

JOURNAL
OF THE
House of Representatives
OF THE
2003
GENERAL ASSEMBLY
OF THE
STATE OF NORTH CAROLINA

SECOND EXTRA
SESSION 2003

OFFICERS AND MEMBERS
OF THE
HOUSE OF REPRESENTATIVES
SECOND EXTRA SESSION 2003

James B. Black, *Democratic Speaker*..... Matthews, Mecklenburg County
Richard T. Morgan, *Republican Speaker*..... Eagle Springs, Moore County
Denise G. Weeks, *Principal Clerk*..... Willow Springs, Wake County
Robert R. Samuels, *Sergeant-at-Arms* Charlotte, Mecklenburg County

REPRESENTATIVES

- 1st District (1): Camden, Currituck, Gates (Part), and Pasquotank.
William C. Owens, Jr. (D) Pasquotank Elizabeth City
- 2nd District (1): Chowan, Dare, Gates (Part), Perquimans, and Tyrrell.
William T. Culpepper, III (D) .. Chowan Edenton
- 3rd District (1): Craven (Part), and Pamlico.
Michael A. Gorman (R) Craven Trent Woods
- 4th District (1): Craven (Part), Martin and Pitt (Part).
Charles E. Johnson (D) Pitt Greenville
- 5th District (1): Bertie, Hertford, and Northampton.
Howard J. Hunter, Jr. (D) Hertford Winton
- 6th District (1): Beaufort, Hyde, and Washington.
Arthur J. Williams (D) Beaufort Washington
- 7th District (1): Halifax (Part) and Nash (Part).
John D. Hall (D) Halifax Scotland Neck
- 8th District (1): Greene, Martin (Part), and Pitt (Part).
Edith D. Warren (D) Pitt Farmville
- 9th District (1): Pitt (Part).
Marian N. McLawhorn (D) Pitt Grifton

- 10th District (1): Duplin (Part) and Lenoir (Part).
Stephen A. LaRoque (R)..... Lenoir..... Kinston
- 11th District (1) Wayne (Part).
Louis M. Pate, Jr. (R)..... Wayne..... Mt. Olive
- 12th District (1): Craven (Part), Jones, and Lenoir (Part).
William L. Wainwright (D) Craven..... Havelock
- 13th District (1): Carteret and Onslow (Part).
Jean R. Preston (R) Carteret Emerald Isle
- 14th District (1): Onslow (Part).
Keith P. Williams (R) Onslow..... Hubert
- 15th District (1): Onslow (Part).
W. Robert Grady (R) Onslow..... Jacksonville
- 16th District (1): New Hanover (Part) and Pender.
Carolyn H. Justice (R) Pender Hampstead
- 17th District (1): Brunswick (Part) and New Hanover (Part).
Bonner L. Stiller (R)..... Brunswick..... Oak Island
- 18th District (1) Brunswick (Part), Columbus (Part), and
New Hanover (Part).
Thomas E. Wright (D) New Hanover..... Wilmington
- 19th District (1): New Hanover (Part).
Daniel F. McComas (R)..... New Hanover..... Wilmington
- 20th District (1): Brunswick (Part) and Columbus (Part).
Dewey L. Hill (D)..... Columbus..... Lake Waccamaw
- 21st District (1): Duplin (Part), Sampson (Part), and Wayne (Part).
Larry M. Bell (D)..... Sampson..... Clinton
- 22nd District (1): Bladen and Sampson (Part).
Edd Nye (D). Bladen..... Elizabethtown

- 23rd District (1): Edgecombe (Part) and Wilson (Part).
Joe P. Tolson (D).....EdgecombePinetops
- 24th District (1): Edgecombe (Part) and Wilson (Part).
Jean Farmer-Butterfield (D)..... Wilson..... Wilson
- 25th District (1): Nash (Part).
William G. Daughtridge, Jr. (R) ..Nash Rocky Mount
- 26th District (1): Johnston (Part) and Wayne (Part).
Billy J. Creech (R) Johnston..... Clayton
- 27th District (1): Granville (Part), Vance (Part), and Warren (Part).
Stanley H. Fox (D)..... Granville Oxford
- 28th District (1): Johnston (Part).
N. Leo Daughtry (R)..... Johnston Smithfield
- 29th District (1): Durham (Part).
Paul Miller (D)..... Durham Durham
- 30th District (1): Durham (Part).
Paul Luebke (D)..... Durham Durham
- 31st District (1): Durham (Part).
Henry M. Michaux, Jr. (D) Durham Durham
- 32nd District (1): Durham (Part), Granville (Part), and Vance (Part).
James W. Crawford, Jr. (D) Granville Oxford
- 33rd District (1): Wake (Part).
Bernard Allen (D)..... Wake..... Raleigh
- 34th District (1): Wake (Part).
Don Munford (R)..... Wake..... Raleigh
- 35th District (1): Wake (Part).
Jennifer Weiss (D) Wake..... Cary
- 36th District (1): Wake (Part).
David M. Miner (R) Wake..... Cary

- 37th District (1): Wake (Part).
Paul Stam (R)..... Wake..... Apex
- 38th District (1): Wake (Part).
Deborah K. Ross (D) Wake..... Raleigh
- 39th District (1): Wake (Part).
J. Sam Ellis (R)..... Wake..... Raleigh
- 40th District (1): Wake (Part).
Rick L. Eddins (R)..... Wake..... Raleigh
- 41st District (1): Cumberland (Part) and Harnett (Part).
Margaret H. Dickson (D) Cumberland Fayetteville
- 42nd District (1): Cumberland (Part) and Harnett (Part).
Marvin W. Lucas (D)..... Cumberland Spring Lake
- 43rd District (1): Cumberland (Part).
Mary E. McAllister (D) Cumberland Fayetteville
- 44th District (1): Cumberland (Part).
Rick Glazier (D) Cumberland Fayetteville
- 45th District (1): Cumberland (Part).
Alex Warner (D)..... Cumberland Hope Mills
- 46th District (1): Hoke (Part), Robeson (Part), and Scotland (Part).
Douglas Y. Yongue (D)..... Scotland Laurinburg
- 47th District (1): Hoke (Part) and Robeson (Part).
Ronnie N. Sutton (D)..... Robeson Pembroke
- 48th District (1): Hoke (Part), Robeson (Part), and Scotland (Part).
Donald A. Bonner (D) Robeson Rowland
- 49th District (1): Franklin, Halifax (Part), and Warren (Part).
Lucy T. Allen (D) Franklin..... Louisburg
- 50th District (1): Wake (Part).
J. Russell Capps (R)..... Wake..... Raleigh
- 51st District (1): Harnett (Part), Lee, and Moore (Part).
John I. Sauls (R) Lee Sanford

- 52nd District (1): Moore (Part).
Richard T. Morgan (R) Moore..... Eagle Springs
- 53rd District (1): Harnett (Part).
David R. Lewis (R)..... HarnettDunn
- 54th District (1): Chatham and Orange (Part).
Joe Hackney (D) Orange Chapel Hill
- 55th District (1): Orange (Part) and Person.
Gordon P. Allen (D) Person Roxboro
- 56th District (1): Orange (Part).
Verla C. Insko (D) Orange Chapel Hill
- 57th District (1): Guilford (Part).
Joanne W. Bowie (R)..... Guilford Greensboro
- 58th District (1): Guilford (Part).
Alma S. Adams (D) Guilford Greensboro
- 59th District (1): Guilford (Part).
Maggie Jeffus (D) Guilford Greensboro
- 60th District (1): Guilford (Part).
Earl Jones (D) Guilford Greensboro
- 61st District (1): Guilford (Part).
Stephen W. Wood (R)..... Guilford High Point
- 62nd District (1): Guilford (Part).
John M. Blust (R) Guilford Greensboro
- 63rd District (1): Alamance (Part).
Alice L. Bordsen (D) Alamance Mebane
- 64th District (1): Alamance (Part).
Cary D. Allred (R) Alamance Burlington
- 65th District (1): Caswell and Rockingham (Part).
E. Nelson Cole (D) Rockingham..... Reidsville
- 66th District (1): Forsyth (Part) and Rockingham (Part).
P. Wayne Sexton, Sr. (R)..... Rockingham..... Eden

- 67th District (1): Randolph (Part).
 Arlie F. Culp (R)..... Randolph..... Ramsey
- 68th District (1): Richmond and Stanly (Part).
 G. Wayne Goodwin (D)..... Richmond..... Rockingham
- 69th District (1): Anson, Montgomery, and Union (Part).
 Pryor A. Gibson, III (D)..... Montgomery Troy
- 70th District (1): Stanly (Part) and Union (Part).
 Bobby H. Barbee, Sr. (R)..... Stanly Locust
- 71st District (1): Forsyth (Part).
 Larry W. Womble (D) Forsyth Winston-Salem
- 72nd District (1): Forsyth (Part).
 Earline W. Parmon (D) Forsyth Winston-Salem
- 73rd District (1): Union (Part).
 J. Curtis Blackwood, Jr. (R)..... Union Matthews
- 74th District (1): Cabarrus (Part).
 Linda P. Johnson (R) Cabarrus..... Kannapolis
- 75th District (1): Cabarrus (Part).
 Jeffrey L. Barnhart (R)..... Cabarrus..... Concord
- 76th District (1): Rowan (Part).
 W. Eugene McCombs (R)..... Rowan Faith
- 77th District (1): Rowan (Part).
 Lorene T. Coates (D) Rowan Salisbury
- 78th District (1): Randolph (Part).
 Harold J. Brubaker (R) Randolph..... Asheboro
- 79th District (1): Davidson (Part), Davie, and Iredell (Part).
 Julia C. Howard (R) Davie..... Mocksville
- 80th District (1): Davidson (Part).
 Jerry C. Dockham (R)..... Davidson..... Denton
- 81st District (1): Davidson (Part).
 L. Hugh Holliman (D) Davidson..... Lexington

- 82nd District (1): Ashe and Watauga.
W. Eugene Wilson (R)..... Watauga Boone
- 83rd District (1): Wilkes.
R. Tracy Walker (R) Wilkes Wilkesboro
- 84th District (1): Avery, Caldwell (Part), and Mitchell.
Phillip D. Frye (R) Mitchell Spruce Pine
- 85th District (1): Burke (Part), Caldwell (Part), and McDowell.
Mitch Gillespie (R) McDowell Marion
- 86th District (1): Burke (Part).
Walter G. Church, Sr. (D) Burke Valdese
- 87th District (1): Alexander and Caldwell (Part).
Edgar V. Starnes (R) Caldwell Granite Falls
- 88th District (1): Catawba (Part).
Mark K. Hilton (R) Catawba Conover
- 89th District (1): Catawba (Part).
Mitchell S. Setzer (R) Catawba Catawba
- 90th District (1): Alleghany and Surry (Part).
James A. Harrell, III (D) Surry Elkin
- 91st District (1): Forsyth (Part), Stokes, and Surry (Part).
Rex L. Baker (R) Stokes King
- 92nd District (1): Forsyth (Part) and Yadkin.
George M. Holmes (R) Yadkin Hamptonville
- 93rd District (1): Forsyth (Part).
William C. McGee (R) Forsyth Clemmons
- 94th District (1): Forsyth (Part).
Michael P. Decker (R) Forsyth Walkertown
- 95th District (1): Catawba (Part) and Iredell (Part).
Karen B. Ray (R) Iredell Mooresville
- 96th District (1): Iredell (Part).
W. Franklin Mitchell (R) Iredell Olin

- 97th District (1): Lincoln.
Joe L. Kiser (R)..... Lincoln..... Vale
- 98th District (1): Mecklenburg (Part).
John W. Rhodes (R)..... Mecklenburg..... Cornelius
- 99th District (1): Mecklenburg (Part).
Drew P. Saunders (D)..... Mecklenburg..... Huntersville
- 100th District (1): Mecklenburg (Part).
James B. Black (D)..... Mecklenburg..... Matthews
- 101st District (1): Mecklenburg (Part).
Beverly M. Earle (D)..... Mecklenburg..... Charlotte
- 102nd District (1): Mecklenburg (Part).
Becky Carney (D)..... Mecklenburg..... Charlotte
- 103rd District (1): Mecklenburg (Part).
Jim Gulley (R)..... Mecklenburg..... Matthews
- 104th District (1): Mecklenburg (Part).
Constance K. Wilson (R)..... Mecklenburg..... Charlotte
- 105th District (1): Mecklenburg (Part).
W. Edwin McMahan (R)..... Mecklenburg..... Charlotte
- 106th District (1): Mecklenburg (Part).
Martha B. Alexander (D)..... Mecklenburg..... Charlotte
- 107th District (1): Mecklenburg (Part).
W. Pete Cunningham (D)..... Mecklenburg..... Charlotte
- 108th District (1): Gaston (Part).
John M. Rayfield (R)..... Gaston..... Belmont
- 109th District (1): Gaston (Part).
Patrick T. McHenry (R)..... Gaston..... Cherryville
- 110th District (1): Cleveland (Part) and Gaston (Part).
Debbie A. Clary (R)..... Cleveland..... Cherryville
- 111th District (1): Cleveland (Part).
Tim Moore (R)..... Cleveland..... Kings Mountain

- 112th District (1): Cleveland (Part) and Rutherford.
 Bobby F. England (D)..... Rutherford.....Ellenboro
- 113th District (1): Henderson (Part), Polk and Transylvania (Part).
 Trudi Walend (R)..... TransylvaniaBrevard
- 114th District (1): Buncombe (Part).
 Martin L. Nesbitt, Jr. (D) Buncombe Asheville
- 115th District (1): Buncombe (Part).
 D. Bruce Goforth (D)..... Buncombe Asheville
- 116th District (1): Buncombe (Part).
 Wilma M. Sherrill (R)..... Buncombe Asheville
- 117th District (1): Henderson (Part) and Transylvania (Part).
 Carolyn K. Justus (R)..... Henderson Hendersonville
- 118th District (1): Haywood (Part), Madison, and Yancey.
 Raymond C. Rapp (D) Madison Mars Hill
- 119th District (1): Haywood (Part), Jackson, Macon (Part), and Swain.
 R. Phillip Haire (D)..... Jackson..... Sylva
- 120th District (1): Cherokee, Clay, Graham, and Macon (Part).
 Roger West (R) Cherokee Marble

HOUSE JOURNAL

SECOND EXTRA SESSION 2003

FIRST DAY

HOUSE OF REPRESENTATIVES
Tuesday, December 9, 2003

Pursuant to a call of His Excellency, Governor Michael F. Easley, hereinafter recorded, the House of Representatives of the General Assembly of North Carolina convenes in its Hall in Extra Session, at the hour of 4:00 o'clock p.m., Tuesday, December 9, 2003, and is called to order by the Speaker of the House, Richard T. Morgan.

The following prayer is offered by the Reverend Jim Harry, Trinity United Methodist Church, Raleigh, North Carolina.

"Almighty God:

"We begin our gathering this afternoon by offering You the sincere gratitude of our hearts for Your steadfast love in our lives. Despite the paths that we sometimes take that do in fact, divert from Thy will, Your love for us remains ever constant, ever certain.

"As we gather this day in this season of hope, joy, and expectancy, we pray that You would bless the work of our hands, honor the gifts and our minds, and meld the cooperation of our hearts so that God's peace and goodwill might rest upon all of Your children. This we pray in the name of the One who was, and is, and is to come. Amen."

Speaker Morgan leads the Body in the Pledge of Allegiance.

Leaves of absence are granted Representatives Adams, England, Justice, LaRoque, and Moore for today. Representatives Insko, Lucas, and Weiss are excused for a portion of the session.

The following proclamation from the Governor is read:

PROCLAMATION OF AN EXTRA SESSION

Pursuant to the authority vested in the Governor by Article III, Section 5(7) of the Constitution of North Carolina, and by and with the advice of the Council of State, the General Assembly shall convene for an extra session on Tuesday, December 9, 2003 at 4:00 p.m. regarding the economic development incentives that businesses in current discussions with the Governor have indicated are necessary to make their decisions before the General Assembly regularly convenes on May 10, 2004 to locate large-scale projects in North Carolina. These incentives are limited to those projects that would provide the state with significant jobs and investment in the key industrial sectors of pharmaceutical and medicinal product manufacturing; bioprocessing; and tobacco manufacturing.

Done in Raleigh, North Carolina on December 8, 2003.

S/ Mike Easley
Michael F. Easley
Governor

QUORUM CALL

In order to establish a quorum, Speaker Morgan directs an electronic call of the roll of the Members of the House and the following Representatives are recorded as present: Speaker Black, Speaker Morgan; Representatives Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtridg, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, Ellis, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justus, Kiser, Lewis, Lucas, Luebke, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright and Yongue.

One hundred twelve Members having answered the call, Speaker Morgan declares a quorum present. The House proceeds with public business.

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

Speaker Morgan directs the Principal Clerk to number the resolution and places **H.R. 1, A HOUSE RESOLUTION ADOPTING THE PERMANENT RULES OF THE 2003 SECOND EXTRA SESSION OF THE NORTH CAROLINA HOUSE OF REPRESENTATIVES**, before the Body.

The resolution is adopted, by electronic vote (103-10), and ordered printed.

COMMITTEE ASSIGNMENTS

Speaker Morgan states that the Committees on Appropriations, Ethics, Finance, and Rules, Calendar, and Operations of the House are activated to meet pursuant to the rules and that the committee memberships are the same as those of the 2003 Regular Session.

SPECIAL MESSAGE TO THE SENATE

Speaker Morgan orders a Special Message sent to the Senate informing that Honorable Body that the House of Representatives is organized and ready to proceed with public business for the 2003 Extra Session.

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representatives G. Allen, Crawford, Gibson, Goodwin, Hill, Howard, Miner, Owens, and Wainwright:

H.B. 2, A BILL TO BE ENTITLED AN ACT TO MAKE THE FOLLOWING CHANGES RECOMMENDED BY THE GOVERNOR: (1) APPROPRIATE TWENTY-FIVE MILLION DOLLARS FOR INDUSTRIAL SITE INFRASTRUCTURE FOR MAJOR PROJECTS; (2) MODIFY THE JOB DEVELOPMENT INVESTMENT GRANT PROGRAM; (3) PROVIDE INCENTIVES FOR MAJOR PHARMACEUTICAL AND BIOPROCESSING FACILITIES BY EXTENDING THE BILL LEE ACT SUNSET FOR THESE INDUSTRIES AND AUTHORIZING SALES TAX REFUNDS

FOR CONSTRUCTION MATERIALS FOR THESE INDUSTRIES; AND (4) EXTEND THE SUNSET ON THE CIGARETTE EXPORTATION TAX CREDIT, is referred to the Committee on Finance and, if favorable, to the Committee on Appropriations.

By Representatives Miner, Baker, Sherrill, and Howard (Primary Sponsors); and Grady:

H.B. 3, A BILL TO BE ENTITLED AN ACT TO PROVIDE A TAX CREDIT FOR MANUFACTURERS WHO EXPORT CIGARETTES, INCREASE EMPLOYMENT IN THIS STATE, AND UTILIZE STATE PORTS AND TO PROVIDE INCENTIVES FOR MAJOR PHARMACEUTICAL AND BIOPROCESSING FACILITIES BY: (1) APPROPRIATING TWENTY-FIVE MILLION DOLLARS FOR INDUSTRIAL SITE INFRASTRUCTURE FOR MAJOR PROJECTS FOR THESE INDUSTRIES; (2) MODIFYING THE JOB DEVELOPMENT INVESTMENT GRANT PROGRAM; (3) EXTENDING THE BILL LEE ACT SUNSET FOR THESE INDUSTRIES; AND (4) AUTHORIZING SALES TAX REFUNDS FOR CONSTRUCTION MATERIALS FOR THESE INDUSTRIES, is referred to the Committee on Finance.

On motion of Speaker Morgan, the House recesses at 4:45 p.m., subject to report of committees and re-referral of bills.

RECESS

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following report from standing committee is presented:

By Representatives G. Allen, Howard, Luebke, McComas, Miner, and Wainwright, Chairs, for the Committee on Finance.

H.B. 2, A BILL TO BE ENTITLED AN ACT TO MAKE THE FOLLOWING CHANGES RECOMMENDED BY THE GOVERNOR: (1) APPROPRIATE TWENTY-FIVE MILLION DOLLARS FOR INDUSTRIAL SITE INFRASTRUCTURE FOR MAJOR PROJECTS; (2) MODIFY THE JOB DEVELOPMENT INVESTMENT GRANT PROGRAM; (3) PROVIDE INCENTIVES FOR MAJOR PHARMACEUTICAL AND BIOPROCESSING FACILITIES BY EXTENDING THE BILL LEE ACT SUNSET FOR THESE INDUSTRIES AND AUTHORIZING SALES TAX REFUNDS FOR CONSTRUCTION MATERIALS FOR THESE INDUSTRIES; AND

(4) EXTEND THE SUNSET ON THE CIGARETTE EXPORTATION TAX CREDIT, with a favorable report, as amended, and recommendation that the bill be re-referred to the Committee on Appropriations.

Without objection, the bill is ordered engrossed and re-referred to the Committee on Appropriations. Upon engrossment, the title of the bill is changed.

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

SPECIAL MESSAGE FROM THE SENATE

2003 GENERAL ASSEMBLY SECOND EXTRA SESSION 2003

Senate Chamber
December 9, 2003

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives informing that Honorable Body that the Senate is convened pursuant to the Proclamation issued by the Governor, December 8, 2003, and is now organized and ready to proceed with the public business of the State in the Second Extra Session.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representative C. Wilson:

H.B. 4, A BILL TO BE ENTITLED AN ACT TO ACCELERATE CONFORMITY TO THE FEDERAL BONUS DEPRECIATION DEDUCTION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives C. Wilson and Goodwin:

H.B. 5, A BILL TO BE ENTITLED AN ACT TO REDUCE THE CORPORATE INCOME TAX TO SIX PERCENT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Blust, Blackwood, Bowie, Capps, Creech, Culp, Dockham, Ellis, Frye, Gillespie, Glazier, Goodwin, Gulley, Hilton, Holliman, Holmes, L. Johnson, McGee, McHenry, Mitchell, Preston, Setzer, Sexton, Stam, Starnes, Walend, West, G. Wilson, and Wood:

H.B. 6, A BILL TO BE ENTITLED AN ACT TO REDUCE THE CORPORATE INCOME TAX TO SIX PERCENT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Luebke, L. Johnson, Coates, and Goodwin (Primary Sponsors); Glazier, Holliman, McCombs, Ross, and Weiss:

H.B. 7, A BILL TO BE ENTITLED AN ACT RELATING TO IMPROVING SERVICES TO DISPLACED WORKERS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Holliman, Glazier, Luebke, Ross, and Weiss:

H.B. 8, A BILL TO BE ENTITLED AN ACT TO MODIFY THE BILL LEE ACT TIER DESIGNATION FORMULA TO ASSURE THAT ECONOMIC DEVELOPMENT EFFORTS ARE TARGETED TO TRULY DISTRESSED AREAS, is referred to the Committee on Rules, Calendar, and Operations of the House.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following report from standing committee is presented:

By Representatives Baker, Clary, Crawford, Earle, Grady, Owens, Sherrill, and Wright, Chairs, for the Committee on Appropriations.

H.B. 2, A BILL TO BE ENTITLED AN ACT TO MAKE THE FOLLOWING CHANGES RECOMMENDED BY THE GOVERNOR: (1) APPROPRIATE TWENTY-FIVE MILLION DOLLARS FOR INDUSTRIAL SITE INFRASTRUCTURE FOR MAJOR PROJECTS; (2) MODIFY THE JOB DEVELOPMENT INVESTMENT GRANT PROGRAM; (3) PROVIDE

INCENTIVES FOR MAJOR PHARMACEUTICAL AND BIOPROCESSING FACILITIES BY EXTENDING THE BILL LEE ACT SUNSET FOR THESE INDUSTRIES AND AUTHORIZING SALES TAX REFUNDS FOR CONSTRUCTION MATERIALS FOR THESE INDUSTRIES; (4) EXTEND THE SUNSET ON AND MODIFY THE CIGARETTE EXPORTATION TAX CREDIT AND MODIFY THE BASE YEAR, AND (5) CREATE AN ENHANCED TAX CREDIT FOR CIGARETTE EXPORTATION, with a favorable report, as amended.

Pursuant to H.R. 1, Section 1(7), the bill is placed on the Calendar.

CALENDAR

Action is taken on the following:

H.B. 2, A BILL TO BE ENTITLED AN ACT TO MAKE THE FOLLOWING CHANGES RECOMMENDED BY THE GOVERNOR: (1) APPROPRIATE TWENTY-FIVE MILLION DOLLARS FOR INDUSTRIAL SITE INFRASTRUCTURE FOR MAJOR PROJECTS; (2) MODIFY THE JOB DEVELOPMENT INVESTMENT GRANT PROGRAM; (3) PROVIDE INCENTIVES FOR MAJOR PHARMACEUTICAL AND BIOPROCESSING FACILITIES BY EXTENDING THE BILL LEE ACT SUNSET FOR THESE INDUSTRIES AND AUTHORIZING SALES TAX REFUNDS FOR CONSTRUCTION MATERIALS FOR THESE INDUSTRIES; (4) EXTEND THE SUNSET ON AND MODIFY THE CIGARETTE EXPORTATION TAX CREDIT AND MODIFY THE BASE YEAR, AND (5) CREATE AN ENHANCED TAX CREDIT FOR CIGARETTE EXPORTATION.

On motion of Representative Sherrill, Committee Amendment No. 1 is adopted by electronic vote (101-0). This amendment changes the title.

Representative Hackney requests that he be excused from voting on this bill, because of family economic interest, under Rule 24.1A and this request is granted.

The bill, as amended, passes its second reading, by electronic vote (82-30). Pursuant to H.R. 1, Section 1(9)a, the bill is read a third time.

The bill, as amended, passes its third reading, by electronic vote (82-30), and is ordered sent to the Senate by Special Message without engrossment.

On motion of Speaker Morgan, the House recesses at 10:24 p.m.

RECESS

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

On motion of Representative Culpepper, seconded by Representative Baker, the House adjourns at 11:59 p.m. to reconvene December 10 at 12:01 a.m.

SECOND DAY

HOUSE OF REPRESENTATIVES
Wednesday, December 10, 2003

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

Prayer is offered by Representative Wainwright.

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

Leaves of absence are granted Representatives Adams, England, Insko, Justice, LaRoque, Lucas, Moore, and Weiss for today. Representative Grady is excused for a portion of the session.

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representative Culpepper:

H.J.R. 9, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE 2003 SECOND EXTRA SESSION, is referred to the Committee on Rules, Calendar, and Operations of the House.

SPECIAL MESSAGE FROM THE SENATE

The following Special Messages are received from the Senate:

H.B. 2, A BILL TO BE ENTITLED AN ACT TO MAKE THE FOLLOWING CHANGES RECOMMENDED BY THE GOVERNOR: (1) APPROPRIATE TWENTY-FOUR MILLION DOLLARS FOR INDUSTRIAL SITE INFRASTRUCTURE FOR MAJOR PROJECTS; (2) MODIFY THE JOB DEVELOPMENT INVESTMENT GRANT PROGRAM; (3) PROVIDE INCENTIVES FOR MAJOR PHARMACEUTICAL AND BIOPROCESSING FACILITIES BY EXTENDING THE BILL LEE ACT SUNSET FOR THESE INDUSTRIES AND AUTHORIZING SALES TAX REFUNDS FOR CONSTRUCTION MATERIALS FOR THESE INDUSTRIES; (4) EXTEND THE SUNSET ON AND MODIFY THE CIGARETTE EXPORTATION TAX CREDIT AND MODIFY THE BASE YEAR, AND (5) CREATE AN ENHANCED TAX CREDIT FOR CIGARETTE EXPORTATION, is returned for concurrence in Senate amendment, and pursuant to H.R. 1, Section 1(9)a, the bill is placed on the Calendar.

Upon concurrence, the Senate amendment changes the title.

On motion of Representative Miner, the House concurs in the Senate amendment, which changes the title, by electronic vote (76-18), and the bill is ordered enrolled and presented to the Governor by Special Message.

S.J.R. 5, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE 2003 SECOND EXTRA SESSION, is read the first time, and pursuant to H.R. 1, Section 1(9)a, the resolution is placed on the Calendar.

The resolution passes its second reading, by electronic vote (95-3), and pursuant to H.R. 1, Section 1(9)b, is read a third time.

The resolution passes its third reading and is ordered enrolled.

ENROLLED BILLS

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

H.B. 2, AN ACT TO MAKE THE FOLLOWING CHANGES RECOMMENDED BY THE GOVERNOR: (1) APPROPRIATE TWENTY-FOUR MILLION DOLLARS FOR INDUSTRIAL SITE INFRASTRUCTURE

FOR MAJOR PROJECTS; (2) MODIFY THE JOB DEVELOPMENT INVESTMENT GRANT PROGRAM; (3) PROVIDE INCENTIVES FOR MAJOR PHARMACEUTICAL AND BIOPROCESSING FACILITIES BY EXTENDING THE BILL LEE ACT SUNSET FOR THESE INDUSTRIES AND AUTHORIZING SALES TAX REFUNDS FOR CONSTRUCTION MATERIALS FOR THESE INDUSTRIES; (4) EXTEND THE SUNSET ON AND MODIFY THE CIGARETTE EXPORTATION TAX CREDIT AND MODIFY THE BASE YEAR, (5) CREATE AN ENHANCED TAX CREDIT FOR CIGARETTE EXPORTATION, AND (6) CREATE A LIFE SCIENCES REVENUE BOND AUTHORITY.

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

S.J.R. 5, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE 2003 SECOND EXTRA SESSION. (RESOLUTION 2003-34 SECOND EXTRA SESSION)

Representative Culpepper moves, seconded by Representative Miller, that the 2003 House of Representatives meeting in Second Extra Session under call of the Governor adjourn *sine die*.

The motion carries.

Speaker Black orders a Special Message sent to the Senate informing that Honorable Body that the House has concluded the business for which it was convened and stands ready to adjourn *sine die* pursuant to **S.J.R. 5**, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE 2003 SECOND EXTRA SESSION.

SPECIAL MESSAGE FROM THE SENATE

2003 GENERAL ASSEMBLY SECOND EXTRA SESSION 2003

Senate Chamber
December 10, 2003

Mr. Speaker:

It is ordered that a message be sent to your Honorable Body respectfully advising that the Senate has concluded the business of the Second Extra Session 2003 of the 2003 General Assembly and is adjourning

December 10, 2003

sine die, pursuant to **S.J.R. 5**, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE 2003 SECOND EXTRA SESSION.

Respectfully,
S/Janet B. Pruitt
Principal Clerk

Speaker Black sounds the gavel and declares the Second Extra Session of the 2003 General Assembly adjourned *sine die* at 1:18 a.m.

Denise G. Weeks
Principal Clerk

ADDENDUM

Pursuant to Article II, Section 22 of the North Carolina Constitution, the following bill is properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State. The date included in this section represents the date the Act was signed by the Governor.

December 16, 2003

H.B. 2, AN ACT TO MAKE THE FOLLOWING CHANGES RECOMMENDED BY THE GOVERNOR: (1) APPROPRIATE TWENTY-FOUR MILLION DOLLARS FOR INDUSTRIAL SITE INFRASTRUCTURE FOR MAJOR PROJECTS; (2) MODIFY THE JOB DEVELOPMENT INVESTMENT GRANT PROGRAM; (3) PROVIDE INCENTIVES FOR MAJOR PHARMACEUTICAL AND BIOPROCESSING FACILITIES BY EXTENDING THE BILL LEE ACT SUNSET FOR THESE INDUSTRIES AND AUTHORIZING SALES TAX REFUNDS FOR CONSTRUCTION MATERIALS FOR THESE INDUSTRIES; (4) EXTEND THE SUNSET ON AND MODIFY THE CIGARETTE EXPORTATION TAX CREDIT AND MODIFY THE BASE YEAR, (5) CREATE AN ENHANCED TAX CREDIT FOR CIGARETTE EXPORTATION, AND (6) CREATE A LIFE SCIENCES REVENUE BOND AUTHORITY. (S.L. 2003-435 SECOND EXTRA SESSION)

Denise G. Weeks
Principal Clerk

A P P E N D I X
SECOND EXTRA SESSION 2003

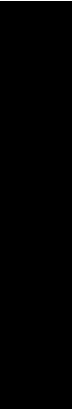


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H.R. 1, A HOUSE RESOLUTION ADOPTING THE PERMANENT RULES OF THE 2003 SECOND EXTRA SESSION OF THE NORTH CAROLINA HOUSE OF REPRESENTATIVES.

Be it resolved by the House of Representatives:

SECTION 1. The permanent rules of the 2003 Regular Session of the House of Representatives, with the following amendments, are adopted as the permanent rules of the 2003 Second Extra Session:

- (1) **RULE 1** shall read as follows: "**RULE 1. Convening Hour.** The House shall convene each legislative day at the hour fixed by the House. In the event the House adjourns on the preceding legislative day without having fixed an hour for reconvening, the House shall convene on the next legislative day at 10:00 A.M."
- (2) Notwithstanding **RULE 26**, the Committee on Rules, Calendar, and Operations of the House, the Ethics Committee, the Finance Committee, and the Appropriations Committee shall be comprised of the members who were appointed during the Regular Session and other members as the Speaker may appoint at the beginning of the Extra Session. The Chairs and Vice-Chairs of those committees shall be those who were appointed by the Speaker during the Regular Session.
- (3) Notwithstanding **RULE 27**, the standing committees and permanent subcommittees of the House are:

<u>Committees</u>	<u>Subcommittees</u>
a. Rules, Calendar, and Operations of the House	(none)
b. Ethics	(none)
c. Appropriations	(none)
d. Finance	(none)

All rules of the 2003 Regular Session applicable to standing committees and permanent subcommittees of the House other than the committees named in this subdivision are inoperative. The Speaker may appoint select committees under **RULE 26**.
- (4) Notwithstanding **RULE 31(a)**, any bill or resolution shall be introduced by submitting the bill or resolution to the Principal Clerk's Office.
- (5) Notwithstanding **RULES 31** and **31.1**:
 - a. The only resolutions that may be introduced or considered in the House are resolutions adjourning the 2003 Second Extra Session sine die.

- b. All bills shall be excluded from introduction or consideration in the House, other than bills concerning matters described in the Governor's Proclamation of an Extra Session dated December 8, 2003.
- (6) RULE 31.1 shall not apply to resolutions adjourning the 2003 Second Extra Session sine die and bills concerning matters described in the Governor's Proclamation of an Extra Session dated December 8, 2003.
 - (7) Notwithstanding RULES 32, 38, and 41, a resolution or bill may be placed on the calendar without being referred by the Speaker to a committee and on the same legislative day of its introduction or receipt from the Senate.
 - (8) Notwithstanding RULE 36(a), all House bills and resolutions may be reported from the standing committee or permanent subcommittee to which referred with recommendations as the standing committee or permanent subcommittee may desire to make.
 - (9) Notwithstanding RULE 41:
 - a. The first reading and reference to a standing committee of a House bill shall occur on the legislative day of its introduction. The first reading and reference to a standing committee of a Senate bill shall occur on the legislative day of its receipt on messages from the Senate. The Speaker shall give notice at each subsequent reading whether it is the second or third reading.
 - b. Except for a bill governed by Article II, Section 23 of the North Carolina Constitution, a bill may be read more than once on the same day.
 - (10) Notwithstanding RULE 44(d), a conference report may be placed on the calendar for the legislative day on which the report is received.
 - (11) Notwithstanding RULE 59, any member wishing to cosponsor a bill or resolution that has been introduced may do so by appearing in the office of the Principal Clerk for that purpose on the day during which the bill or resolution was first read and referred, but only while the bill or resolution is in the possession of the House.

SECTION 2. This resolution is effective upon adoption.

**FINAL DISPOSITION OF BILLS
IN HOUSE COMMITTEES**

(House bills remaining in committees)

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HB 3 NEW JOBS CREATION ACT

RULES, CALENDAR, AND OPERATIONS OF THE HOUSE

- HB 4 BONUS DEPRECIATION DEDUCTION
- HB 5 REDUCE CORPORATE INCOME TAX
- HB 6 REDUCE CORPORATE INCOME TAX
- HB 7 IMPROVE SERVICES TO DISPLACED WORKERS
- HB 8 MAKE TIER FORMULA RESPONSIVE
- HB 9 ADJOURNMENT SINE DIE

PRESENTMENT OF BILLS TO THE GOVERNOR
(Date Enrolling Clerk Delivered to the
Office of the Governor)
2003 SECOND EXTRA SESSION

BILL NUMBER

HB 2

DATE DELIVERED

December 10, 2003

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HOUSE JOURNAL

SECOND EXTRA SESSION

2003

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The North Carolina General Statutes titles form the basis for this alphabetical index. Following each bill title, the last action or the present status of said bill is indicated. For example, a ratified bill will be followed by its chapter number in the Session Laws. Bills included in whole or in part in other measures are reflected as such, if known.

All bills dealing with funds are indexed under Appropriations, Local or Appropriations, Public. Local legislation is placed under the county it affects.

A list of bills and resolutions introduced by each Representative is found under the member's name with an asterisk (*) noting that person as the primary sponsor.

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