Commission — G. S. 143-433  
<table>
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<tbody>
<tr>
<td>Cameron H. Easton</td>
<td>10/3/75</td>
</tr>
<tr>
<td>Sneed High</td>
<td>10/3/75</td>
</tr>
<tr>
<td>Rep. W. Stanford White</td>
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### 45. Technical Advisory Committee on Delinquency Prevention and Youth Services — G. S. 143B-207  
<table>
<thead>
<tr>
<th>Appointed</th>
<th>Term</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rep. William A. Creech</td>
<td>8/19/75</td>
</tr>
<tr>
<td>Rep. Lura S. Tally</td>
<td>8/19/75</td>
</tr>
</tbody>
</table>

### 46. Traffic Safety Authority — G. S. 143-392  
<table>
<thead>
<tr>
<th>Appointed</th>
<th>Term</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rep. Ruth E. Cook</td>
<td>8/18/75</td>
</tr>
</tbody>
</table>

### 47. Utility Review Committee — SJR 549  
<table>
<thead>
<tr>
<th>Appointed</th>
<th>Term</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rep. Thomas J. Baker</td>
<td>7/15/75</td>
</tr>
<tr>
<td>Rep. J. P. Huskins</td>
<td>7/15/75</td>
</tr>
<tr>
<td>Rep. George W. Miller, Jr.</td>
<td>7/15/75</td>
</tr>
</tbody>
</table>

### 48. Youth Services, Commission on — HB 750 (Ratified Chapter 742)  
G. S. 134-4  
<table>
<thead>
<tr>
<th>Appointed</th>
<th>Term</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rep. Joy J. Johnson</td>
<td>7/22/75</td>
</tr>
<tr>
<td>Rep. Margaret Tennille</td>
<td>7/22/75</td>
</tr>
</tbody>
</table>
INDEX

GENERAL ASSEMBLY

1976
INDEX GUIDE

Following each bill title, the last action or present status of said bill is indicated. For example, a bill postponed indefinitely will be denoted “P.P.I.”, or a bill ratified will be followed by its chapter number in the Session Laws. If the bill remains in committee, the name of the committee is so noted. If the bill has passed the House and been sent to the Senate, this is indicated by the word “Senate”. If the bill was filed with the Clerk but did not receive its first reading, it is denoted as filed, not read.

Grace Collins
<table>
<thead>
<tr>
<th>BILL NO</th>
<th>BILL TITLE</th>
</tr>
</thead>
<tbody>
<tr>
<td>H 425</td>
<td>NO FAULT AUTO INSURANCE (P.P.I.)</td>
</tr>
<tr>
<td>H 1285</td>
<td>THOMAS, ART, RESOLUTION AUTHORIZED (RES. 124)</td>
</tr>
<tr>
<td>H 1286</td>
<td>THOMAS, ART, MEMORIALIZING (RES. 127)</td>
</tr>
<tr>
<td>H 1287</td>
<td>FIRE TAX LEVY BILL AUTHORIZED (RES. 126)</td>
</tr>
<tr>
<td>H 1288</td>
<td>FIRE TAX FUNDS FOR RESCUE, AMBULANCE (SENATE)</td>
</tr>
<tr>
<td>H 1289</td>
<td>MALPRACTICE BILLS AUTHORIZED (RES. 122)</td>
</tr>
<tr>
<td>H 1290</td>
<td>OPERATING, CAPITAL BUDGET CHANGES (P.P.I.) (ID. S 954)</td>
</tr>
<tr>
<td>H 1291</td>
<td>WITHHOLDING TAX PAID MONTHLY (CH. 979)</td>
</tr>
<tr>
<td>H 1292</td>
<td>UNC MEDICAL SELF INSURANCE (CH. 976)</td>
</tr>
<tr>
<td>H 1293</td>
<td>MALPRACTICE LAW REVISIONS (CH. 977) (Id. S 956)</td>
</tr>
<tr>
<td>H 1294</td>
<td>MECKLENBURG BINGO BILL (P.P.I.)</td>
</tr>
<tr>
<td>H 1295</td>
<td>UTILITIES NOMINATIONS AUTHORIZED (P.P.I.) (ID. S 955)</td>
</tr>
<tr>
<td>H 1296</td>
<td>CONOVER CHARTER BILL AUTHORIZED (RULES)</td>
</tr>
<tr>
<td>H 1297</td>
<td>STATE PUBLICATION DISTRIBUTION BILL (P.P.I.)</td>
</tr>
<tr>
<td>H 1298</td>
<td>STATE PUBLICATION DISTRIBUTION (FILED, NOT READ)</td>
</tr>
<tr>
<td>H 1299</td>
<td>COURT COSTS INCREASE (CH. 980)</td>
</tr>
<tr>
<td>H 1300</td>
<td>POLK SUBDIVISION BILL AUTHORIZED (SENATE)</td>
</tr>
<tr>
<td>H 1301</td>
<td>POLK SUBDIVISION CONTROL AMENDED (FILED, NOT READ)</td>
</tr>
<tr>
<td>H 1302</td>
<td>CONOVER CHARTER REVISION (FILED, NOT READ)</td>
</tr>
<tr>
<td>H 1303</td>
<td>SECRETARY OF STATE AGENT FOR SERVICE FEE (CH. 981)</td>
</tr>
<tr>
<td>H 1304</td>
<td>DAY CARE BILLS AUTHORIZED (SENATE)</td>
</tr>
<tr>
<td>H 1305</td>
<td>DAY CARE COVERAGE, INJUNCTIONS (FILED, NOT READ)</td>
</tr>
<tr>
<td>H 1306</td>
<td>TEACHERS 16 PERCENT RAISE FUNDS (APPROPRIATIONS)</td>
</tr>
<tr>
<td>H 1307</td>
<td>UTILITIES CONFIRMATION SESSION (RES. 125) (ID. S 964)</td>
</tr>
<tr>
<td>H 1308</td>
<td>AUTO REINSURANCE BILL AUTHORIZED (SENATE)</td>
</tr>
<tr>
<td>H 1309</td>
<td>AUTO REINSURANCE AMENDMENTS (FILED, NOT READ)</td>
</tr>
<tr>
<td>H 1310</td>
<td>SALES TAX OFF MEALS FOR ELDERLY (CH. 982)</td>
</tr>
</tbody>
</table>
H 1311  MALPRACTICE EXCESS LIABILITY FUND  
(P.P.I.) (Id. S 959) .................................. 35, 36, 64.

H 1312  TEACHER, EMPLOYEE 10 PERCENT RAISE  
(APPROPRIATIONS) .................................. 35, 36.

H 1313  CORPORATION DECLARE ESTIMATED TAX  
(FINANCE) ............................................. 35, 36.

H 1314  DURHAM SCHOOL VOTE BILL AUTHORIZED  
(SENATE) ............................................. 42, 43, 54, 60.

H 1315  TEACHERS EMPLOYEES $1,700 RAISE  
(APPROPRIATIONS) .................................. 42, 43.

H 1316  RALEIGH LAND SALE BILL AUTHORIZED  
(SENATE) ............................................. 42, 43, 54, 60.

H 1317  RALEIGH REDEVELOPMENT LAND SALE  
(FILED, NOT READ) .................................. 42.

H 1318  DURHAM SCHOOL BOARD ELECTION  
(FILED NOT READ) .................................. 42.

H 1319  YADKIN COMMISSIONER VOTE BILL AUTHORIZED  
(SENATE) ............................................. 43, 44.

H 1320  YADKIN COUNTY COMMISSIONER ELECTION  
(FILED, NOT READ) .................................. 43.

H 1321  CRIMINAL PROCEDURE BILL AUTHORIZED  
(SENATE) ............................................. 46, 47, 53.

H 1322  UTILITY COMMISSIONER VOTE BILL AUTHORIZED  
(Unfav.) .............................................. 46, 47, 55.

H 1323  UTILITIES COMMISSIONERS Elected  
(FILED, NOT READ) .................................. 47.

H 1324  CIGARETTE TAX INCREASE (FINANCE) .............. 47.

H 1325  BEER WHOLESALER DISCOUNT DECREASED  
(FINANCE) ........................................... 55, 57.

H 1326  ELDERLY TAX EXEMPTION BILL AUTHORIZED  
(RULES) .............................................. 55, 57, 63.

H 1327  ELDERLY PROPERTY TAX EXEMPTION  
(FILED, NOT READ) .................................. 56.

H 1328  RDU AIRPORT BILL AUTHORIZED (RULES) ........... 56, 57.

H 1329  RDU AIRPORT AUTHORITY PAY (FILED, NOT READ) .. 56.

H 1330  DAY CARE PRIVILEGE LICENSE TAX (FINANCE) .... 56, 57.

H 1331  NAVASSA BILL AUTHORIZED (SENATE) ............. 56, 57, 60.

H 1332  CRIMINAL PROCEDURE CHANGES  
(FILED, NOT READ) .................................. 56.

H 1333  NAVASSA INCORPORATION (FILED, NOT READ) ...... 56.

H 1334  INHERITANCE TAX WHEN WAR DEATH  
(FINANCE) ........................................... 56, 57.

H 1335  ASHE AMBULANCE FEE BILL AUTHORIZED  
(SENATE) ............................................ 62, 63.

H 1336  ASHE AMBULANCE FEE COLLECTIONS  
(FILED, NOT READ) .................................. 63.

H 1337  MINIMUM WAGE BILL AUTHORIZED (FINANCE) ....... 63.

H 1338  MINIMUM WAGE RAISED (FILED, NOT READ) ....... 63.

H 1339  RAYMOND FLOYD HONORED (RULES) ................. 70, 72.
<table>
<thead>
<tr>
<th>INDEX</th>
<th>103</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>H 1340</strong> EMPLOYEE LIMIT BILL AUTHORIZED (RULES)</td>
<td>71, 72.</td>
</tr>
<tr>
<td><strong>H 1341</strong> STATE EMPLOYEES INCREASE LIMITED (FILED, NOT READ)</td>
<td>71.</td>
</tr>
<tr>
<td><strong>H 1342</strong> ADJOURNMENT SINE DIE RESOLUTION (RES. 128)</td>
<td>74, 75.</td>
</tr>
<tr>
<td><strong>S 954</strong> OPERATING, CAPITAL BUDGET CHANGES (CH. 983) (Id. H 1290)</td>
<td>74.</td>
</tr>
<tr>
<td><strong>S 955</strong> UTILITIES NOMINATIONS AUTHORIZED (RES. 123) (Id. H 1295)</td>
<td>24, 25, 26, 27.</td>
</tr>
<tr>
<td><strong>S 956</strong> MALPRACTICE LAW REVISION (P.P.I.) (Id. H 1293)</td>
<td>41, 64.</td>
</tr>
<tr>
<td><strong>S 959</strong> MALPRACTICE EXCESS LIABILITY FUND (CH. 978) (Id. H 1311)</td>
<td>41, 45, 50, 51, 52, 57, 58, 61, 64.</td>
</tr>
<tr>
<td><strong>S 960</strong> LEGISLATIVE PER DIEM BILL AUTHORIZED (P.P.I.)</td>
<td>33, 55.</td>
</tr>
<tr>
<td><strong>S 964</strong> UTILITIES CONFIRMATION SESSION (Unfav.) (Id. H 1307)</td>
<td>41, 55.</td>
</tr>
</tbody>
</table>
ALPHABETICAL INDEX

—A—

ADMINISTRATIVE PROCEDURE
OPERATING, CAPITAL BUDGET CHANGES
H 1290 (P.P.I.) (Id. S 954) ........................................ 21, 73, 74.
S 954 (Ch. 983) (Id. H 1290) ........................................ 74.

AGRICULTURE
OPERATING, CAPITAL BUDGET CHANGES
H 1290 (P.P.I.) (Id. S 954) ........................................ 21, 73, 74.
S 954 (Ch. 983) (Id. H 1290) ........................................ 74.

ALCOHOLIC BEVERAGE — See LIQUOR REGULATION

APPOINTMENTS — See APPENDIX

APPROPRIATIONS
OPERATING, CAPITAL BUDGET CHANGES
H 1290 (P.P.I.) (Id. S 954) ........................................ 21, 73, 74.
S 954 (Ch. 983) (Id. H 1290) ........................................ 74.

TEACHER, EMPLOYEE 10 PERCENT RAISE
(H 1312) (Approp.) .................................................. 35, 36.

TEACHER, EMPLOYEES $1,700 RAISE
(H 1315) (Approp.) .................................................. 42, 43.

TEACHER, 16 PERCENT RAISE FUNDS
(H 1306) (Approp.) .................................................. 30, 31.

ASHE COUNTY
AMBULANCE FEE BILL AUTHORIZED
(H 1335) (Senate) ................................................... 62, 63.
AMBULANCE FEE COLLECTIONS (H 1336) (Filed, not read) .. 63.

—B—

BOYCE, THE HONORABLE JOHN, MAYOR OF GUILDFORD, ENGLAND
PRESENTS RESOLUTION ............................................. 33.

BRUNSWICK COUNTY
NAVASSA BILL AUTHORIZED (H 1331) (Senate) ... 56, 57, 60.
NAVASSA INCORPORATION (H 1333) (Filed, not read) ...... 56.

BUDGET
OPERATING, CAPITAL BUDGET CHANGES
H 1290 (P.P.I.) (Id. S 954) ........................................ 21, 73, 74.
S 954 (Ch. 983) (Id. H 1290) ........................................ 74.

BUNCOMBE COUNTY
FIRE TAX FUNDS FOR RESCUE, AMBULANCE
(H 1288) (Senate) .................................................. 17, 75.
FIRE TAX LEVY BILL AUTHORIZED
(H 1287) (Res. 126) ................................................ 17, 18, 54, 60, 74.

—C—

CATAWBA COUNTY
CONOVER CHARTER BILL AUTHORIZED (H 1296) (Rules) .. 27.
CONOVER CHARTER REVISION (Filed, not read) ............. 29.
CHILD WELFARE  
DAY CARE BILLS AUTHORIZED  
(H 1304) (Senate) ........................... 29, 30, 34, 47, 52, 53.  
DAY CARE COVERAGE, INJUNCTIONS  
(R 1305) (Filed, not read) ...................... 29.  
DAY CARE PRIVILEGE LICENSE TAX  
(H 1330) (FINANCE) ............................. 56, 57.  

CIVIL PROCEDURE  
MALPRACTICE BILLS AUTHORIZED  
(H 1289) (Res. 122) ......................... 17, 18, 20, 22, 23, 24, 25.  
MALPRACTICE LAW REVISIONS  
H 1293 (Ch. 977) (Id. S 956) .................. 21, 26, 28, 32, 37, 38, 39, 40, 41, 53, 54, 61.  
S 956 (Id. H 1293) .............................. 41, 64.  

COMMUNITY COLLEGES  
OPERATING, CAPITAL BUDGET CHANGES  
H 1290 (P.P.I.) (Id. S 954) ...................... 21, 73, 74.  
S 954 (Ch. 983) (Id. H 1290) .................... 74.  
TEACHER, EMPLOYEE 10 PERCENT RAISE  
(H 1312) (Approp.) .............................. 35, 36.  
TEACHERS, EMPLOYEES $1,700 RAISE  
(H 1315) (Approp.) .............................. 42, 43.  
TEACHERS 16 PERCENT RAISE FUNDS  
(H 1306) (Approp.) .............................. 30, 31.  

CONFEDERATE HOMES  
OPERATING, CAPITAL BUDGET CHANGES  
(H 1290) (P.P.I.) ............................... 21, 73, 74.  

CONFERENCE REPORT  
MALPRACTICE EXCESS LIABILITY FUND (S 959) .......... 61.  

CONSTITUTION  
UTILITY COMMISSION VOTE BILL AUTHORIZED  
(H 1322) (Unfav.) .............................. 46, 47, 55.  
UTILITIES COMMISSIONERS ELECTED  
(H 1323) (Filed, not read) ....................... 47.  

CORPORATIONS  
OPERATING, CAPITAL BUDGET CHANGES  
H 1290 (P.P.I.) (Id. S 954) ...................... 21, 73, 74.  
S 954 (Ch. 983) (Id. H 1290) .................... 74.  
SECRETARY OF STATE AGENT FOR SERVICE FEE  
(H 1303) (Ch. 981) .............................. 29, 30, 45, 49, 59, 72.  

COURTS — See JUDICIAL DEPT.  
CRIMINAL PROCEDURE  
CRIMINAL PROCEDURE BILL AUTHORIZED  
(H 1321) (Senate) .............................. 46, 47, 53.  
CRIMINAL PROCEDURE CHANGES  
(H 1332) (Filed, not read) ...................... 56.  
OPERATING, CAPITAL BUDGET CHANGES  
H 1290 (P.P.I.) (Id. S 954) ...................... 21, 73, 74.  
S 954 (Ch. 983) (Id. H 1290) .................... 74.
DAY CARE
DAY CARE BILLS AUTHORIZED
(H 1304) (Senate) 29, 30, 34, 47, 52, 53.
DAY CARE COVERAGE, INJUNCTIONS
(H 1305) (Filed, not read) 29.
DAY CARE PRIVILEGE LICENSE TAX
(H 1330) (Finance) 56, 57.

DUNCAN, CONRAD RILEY
COMMITTEES: Highway Safety, Judiciary No. 3, Professional Law Enforcement Personnel and Practice, Appropriations, Courts and Judicial Districts, Mental Health, University Board of Governor's Nominating Committee.

OATH 13.

DURHAM COUNTY
SCHOOL BILL AUTHORIZED (H 1314) (Senate) 42, 43, 54, 60.
SCHOOL BOARD ELECTION (H 1318) (Filed, not read) 42.
RDU AIRPORT BILL AUTHORIZED (H 1328) (Rules) 56, 57.
RDU AIRPORT PAY (H 1329) (Filed, not read) 56.

EDUCATION
OPERATING, CAPITAL BUDGET CHANGES
H 1290 (P.P.I.) (Id. S 954) 21, 73, 74.
S 954 (Ch. 983) (Id. H 1290) 74.
TEACHER, EMPLOYEE 10 PERCENT RAISE
(H 1312) (Approp.) 35, 36.
TEACHERS, EMPLOYEES $1,700 RAISE
(H 1315) (Approp.) 42, 43.
TEACHERS 16 PERCENT RAISE FUNDS
(H 1306) (Approp.) 30, 31.

EDWARDS, JAMES H.
COMMITTEE APPOINTMENT 16.

ELDERLY
PROPERTY TAX EXEMPTION AUTHORIZED
(H 1326) (Rules) 55, 57, 63.

PROPERTY TAX EXEMPTION (H 1327) (Filed, not read) 56.
SALES TAX OFF MEALS FOR ELDERLY
(H 1310) (Ch. 982) 35, 36, 45, 49, 59, 72.

ELLIS, T. W., JR.
COMMITTEE APPOINTMENT 15.

EURE, THAD
ADMINISTERS OATHS 13, 19.

EVIDENCE
MALPRACTICE BILLS AUTHORIZED
H 1289 (Res. 122) 17, 18, 20, 22, 23, 24, 25.
MALPRACTICE EXCESS LIABILITY FUND
H 1311 (P.P.I.) (Id. S 959) 35, 36, 64.
S 959 (Ch. 978) (Id. H 1311) 41, 45, 50, 51, 52, 57, 58, 61, 64.
MALPRACTICE LAW REVISIONS
H 1293 (Ch. 977) (Id. S 956) .................. 21, 26, 28, 32, 37, 38, 39, 40, 41, 53, 54, 61.
S 956 (P.P.I.) (Id. H 1293) .................. 41, 64.

EXECUTIVE REORGANIZATION
OPERATING, CAPITAL BUDGET CHANGES
(H 1290) (P.P.I.) .......................... 21, 73, 74.

—F—
FIRE PROTECTION
FIRE TAX LEVY BILL AUTHORIZED
(H 1287) (Res. 126) .................. 17, 18, 54, 60, 74.
FIRE TAX FUNDS FOR RESCUE, AMBULANCES—
BUNCOMBE COUNTY (H 1288) (Senate) ........ 17, 75.
FLOYD, RAYMOND, HONORED (H 1339) (Rules) .... 70, 72.
FRYE, HENRY E.
POEM HONORING ART THOMAS .................. 71.

—G—
GAMBLE, JOHN R., JR.
CONFERENCE: SB 959
GENERAL ASSEMBLY
ADJOURNMENT SINE DIE RESOLUTION
(H 1342) (Res. 128) .................. 74, 75.
LEGISLATIVE PER DIEM BILL AUTHORIZED
(S 960) (P.P.I.) .................. 33, 55.
OPERATING, CAPITAL BUDGET CHANGES
H 1290 (P.P.I.) (Id. S 954) .................. 21, 73, 74.
S 954 (Ch. 983) (Id. H 1290) .................. 74.
UTILITIES CONFIRMATION SESSION
H 1307 (Res. 125) (Id. S 964) .................. 30, 31, 34, 44, 48.
S 964 (Unfav.) (Id. H 1307) .................. 41, 55.
GOVERNOR
LETTER REGARDING UTILITIES COMMISSION
APPOINTEES .......................... 66.
GREEN, JAMES C.
REMARKS .................. 75.

—H—
HEALTH — See PUBLIC HEALTH
HIGHER EDUCATION
OPERATING, CAPITAL BUDGET CHANGES
H 1290 (P.P.I.) (Id. S 954) .................. 21, 73, 74.
S 954 (Ch. 983) (Id. H 1290) .................. 74.
TEACHER, EMPLOYEE 10 PERCENT RAISE
(H 1312) (Approp.) .......................... 35, 36.
TEACHER, EMPLOYEES $1,700 RAISE
(H 1315) (Approp.) .......................... 42, 43.
HIGHERS EDUCATION — Cont'd.

TEACHERS 16 PERCENT RAISE FUNDS
(H 1306) (Approp.) ........................................... 30, 31.

UNC MEDICAL SELF INSURANCE
(H 1292) (Ch. 976) ........................................... 21, 25, 28, 31, 32, 36, 44.

HIGHTOWER, FOYLE, JR.
CONFEREE: SB 959

HOLSHOUSER, JAMES E., JR.
LETTER REGARDING UTILITIES COMMISSION
APPOINTEES .................................................. 66.

HOLT, BERTHA MERRILL
COMMITTEES: Employment Security, Finance, Judiciary No. 2, Local
Government No. 1, Public Utilities, State Personnel.
OATH .......................................................... 14.

HOSPITALS
MALPRACTICE EXCESS LIABILITY FUND
H 1311 (P.P.I.) (Id. S 959) ......................... 35, 36, 64.
S 959 (Ch. 978) (Id. H 1311) .......... 41, 45, 50, 51, 52, 57, 58, 61, 64.

HOUSE MOVERS LICENSING BOARD APPOINTMENT .......... 62.

HUNT, JAMES B., JR.
PRESIDING AT JOINT SESSION ....................... 65.

HUNTER, THOMAS B.
SUBMITS REPORT OF COMMITTEE ON RESEARCH AND
DEVELOPMENT IN PUBLIC EDUCATION IN
NORTH CAROLINA ........................................... 27.

—I—

INCOMPETENTS
MALPRACTICE LAW REVISIONS
H 1293 (Ch. 977) (Id. S 956) .............. 21, 26, 28, 32, 37, 38,

S 956 (P.P.I.) (Id. H 1293) ......................... 41, 64.

INSURANCE
AUTO REINSURANCE AUTHORIZED
(H 1308) (Senate) ........................................... 34, 35, 44.

AUTO REINSURANCE AMENDMENTS
(H 1309) (Filed, not read) ......................... 35.

MALPRACTICE BILLS AUTHORIZED
(H 1289) (Res. 122) .............. 17, 18, 20, 22, 23, 24, 25.

MALPRACTICE EXCESS LIABILITY FUND
H 1311 (P.P.I.) (Id. S 959) ......................... 35, 36, 64.
S 959 (Ch. 978) (Id. H 1311) .......... 41, 45, 50, 51, 52, 57, 58, 61, 64.

MALPRACTICE LAW REVISIONS
H 1293 (Ch. 977) (Id. S 956) .............. 21, 26, 28, 32, 37, 38,

S 956 (P.P.I.) (Id. H 1293) ......................... 41, 64.

NO-FAULT AUTO INSURANCE (H 425) (P.P.I.) ............. 64.

OPERATING, CAPITAL BUDGET CHANGES
H 1290 (P.P.I.) (Id. S 954) ......................... 21, 73, 74.
S 954 (Ch. 983) (Id. H 1290) ......................... 74.
INDEX

INSURANCE — Cont'd.
UNC MEDICAL SELF INSURANCE
(H 1292) (Ch. 976) ...................... 21, 25, 28, 31, 32, 36, 44.

—J—

JOINT SESSION
CONFIRMATION OF APPOINTMENTS TO UTILITIES COMMISSION ...................... 65.

JUDICIAL DEPARTMENT
COURT COSTS INCREASE
(H 1299) (Ch. 980) ...................... 29, 30, 45, 48, 58, 72.
OPERATING, CAPITAL BUDGET CHANGES
H 1290 (P.P.I.) (Id. S 954) .................. 21, 73, 74.
S 954 (Ch. 983) (Id. H 1290) .................. 74.
TEACHER, EMPLOYEE 10 PERCENT RAISE
(H 1312) (Approp.) ...................... 35, 36.

JUSTICE DEPARTMENT
OPERATING, CAPITAL BUDGET CHANGES
H 1290 (P.P.I.) (Id. S 954) .................. 21, 73, 74.
S 954 (Ch. 983) (Id. H 1290) .................. 74.

—L—

LABOR DEPARTMENT
MINIMUM WAGE BILL AUTHORIZED (H 1337) (Finance) ... 63.
MINIMUM WAGE RAISED (H 1338) (Filed, not read) ........... 63.
OPERATING, CAPITAL BUDGET CHANGES
H 1290 (P.P.I.) (Id. S 954) .................. 21, 73, 74.
S 954 (Ch. 983) (Id. H 1290) .................. 74.

LANE, ARCHIE T., SR.
LETTER OF RESIGNATION ...................... 19.

LEGISLATIVE PER DIEM BILL AUTHORIZED
(S 960) (P.P.I.) ...................... 33, 55.

LIEUTENANT GOVERNOR
Presiding at Joint Session ...................... 65.

LILLY, DANIEL T.
CONFEREE: SB 959

LIQUOR REGULATION
BEER WHOLESALER DISCOUNT DECREASED
(H 1325) (Finance) ...................... 55, 57.

LOCAL BILLS — See SPECIFIC COUNTIES

LUTZ, MRS. EDITH
COMMITTEES: Base Budget, Commissions and Institutions for Blind and Deaf, Manufacturers and Labor, Public Libraries, Highway Safety, Military and Veterans' Affairs, Wildlife.

OATH ...................... 13.

—M—

MALPRACTICE
MALPRACTICE BILLS AUTHORIZED
(1289) (Res. 122) ...................... 17, 18, 20, 22, 23, 24, 25.
MALPRACTICE — Cont’d.
MALPRACTICE EXCESS LIABILITY FUND
  H 1311 (P.P.I.) (Id. S 959) ..................... 35, 36, 64.
  S 959 (Ch. 978) (Id. H 1311) .. 41, 45, 50, 51, 52, 57, 58, 61, 64.
MALPRACTICE LAW REVISIONS
  H 1293 (Ch. 977) (Id. S 956) ................. 21, 26, 28, 32, 37, 38,
  S 956 (P.P.I.) (Id. H 1293) ..................... 41, 64.
UNC MEDICAL SELF INSURANCE
  (H 1292) (Ch. 976) ......................... 21, 25, 28, 31, 32, 36, 36, 44.

MECKLENBURG COUNTY
MECKLENBURG BINGO BILL AUTHORIZED
  (H 1294) (P.P.I.) ................................ 21, 22, 54.
MEDICAL
MALPRACTICE BILLS AUTHORIZED
  (H 1289) (Res. 122) ......................... 17, 18, 20, 22, 23, 24, 25.
MALPRACTICE EXCESS LIABILITY FUND
  H 1311 (P.P.I.) (Id. S 959) ..................... 35, 36, 64.
  S 959 (Ch. 978) (Id. H 1311) .. 41, 45, 50, 51, 52, 57, 58, 61, 64.
MALPRACTICE LAW REVISIONS
  H 1293 (Ch. 977) (Id. S 956) ................. 21, 26, 28, 32, 37, 38,
  S 956 (Id. H 1293) ......................... 41, 64.
UNC MEDICAL SELF INSURANCE
  (H 1292) (Ch. 976) ......................... 21, 25, 28, 31, 32, 36, 36, 44.

MINIMUM WAGE
MINIMUM WAGE BILL AUTHORIZED (H 1337) (Finance) .... 63.
MINIMUM WAGE RAISED (H 1338) (Filed, not read) .... 63.
MOTORBOATS
OPERATING, CAPITAL BUDGET CHANGES
  H 1290 (P.P.I.) (Id. S 954) ..................... 21, 73, 74.
  S 954 (Ch. 983) (Id. H 1290) ..................... 74.
MOTOR VEHICLES
NO-FAULT AUTO INSURANCE (H 425) (P.P.I.) ............ 64.
OPERATING, CAPITAL BUDGET CHANGES
  H 1290 (P.P.I.) (Id. S 954) ..................... 21, 73, 74.
  S 954 (Ch. 983) (Id. H 1290) ..................... 74.

—N—
NATURAL & ECONOMIC RESOURCES
OPERATING, CAPITAL BUDGET CHANGES
  H 1290 (P.P.I.) (Id. S 954) ..................... 21, 73, 74.
  S 954 (Ch. 983) (Id. H 1290) ..................... 74.
NON-PROFIT CORPORATION
OPERATING, CAPITAL BUDGET CHANGES
  H 1290 (P.P.I.) (Id. S 954) ..................... 21, 73, 74.
  S 954 (Ch. 983) (Id. H 1290) ..................... 74.
SECRETARY OF STATE AGENT FOR SERVICE FEE
  (H 1303) (Ch. 981) .............................. 29, 30, 45, 49, 59, 72.
INDEX

—P—

PHILLIPS, C. W.
COMMITTEE APPOINTMENT ............................................. 15.
OFFERS PRAYER ......................................................... 33.

PICKLER, JANET W.
COMMITTEES: Commissions and Institutions for Blind and Deaf,
Courts and Judicial Districts, Judiciary No. 1, Election Laws, Fi-
nance, State Government.
OATH ................................................................. 15.

POLK COUNTY
POLK SUBDIVISION BILL AUTHORIZED
(H 1300) (Senate) ..................................................... 29, 30, 54, 60.
POLK SUBDIVISION CONTROL AMENDED
(H 1301) (Filed, not read) ............................................. 29.

POLLUTION CONTROL
OPERATING, CAPITAL BUDGET CHANGES
H 1290 (P.P.I.) (Id. S 954) .............................................. 21, 73, 74.
S 954 (Ch. 983) (Id. H 1290) .......................................... 74.

PRESIDENT OF THE SENATE—SEE LIEUTENANT GOVERNOR;
ALSO SEE HUNT, JAMES B., JR.

PUBLIC HEALTH
MALPRACTICE EXCESS LIABILITY FUND
H 1311 (P.P.I.) (Id. S 959) .............................................. 35, 36, 64.
S 959 (Ch. 978) (Id. H 1311) ........................................... 41, 45, 50, 51, 52, 57, 58, 61, 64.

PUBLIC RECORDS
MALPRACTICE EXCESS LIABILITY FUND
H 1311 (P.P.I.) (Id. S 959) .............................................. 35, 36, 64.
S 959 (Ch. 978) (Id. H 1311) ........................................... 41, 45, 50, 51, 52, 57, 58, 61, 64.

PUBLIC UTILITIES—SEE UTILITIES

—R—

RDU AIRPORT BILL AUTHORIZED (H 1328) (Rules) ............... 56, 57.
RDU AIRPORT PAY (H 1329) (Filed, not read) ......................... 56.

RESOLUTION FROM N. C. FIFTH DISTRICT DEMOCRATIC
CONVENTION READ AND FILED IN OFFICE OF
PRINCIPAL CLERK ....................................................... 62.

RETIREMENT
OPERATING, CAPITAL BUDGET CHANGES
H 1290 (P.P.I.) (Id. S 954) .............................................. 21, 73, 74.
S 954 (Ch. 983) (Id. H 1290) .......................................... 74.

REVELLE, J. GUY, SR.
COMMITTEE APPOINTMENT ............................................. 16.

ROADS & HIGHWAYS
OPERATING, CAPITAL BUDGET CHANGES
H 1290 (P.P.I.) (Id. S 954) .............................................. 21, 73, 74.
S 954 (Ch. 983) (Id. H 1290) .......................................... 74.

ROUNTREE, H. HORTON
COMMITTEE APPOINTMENT ............................................. 16.
RULES CIVIL PROCEDURE
MALPRACTICE BILLS AUTHORIZED
(H 1289) (Res. 122) .................. 17, 18, 20, 22, 23, 24, 25.
MALPRACTICE LAW REVISIONS
H 1293 (Ch. 977) (Id. S 956) ............... 21, 26, 28, 32, 37,
38, 39, 40, 41, 53, 54, 61.
S 956 (P.P.I.) (Id. H 1293) .................. 41, 64.

—S—

SERGEANT-AT-ARMS
ELECTION ........................................ 19.

SHORT, W. M.
COMMITTEE APPOINTMENT ...................... 16.

SMITH, A. NEAL
COMMITTEE APPOINTMENT ..................... 20.

SPEAKER OF THE HOUSE OF REPRESENTATIVES
REMARKS ....................................... 75.

STATE AGENCIES
EMPLOYEE LIMIT BILL AUTHORIZED (H 1340) Rules) ... 71, 72.
EMPLOYEES INCREASE LIMITED (H 1341) (Filed, not read) .. 71.
OPERATING, CAPITAL BUDGET CHANGES
H 1290 (P.P.I.) (Id. S 954) ..................... 21, 73, 74.
S 954 (Ch. 983) (Id. H 1290) .................. 74.

UNC MEDICAL SELF INSURANCE
(H 1292) (Ch. 976) ......................... 21, 25, 28, 31, 32, 36, 44.

STATE EMPLOYEES — SEE STATE PERSONNEL
STATE EMPLOYEES' RETIREMENT — SEE RETIREMENT
STATE LANDS
OPERATING, CAPITAL BUDGET CHANGES
H 1290 (P.P.I.) (Id. S 954) ..................... 21, 73, 74.
S 954 (Ch. 983) (Id. H 1290) .................. 74.

STATE OFFICERS
OPERATING, CAPITAL BUDGET CHANGES
H 1290 (P.P.I.) (Id. S 954) ..................... 21, 73, 74.
S 954 (Ch. 983) (Id. H 1290) .................. 74.

STATE PUBLICATIONS DISTRIBUTION AUTHORIZED
(H 1287) (P.P.I.) ............................ 27, 34.
STATE PUBLICATIONS DISTRIBUTION
(H 1298) (Filed, not read) .................. 27.

TEACHER, EMPLOYEE 10 PERCENT RAISE
(H 1312) (Approp.) ........................... 35, 36.

UNC MEDICAL SELF INSURANCE
(H 1292) (Ch. 976) ......................... 21, 25, 28, 31, 32, 36, 44.

STATE PERSONNEL
EMPLOYEE LIMIT BILL AUTHORIZED (H 1340) (Rules) ... 71, 72.
EMPLOYEES INCREASE LIMITED (H 1341) (Filed, not read) .. 71.
OPERATING, CAPITAL BUDGET CHANGES
H 1290 (P.P.I.) (Id. S 954) ..................... 21, 73, 74.
S 954 (Ch. 983) (Id. H 1290) .................. 74.
STATE PERSONNEL — Con’t.
TEACHER, EMPLOYEE 10 PERCENT RAISE
(H 1312) (Approp.) .......................... 35, 36.
TEACHERS, EMPLOYEES $1,700 RAISE
(H 1315) (Approp.) .......................... 42, 43.

STUDIES
OPERATING, CAPITAL BUDGET CHANGES
H 1290 (P.P.I.) (Id. S 954) ..................... 21, 73, 74.
S 954 (Ch. 983) (Id. H 1290) ................. 74.

—T—
TART, C. GRAHAM
ELECTED SERGEANT-AT-ARMS ................. 19.
OATH ........................................ 19.

TAXATION
BEER WHOLESALER DISCOUNT DECREASED
(H 1325) (Finance) .......................... 55, 57.
CIGARETTE TAX INCREASE (H 1324) (Finance) .......... 47.
CORPORATION DECLARE ESTIMATED TAX
(H 1313) (Finance) .......................... 35, 36.
DAY CARE PRIVILEGE LICENSE TAX
(H 1330) (Finance) .......................... 56, 57.
ELDERLY TAX EXEMPTION BILL AUTHORIZED
(H 1326) (Rules) ............................. 55, 57, 63.
ELDERLY PROPERTY TAX EXEMPTION
(H 1327) (Filed, not read) .................... 56.
INHERITANCE TAX WHEN WAR DEATH
(H 1334) (Finance) .......................... 56, 57.
SALES TAX OFF MEALS FOR ELDERLY
(H 1310) (Ch. 982) .......................... 35, 36, 45, 49, 59, 72.
WITHHOLDING TAX PAID MONTHLY
(H 1291) (Ch. 979) .......................... 21, 22, 44, 45, 48, 58, 72.

TEACHER RETIREMENT — SEE RETIREMENT

THOMAS, ARTHUR W.
ADJOURNMENT IN MEMORY OF .................. 76.
MEMORIALIZING AUTHORIZED (H 1285) (Res. 124) .......... 18, 34, 48.
MEMORIALIZING RESOLUTION (H 1286) (Res. 127) ........ 17, 71, 75.
POEM HONORING ................................ 71.

THOMAS, BETTY DORTON
COMMITTEES: Appropriations, Insurance, Local Government No. 1,
State Personnel, State Properties, Transportation.
OATH ........................................ 14.

—U—

UNIVERSITIES — SEE HIGHER EDUCATION

UTILITIES
UTILITIES COMMISSION CONFIRMATION
JOINT SESSION .............................. 65, 66, 67, 68, 69, 70.
UTILITIES COMMISSION VOTE BILL AUTHORIZED
(H 1322) (Unfav.) ............................. 46, 47, 55.
UTILITIES — Cont’d.

UTILITIES COMMISSIONERS ELECTED
(H 1323) (Filed, not read) .......................... 47.

UTILITIES CONFIRMATION SESSION
H 1307 (Res. 125) (Id. S 964) .................. 30, 31, 34, 44, 48.
S 964 (Unfav.) (Id. H 1307) ...................... 41, 55.

UTILITIES NOMINATIONS AUTHORIZED
H 1295 (P.P.I.) (Id. S 955) ...................... 24, 25, 26, 28.
S 955 (Res. 123) (Id. H 1295) .................. 24, 25, 26, 27.

—W—

WAKE COUNTY
RALEIGH LAND SALE BILL AUTHORIZED
(H 1316) (Senate) ................................. 42, 43, 54, 60.

RALEIGH REDEVELOPMENT LAND SALE
(H 1317) (Filed, not read) ......................... 42.

RDU AIRPORT BILL AUTHORIZED (H 1328) (Rules) ... 56, 57.

WARD, ALLEN C.
COMMITTEE APPOINTMENT ........................... 15.
MOTION TO RECONSIDER HB 417 ................... 52.

WOODARD, BARNEY PAUL
COMMITTEE APPOINTMENT ........................... 16.

YADKIN COUNTY
COMMISSIONERS ELECTION BILL AUTHORIZED
(H 1319) (Senate) ................................. 43, 44.
COMMISSIONERS ELECTION (H 1320) (Filed, not read) .... 43.

—Y—

YOUTH SERVICES
OPERATING, CAPITAL BUDGET CHANGES
H 1290 (P.P.I.) (Id. S 954) ....................... 21, 73, 74.
S 954 (Ch. 983) (Id. H 1290) ..................... 74.